FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2717

DATE FILMED 6/9/95 CAMERA NO. 1

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 4, 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THRU: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: HAIG FOR PRESIDENT REFERRAL OF MATTERS INVOLVING CONTRIBUTION IRREGULARITIES.

On October 4, 1988 the Commission voted to refer the matters contained in the attached July 19, 1988 memorandum to your office. I have also appended the relevant portions of your office's analysis, dated September 7, 1988.

Should you have any questions or wish to review any audit workpapers, please contact Valerie Conroy or Rick Halter at (202) 376-5320.

Attachment as stated

2504365003

Admin. file

HAIG1/071988

FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

July 19, 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA RJC for RJC 7-19-88
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: HAIG FOR PRESIDENT - CONTRIBUTION IRREGULARITIES

I. Patterns Noted Prior to Audit Fieldwork

A. Consecutively Numbered Money Orders Drawn on Olympic International Bank and Trust Company

During the review of contributions submitted in the Haig for President ("the Committee") threshold submission for Vermont, it was noted that ten "Treasurer's Checks" from Olympic International Bank & Trust Company of Boston were submitted. All of the checks were in the amount of $1,000 and were dated 8/12/87 and, except for one break all instruments are in consecutive check number sequence. Each check has the contributor's name and address typed in the upper left hand corner, in the payee line was typed "Haig for President", and the written amount imprinted by a machine checkwriter "OLYMPIC BANK & TRUST 1,000.00 cts". The Treasurer's checks apparently required the signatures of two bank officials. The Audit staff identified one signature to be that of Thomas F. Collins III, listed in Polks Bank Directory as an Executive Vice President of Olympic Bank and Trust Company, as well as a member of the bank's Board of Directors. The second signatory could not be identified.

All of the contributors are either officers of The Fellows Corp., Springfield, Vermont or their spouses. The Committee sent a letter to each of the 10 individuals requesting them to sign the instrument and return it. Each individual signed in the lower left hand corner. Since the checks were not accompanied by a personal funds statement they were rejected as non-matchable in the threshold submission, and the state of

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Vermont was not included as a qualifying state in the Eligibility Report. Our review of the Committee's disclosure reports identified one additional employee of the Fellows Corp. itemized as having made a contribution to the Committee. A schedule of the contributions in question and copies of the written instruments and Committee letters are attached. (See Exhibit 1)

It should be noted that Olympic International Bank & Trust Company has been designated as the Committee's depository into which matching fund payments are to be deposited, and Dominic J. Saraceno, the Committee's Treasurer, is a Director of Olympic International Bank & Trust Company.

Recommendation #1

The Audit staff recommends a referral of this matter to your office.

B. Contributions Received from Individuals Associated with Olympic International Bank and Trust Company

The Committee received 28 contributions, totalling $17,475 from 20 contributors,1/ (see Exhibit 2), of which 12 were identified as either a director, officer or employee of Olympic International Bank and 8 were identified as a spouse (4) or relative (4) of a director, officer or employee of Olympic International Bank. Fourteen of the 28 contributions noted above were made between April 20, 1987 and April 30, 1987, and 4 more were made between September 21, 1987 and September 24, 1987.

Of the 12 bank officials noted above, 10 wrote their contribution check from an apparent personal account at Olympic International Bank. Two other contributors also wrote their contribution checks from accounts with Olympic International Bank. Two contributions, each for $1,000, were made on "Treasurers Checks" from Olympic International Bank. JoAnn O'Brien, spouse of William J. O'Brien, President and Director of the bank, is the named contributor on the first treasurer's check which is accompanied by a signed personal funds statement. The second treasurer's check, dated September 22, 1987, bears "Matthew L. Curtin (Student, Age 18, from Trust Acc't)" handwritten in the upper left hand corner (as well as the contributor's address) as the contributor; the Audit staff has identified Matthew L. Curtin as residing at the same address as Judith S. Curtin, a bank employee, who also contributed $1,000 to the Committee in April 1987. This contribution is also accompanied by a personal funds statement. The remaining six contributions were made from accounts held with other banks.

1/ Contributions listed as having been received from each of these 20 contributors were submitted for matching.

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Recommendation #2

The Audit staff recommends a referral of this matter to your office.

C. Contributions Received From Employees of Tradewind Systems

In addition to the checks above, a series of 17 contributions from employees of Tradewind Systems and their family members was noted during a review of the Committee's disclosure reports. (See Exhibit 3) The contributors' checks obtained from the Committee's matching fund submissions were dated on or around 9/24/87. All but one of the checks were for $250. Each was drawn on the contributor's personal checking account. The contributors' occupations, listed on the disclosure reports as truckdriver, sheet metal workers and secretaries, differed significantly from the Committee's contributor base of corporate officers and professional people.

Further, 8 of these contributions were included in the Committee's threshold submission for the states of Massachusetts (6) and Rhode Island (2); however, those states would still have sufficient funds to meet the $5000 threshold required even without the 8 contributions.

Based on our analysis of the records available, it is the opinion of the Audit staff that a question arises as to whether the funds used to purchase the Treasurer's Checks from Olympic Bank and Trust Company were the reportedly personal funds of the named contributors. Further, with respect to the contributions reportedly received from the employees of Tradewind Systems and the individuals associated with Olympic International Bank and Trust Co., a similar question is presented.

Recommendation #3

The Audit staff recommends a referral of this matter to your office.

II. Patterns Noted During Audit Fieldwork

A. Consecutively Numbered Money Orders Drawn On Bay Ridge Federal Savings

A series of 10 money orders from 5 individuals drawn on Bay Ridge Federal Savings in Brooklyn, New York was identified in the Committee's April 15, 1987 deposit (See Exhibit 4). Our inspection of the money orders revealed they are consecutively numbered 30430458 to 30430467, dated 4/9/87 and all in the amount

of $500. It is evident that the payee line, the address line, and the signature of drawer line were completed by the same hand. In all cases, the name appearing on the signature of drawer line was written in a block printed style (vs. cursive) using a broad tip writing instrument.

The Committee sent various pieces of correspondence to each individual named on the money orders requesting his/her employer's name, occupation, signature, and a personal funds statement. Only one individual responded, Rabbi Milton Balkany (see Exhibit 4, pages 2 and 3). Requests sent to two named individuals, Friedman and Simon Halpert were returned by the Post Office marked "No Such Number Do Not Remail in This Envelope" (see Exhibit 4, pages 6 and 7) and "Insufficient Address Do Not Remail in This Envelope," (see Exhibit 4 pages 9-14) respectively. Requests sent to two other individuals, Regina and Jonas Halpert yielded no response (see Exhibit 4, pages 16-18 and 20-22).

Other similarities noted were the manner in which the TH following the numbered avenue or street address is underlined on 8 of the money orders, those from Rabbi Balkany, Friedman, R. Halpert & J. Halpert; (see Exhibit 4, pages 1, 8, 15 and 19 respectively) in all cases the "TH" is written "th". All five contributors reside in Brooklyn, New York. In addition, on all 10 money orders the name Brooklyn was spelled "BKLYN."

Furthermore, during the receipts review of the audit of Friends of Phil Gramm, the Audit staff obtained a copy of a statement signed by the Rabbi Milton Balkany (See Exhibit 4, page 4). His signature on this statement and the signatures on the two statements at Exhibit 4, pages 2 and 3, appear to be identical.

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Conclusion

It appears that, based on the information gathered to date, Rabbi Milton Balkany filled out the money orders. He is the only contributor who responded to the Committee's request for additional information, and completed and returned a personal funds statement which contained his hand printed address. The similarities noted on the money orders with respect to the "TH" and "BKLYN" are also evident in the address contained on the personal funds statement signed by Rabbi Milton Balkany. Furthermore, the address on the personal funds statement is the same address (typed) on the document obtained during the audit of Friends of Phil Gramm.

The similarities, coupled with other irregularities noted in this memorandum, suggest that there is a serious question relative to whether or not these instruments represent contributions made utilizing other than the personal funds of the named contributors.

Recommendation #4

The Audit staff recommends a referral of this matter to your office.

B. Consecutively Numbered Checks Drawn on The First National Bank in Sidney, Ohio

Also noted during audit fieldwork were two series of consecutively numbered checks from six members of the Dicke family, totalling $4,750 (See Exhibit 5). Each check is written on account [redacted] of the First National Bank, Sidney, Ohio. The Audit staff made an inquiry to determine whether the checks were drawn on a private account or were treasurer's checks of the First National Bank. A customer service representative of The First National Bank stated (voluntarily) that the account holder was Dicke Consolidated. Further review determined that Dicke Consolidated was not listed as a corporate entity with the Corporate Division of the Secretary of State's office in Ohio.

The first check series is dated 6/26/87 and is consecutively numbered 2806 through 2811. The check date, check number, and payee are all typed in the same typeface, presumably using the same typewriter. Also typewritten in the upper left hand corner is the contributor's name and address. The signature line bears below it the notation "authorized signature" and in each instance, is signed by Cindy Carter, not the named holder, furthering the appearance that the checks are business checks.

The second series of checks is identical to the first with the following exceptions. The check series runs 5307-5312, is dated 10/27/87 and the signatory on each check is Jeri E. Carey. The Committee submitted in its second matching fund request 4 checks from the second series (Dane W., James F. II, Janet S. and Kerry S. Dicke). The copies of the checks submitted bear the original signatures of the contributors, highlighted in yellow written above the "authorized" signature. No other additional documentation accompanied the checks.

2504365008

Conclusion

It is the opinion of the Audit staff that the funds contained in the Dicke Consolidated depository from which the above mentioned checks are drawn may be other than the personal funds of the named contributors.

Recommendation #5

The Audit staff recommends a referral of this matter to your office.

Should you have any questions, please contact Valerie Conroy or Ray Lisi at 376-5320.

Attachments as stated
cc: The Commissioners

9504436500007

SCHEDULE OF TREASURER'S CHECKS ISSUED BY OLYMPIC INTERNATIONAL BANK & TRUST CO.
re: Fellows Corporation

		Check Number	Date	Amount	Employer Occupation
1.	Jeffrey W. Allen P.O. Box 704 Quechee, VT 05059	4963	8/12/87	1,000	Fellows Corp. V.P. Finance
2.	Allison Allen P.O. Box 704 Quechee, VT 05059	4964	8/12/87	1,000	Arthur Andersen & Co. CPA
3.	Donald Chabot P.O. Box 470 Quechee, VT 05059	5211	8/12/87	1,000	Fellows Corp. V.P.
4.	June Chabot P.O. Box 470 Quechee, VT 05059	4966	8/12/87	1,000	Homemaker
5.	Henry Swierczynski Park Ridge Road Springfield, VT. 05156	4967	8/12/87	1,000	Fellows Corp. Engineer
6.	Nora Swierczynski Park Ridge Road Springfield, VT 05156	4968	8/12/87	1,000	Homemaker
7.	Carl Johnson 768 Breezy Hill Springfield, VT 05156	4969	8/12/87	1,000	Fellows V.P.Cutter Products
8.	Linda Johnson 768 Breezy Hill Springfield, VT 05156	4970	8/12/87	1,000	Homemaker
9.	Erich Tlaker 15 Orchard St. Springfield, VT 05156	4971	8/12/87	1,000	Fellows Dir. of Engineering
10.	Jean Tlaker 15 Orchard St. Springfield, VT 05156	4972	8/12/87	1,000	Homemaker
			Total	$10,000	

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Additional Contribution
from Employee of Fellows Corp.

Contributor Name and Address	Date of Contribution	Amount	Occupation
Terri E. Goldman 3 Dexter Row Charlestown, MA 02129	4/21/87	$1,000[1]/	Assistant to President

---

1/ Drawn on personal checking account.

9504365001 1

Exhibit 1
8 of 23

(-4

JEFFREY W. ALLEN
[redacted]

4963

AUGUST 12, 19 87 B-207 110

PAY TO THE ORDER OF ★ ★ ★ ★ ★ HAIG FOR PRESIDENT ★ ★ ★ ★ ★ $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

250436500 2

8/14/87 # 2

Residence [redacted]

Fellows Corp.
V.P Finance

677

Exhibit I
page 5 of 23

G-4

ALLISON ALLEN
[redacted]

345
1964

AUGUST 12, 19 87 B-207 110

PAY TO THE ORDER OF ***** HAIG FOR PRESIDENT ***** $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

Lynn Allyson Allen
[redacted]

8/14/87 # 2

President: [redacted]

Arthur Anderson & Co.
CPA

676

47

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 4 of 23

September 4, 1987

Mr. & Mrs. Jeffrey W. Allen
P. O. Box 704
Quechee, VT 05059

802/295-1118

Dear Mr. & Mrs. Allen:

Thank you for your very generous contribution to the Haig for President Campaign. $2000.00

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby
Fundraising
Special Events

enclosures

25043650014

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

4

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
Page 6 of 23

September 4, 1987

Mr. & Mrs. Jeffrey W. Allen
P. O. Box 704
Quechee, VT 05059

823/295-1118

Dear Mr. & Mrs. Allen:

Thank you for your very generous contribution to the Haig for President Campaign. $2000.00

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby
Fundraising
Special Events

enclosures

25043650015

48

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

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Exhibit 1
page 7 of 23

G-4
5715

DONALD CHABOT
[redacted]

5211

AUGUST 12 19 87

B-207
110

AY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * *

OLYMPIC INTL. BANK & TRUST CO. 1,000000 CTS $ 1,000.00

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

8/14/87 #2

Residence
[redacted]

Fellows Corp
V.P.

95043650016

49

680

Exhibit 1
page 9 of 23

G-4
52C

JUNE CHABOT
[redacted]

4966

AUGUST 12 19 87

5-207
110

PAY TO THE ORDER OF ***** HAIG FOR PRESIDENT *****

$ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,00000 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

June Chabot
[redacted]

9504365001

8/14/87 #2

Residence:
[redacted]

Home make

681

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 8 of 23

September 4, 1987

Mr. & Mrs. Donald Chabot
P. O. Box 0470
Quechee, VT 05059

rec'd 9/18

Dear Mr. & Mrs. Chabot:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

enclosures

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1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

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HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
Page 10 of 23

September 4, 1987

Mr. & Mrs. Donald Chabot
P. O. Box 0470
Quechee, VT 05059

rec'd 9/18

Dear Mr. & Mrs. Chabot:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

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9504365017

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

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Exhibit 1
Page 11 of 23
8-14-87 #2

HENRY SWIERCZYNSKI
[redacted]

5-75
4967

PAY TO THE ORDER OF ***** HAIG FOR PRESIDENT ***** AUGUST 12 19 87 S-207 110

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS $ 1,000.00

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

8/14/87 #2

- Fellows Corp
Engineer

95043650090

695-

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 12 of 23

September 4, 1987

Mr. & Mrs. Henry Swierczynski
Park Ridge Road
Springfield, VT 05156

802/885-2319

Dear Mr. & Mrs. Swierczynski:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

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Rec'd 9/22

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1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

Exhibit 1
page [redacted] of 23 8/14/87 #2

NORA SWIERCZYNSKI
[redacted]

4968

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * *

AUGUST 12 19 87 B-207 110

$ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

Nora Swierczynski

[redacted]

8/14/87 #2
Homemaker

696

HAIG
EADERSHIP FOR AMERICA

Exhibit 1
page 14 of 23

September 4, 1987

Mr. & Mrs. Henry Swierczynski
Park Ridge Road
Springfield, VT 05156

802/885-2319
9/15 x

Dear Mr. & Mrs. Swierczynski:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

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Rec'd 9/22

9504365 0023

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

56

Exhibit 1
Page 15 of 23

G-4
52K

CARL JOHNSON
[redacted]

4969

AUGUST 12 19 87 5-207 110

PAY TO THE ORDER OF * * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Carl Johnson

TREASURER'S CHECK

[redacted]

8/14/87 #2

Cutter Products Fellows
U P

95043650024

685

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 16 of 23

September 4, 1987

Mr. & Mrs. Carl Johnson
768 Breezy Hill
Springfield, VT 05156

Dear Mr. & Mrs. Johnson:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby
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1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

Exhibit 1
Page 17 of 23

G-4
S2/5

LINDA JOHNSON
[redacted]

4970

AUGUST 12 19 87

5-207
110

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * *

$ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Linda Johnson

TREASURER'S CHECK

[redacted]

95043650002

5/12/87 #2
Housewife

686

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 18 of 23

September 4, 1987

Mr. & Mrs. Carl Johnson Jr. 802/885-4845
768 Breezy Hill
Springfield, VT 05156

9/22 will return
9/28 9/29 received

Dear Mr. & Mrs. Johnson:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

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95043650027

60

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590
Paid for by Haig for President, Inc.

Exhibit 1
page 19 of 23

6-
56

ERICH TLAKER
[redacted]

4971

AUGUST 12 87 5-207
19 110

PAY TO THE ORDER OF ***** Haig for President ****** $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

8/14/87 # 2

Fellows Corp
Director of Engineering

95043650002

697

61

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
page 20 of 23

September 4, 1987

Mr. & Mrs. Erich Tlaker
15 Orchard Street
Springfield, VT 05156

802/885-4235
9/15 left message
9/28 "mailed it back"
rec'd 9/30
$2000

Dear Mr. & Mrs. Tlaker:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

enclosures

62

2154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

25043650027

Exhibit 1
Page 21 of 23

G-4
AS

JEAN TLAKER
[redacted]

4972

AUGUST 12 19 87

5-207
110

Y TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

J Tlaker

TREASURER'S CHECK

[redacted]

8/14/87 # 2
NO memo

698

63

HAIG
LEADERSHIP FOR AMERICA

Exhibit 1
Page 22 of 23

September 4, 1987

Mr. & Mrs. Erich Tlaker
15 Orchard Street
Springfield, VT 05156

862/885-4235
9/18 left message
9/28 "mailed it back"
Rec'd 9/30
$2000

Dear Mr. & Mrs. Tlaker:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

enclosures

95043650031

64

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

5/4/87 #2

Exhibit 1
page 23 of 23

TERRI E. GOLDMAN

302

[redacted]

April 21 1987 5-39/110 20

PAY TO THE ORDER OF Haig for President $ 1000.00

One Thousand 00/100 DOLLARS

BANK OF BOSTON
THE FIRST NATIONAL BANK OF BOSTON

[redacted]

Terri E Goldman

[redacted]

9 5 0 4 3 6 5 0 0 3 2

65

647

Haig for President
Schedule of Contributions
Olympic Bank Personnel and Family

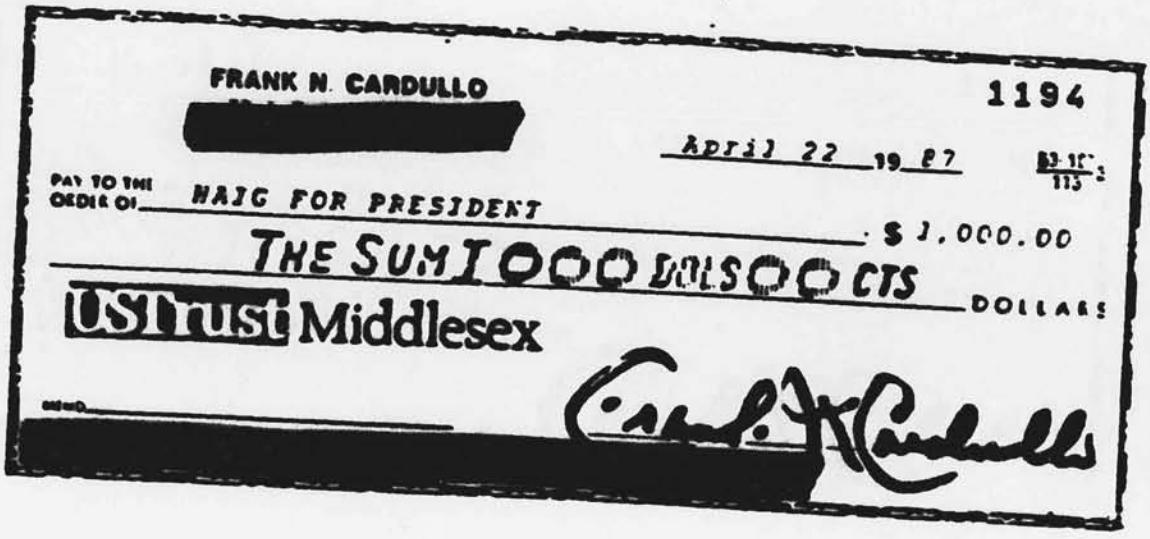
Name	Position with Bank	Date of Contribution	Amount of Contribution	Bank
1. Frank N. Cardullo	Director	04/22/87	$ 1,000.00	U.S. Trust
		10/29/87	100.00	
2. Judith S. Curtin	Banker	03/27/87	250.00	Olympic
		04/28/87	750.00	
3. Matthew L. Curtin	Son	09/22/87	1,000.00	Olympic-Treasurer Check
4. Peter S. Donadio	Director	04/20/87	1,000.00	Olympic
5. Susan M. Fraser	A. Secretary	09/24/87	250.00	Olympic
6. Jon A. Lichter	Director	09/21/87	100.00	Olympic
7. Joseph G. Maloney	Director	04/25/87	1,000.00	Olympic
8. Nora F. Moran	Spouse of John M. Moran, Sec. Director	04/28/87	1,000.00	Olympic
9. Victor Nicolazzo	Chairman	04/15/87	250.00	--
		04/28/87	1,750.00	Olympic
10. Joann O'Brien	Spouse	04/29/87	1,000.00	Olympic-Treasurer Check
11. William J. O'Brien	President/ Director	09/23/87	250.00	Olympic
12. Dominic Saraceno	Director	03/04/87	225.00	--
		03/26/87	250.00	Baybank
		04/29/87	750.00	--
		11/10/87	50.00	--
13. Heidi Saraceno	Daughter	04/30/87	1,000.00	Shawmut
14. Ingeborg Saraceno	Spouse	03/27/87	250.00	Shawmut
		04/29/87	750.00	--

Haig for President
Schedule of Contributions
Olympic Bank Personnel and Family

	Name	Position with Bank	Date of Contribution	Amount of Contribution	Bank
15.	Kurt Saraceno	Son	03/30/87 04/29/87	$ 250.00 750.00	Provident --
16.	Pauline Saraceno	Daughter	04/28/87	1,000.00	Patriot
17.	Cynthia Sneider	Spouse	05/06/87	250.00	Olympic
18.	Joseph Sneider	Senior Vice President	05/06/87	250.00	Olympic
19.	David Speigel	Director	04/21/87	1,000.00	Olympic
20.	Michael Tierney	Director	04/21/87	1,000.00	Olympic
		Total		$17,475.00	

Exhibit 2
Page 3 of 26

5/4/87 #2



FRANK N. CARDULLO
[redacted]

1194

April 22 19 87

PAY TO THE ORDER OF HAIG FOR PRESIDENT $ 1,000.00

THE SUM 1000 DOLS 00 CTS DOLLARS

USTrust Middlesex

MEMO

[redacted]

Frank N. Cardullo

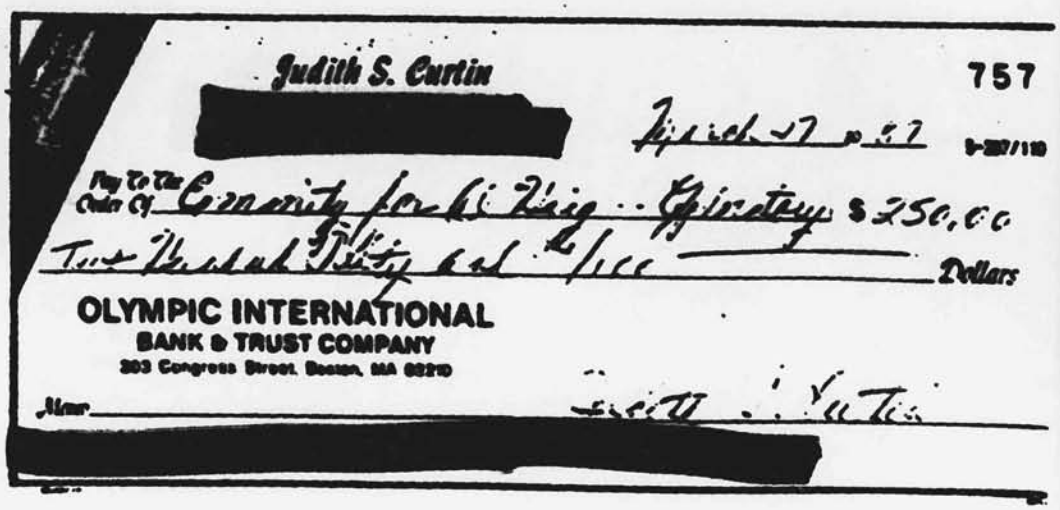
9504365 0035

68

222

Exhibit 2
Page 4 of 26

4/15/87 #1



Judith S. Curtin

757

[redacted]

March 27 19 87

Pay To The Order Of Community for Al Haig - Expiratory $250.00

Two Hundred Fifty and 00/100 Dollars

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo

[redacted]

9504365 0036

Exhibit 2
Page [redacted] of 26

MATTHEW L. CURTIN (STUDENT, AGE 18, from Trust Acc't.)

[redacted]

5224

SEPTEMBER 22, 1987

TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * *

$ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

The Federal Elections Commission requires us to request the following information:

Name Matthew L. Curtin

Address [redacted]

Telephone Number [redacted]

Occupation Student

Name of Employer _____ ☐ *Self-Employed* ☐ *Retired*

9-25-87 #1

12

Exhibit 2
Page [redacted] of 26

APPENDIX 14

TRUST/ESCROW/ESTATE ACCOUNTS

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to received federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires additional documentation regarding contributions which are submitted for matching drawn on Trust, Escrow, or Estate Accounts.

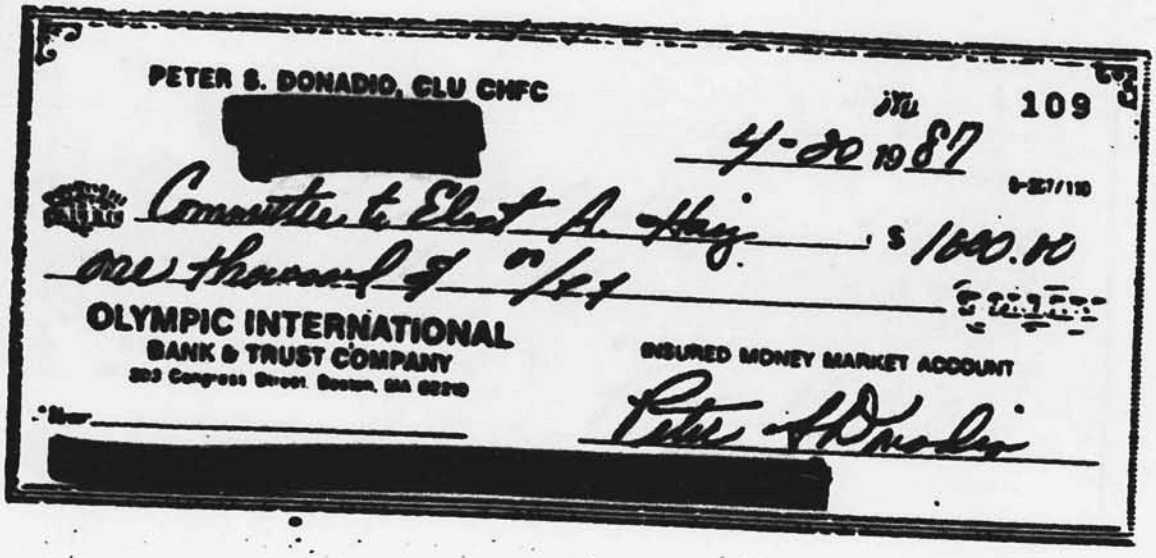
Your contribution of $ 1,000.00 ✓, dated 9/22/87 ✓, and drawn on check # 5224 ✓ of the account identified as Matthew Curtain - Trust ✓ will qualify for matching only if the following conditions set forth below are true, and if so, verified by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Committee Representative

- - - -

Exhibit 2
Page 7 of 26 5/4/87 #2



PETER S. DONADIO, CLU CHFC

[redacted]

109

4-20 1987

Committee to Elect A. Haig $ 1000.00

one thousand & 00/xx

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

Peter S Donadio

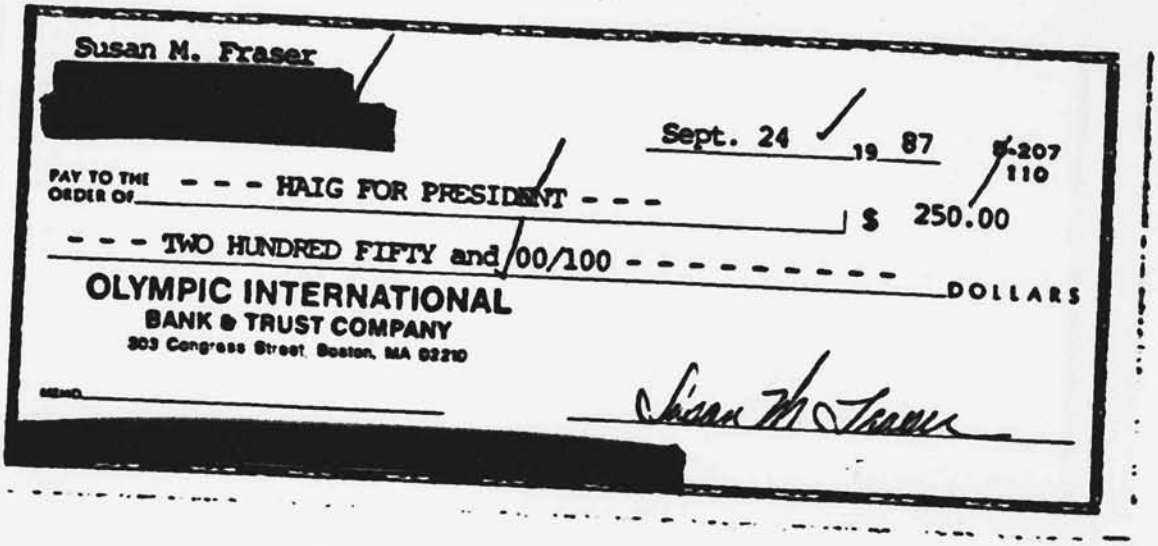
Memo

[redacted]

Exhibit 2
Page 8 of [redacted]6

9/29/87

OK
Exam



Susan M. Fraser
[redacted]

Sept. 24 19 87 8-207 110

PAY TO THE ORDER OF - - - HAIG FOR PRESIDENT - - - $ 250.00

- - - TWO HUNDRED FIFTY and 00/100 - - - - - - - - - DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO

Susan M Fraser

[redacted]

95043650040

The Federal Election Commission requires that we obtain the following information:
(Please Print)

Name Susan M. Fraser

Address [redacted]

Telephone Number _____ *(home)* [redacted] *(office)*

Name of Employer (if any) Olympic International Bank - Asst. Corporal Secretary

HAIG FOR PRESIDENT

1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

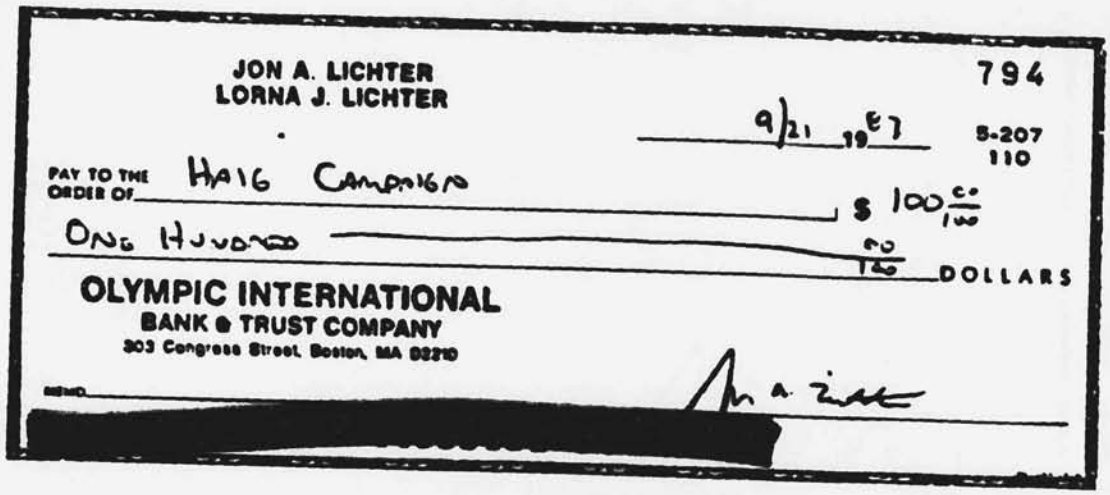
Paid for by Haig for President

73

536

Exhibit 2
Page 9 of 26

OCT 02 1987



JON A. LICHTER
LORNA J. LICHTER

794

9/21 1987

5-207
110

PAY TO THE ORDER OF Haig Campaign $ 100 00/100

One Hundred 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO

[redacted]

NOT listed in Boston

95043650041

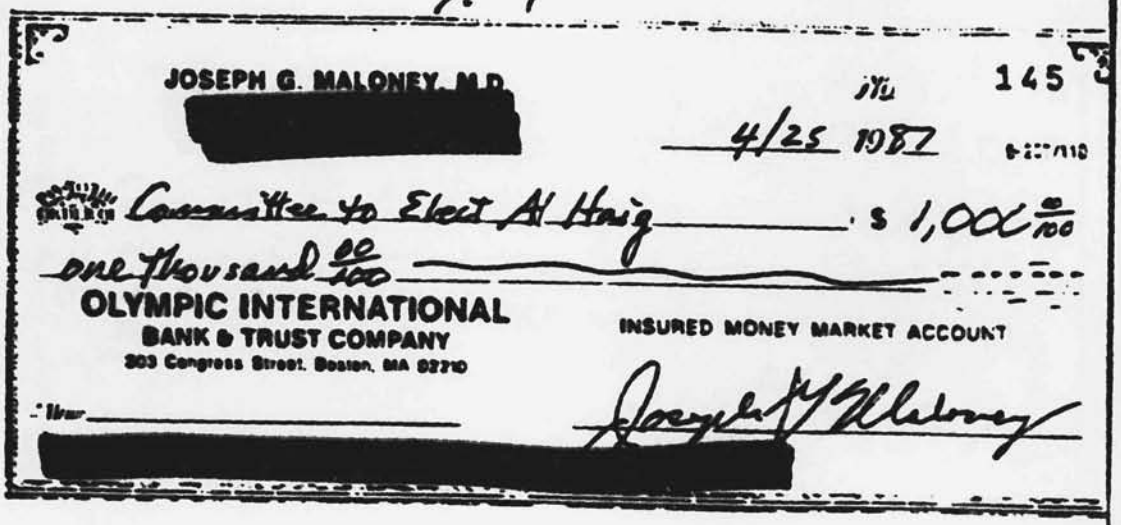
41.2

Exhibit
Page 10 of 26

4-29-87 #1

4-29-87

#1



JOSEPH G. MALONEY, M.D.
[redacted]

145

4/25 1987

Committee to Elect Al Haig $ 1,000 00/100

one thousand 00/100

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

For [redacted]

Joseph G. Maloney

250436500442

Exhibit 2
Page 11 of 26

05/05/87 #1

5/5/87 #1

THE MORAN COMPANY, REALTORS ← NORA F. MORAN d/o/a
129 NEWBURY ST., SUITE 204
BOSTON, MA 02116

This is not a corporation
[illegible]

349

4-28 1987

PAY TO THE ORDER OF Haig for President $ 1,000.00

One Thousand and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
203 Congress Street, Boston, MA 02210

FOR

⑈000349⑈ ⑆011002071⑆ 11003038⑈ 14

76

1272

MAY 26 1987

HAIG

DERSHIP FOR AMERICA

Exhibit 2
Page 12 of 26

May 18, 1987

The Moran Company, Realtors
129 Newbury St., Suite 204
Boston, MA 02116

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires additional documentation regarding contributions which are submitted for matching drawn on accounts maintained by a business entity.

Your contribution of $1,000.00, dated April 28, 1987 and drawn on check #349 of the account identified as The Moran Company, Realtors will qualify for matching only if the following conditions set forth below are true, and if so, verified by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution (or disposition if from an incorporated source) of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to verify that the business maintaining the account identified above is not incorporated. The contribution represents my personal funds as I am a member of the unincorporated business. The full amount as listed above should be attributed to me as it does not represent contributions from more than one person.

NAME Nora F Moran

ADDRESS 129 Newbury St #204

CITY Boston

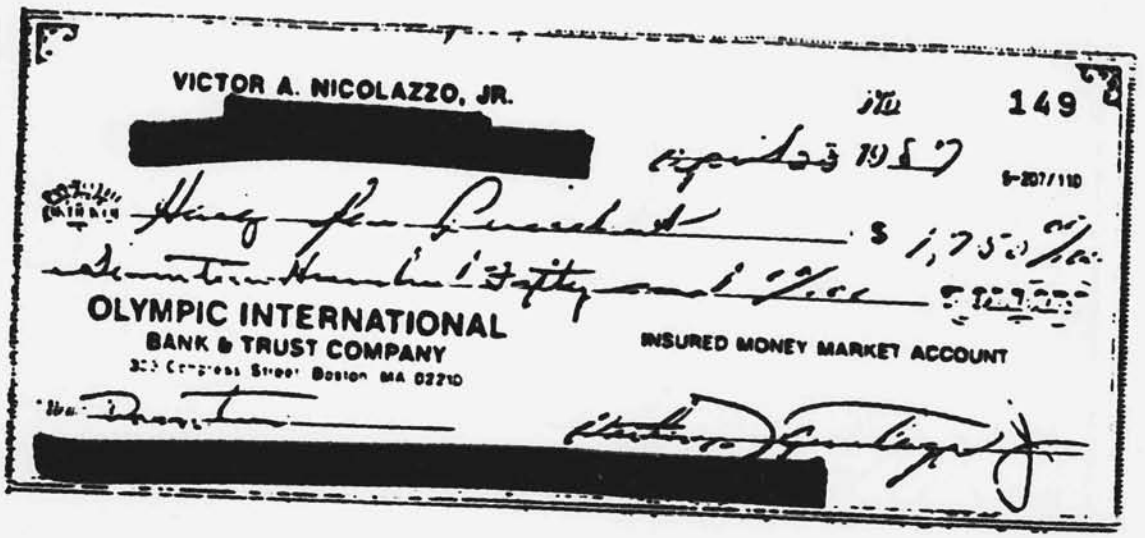
STATE MA ZIP 02116

YOUR SIGNATURE Nora F. Moran
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

Exhibit 2
Page 13 of 26 05/05/87 #1


VICTOR A. NICOLAZZO, JR.
[redacted]
149
OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
INSURED MONEY MARKET ACCOUNT
[redacted]

Returned $750.00

78

1210

5/5/87 #1

JCAHN M O'BRIEN ✓

[redacted]

OK
ML 557

B-207
110

April 29, 19 87

PAY TO THE ORDER OF ***** HAIG FOR PRESIDENT ***** $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 AND 00 CTS DOLLAR

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
203 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

81

Exhibit 2
Page 15 of 26

APPENDIX 22

DOCUMENTATION REQUIRED FOR INITIAL SUBMISSION OF CONTRIBUTIONS RECEIVED IN THE FORM OF MONEY ORDERS, CASHIER'S CHECKS OR OTHER NEGOTIABLE WRITTEN INSTRUMENTS

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $ 100.00, dated 4/29/87, and drawn on a (identify whether money order, cashier's check), issued by (name of issuer), serial # 4657, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Committee Representative

- -

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME Ms. JoAnn M. O'Brien

ADDRESS 247 Adams Street

CITY Quincy

STATE MA ZIP 02169

YOUR SIGNATURE JoAnn M. O'Brien

(Please do not Print)

Exhibit 2
Page [illegible] of 26 09/25/87 #1

Enclosed is my personal contribution of:

_____ $1,000 ___X___ $250 _____ Other

_____ $500 _____ $100

Name William J. O'Brien

Address 242 Adams Street

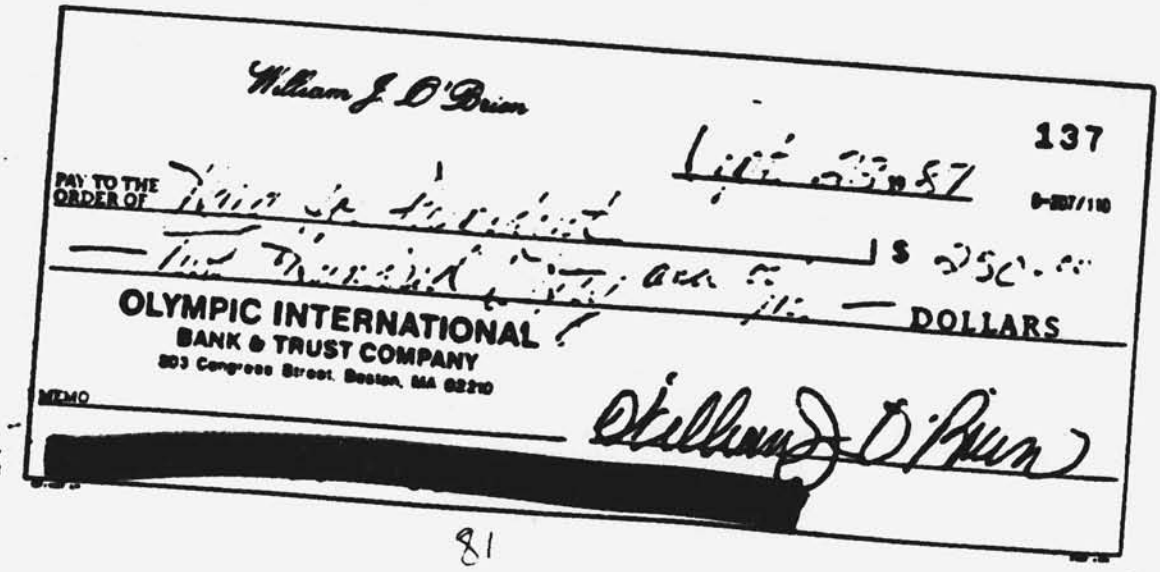
Quincy, MA 02170

Telephone Number [redacted]

Occupation President

Name of Employer (if any) Olympic International Bank

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988



William J. O'Brien

137

Sept 23 1987

PAY TO THE ORDER OF Haig for President $ 250.00

Two Hundred Fifty and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

MEMO

William J. O'Brien

[redacted]

81

1341

Exhibit 2
Page 1 of 26 04/15/87 #1

Tom
VC

all info.

DOMINIC J. SARACENO

310

Mar 26 1987 63-243/113

Pay to the order of Committee for AL Haig - Exploratory $ 250.00

Two hundred & fifty Dollars

BayBank
BayBank Norfolk County Trust Company
Massachusetts

For [redacted]

Dom Saraceno

[redacted]

9504365 0049

82

1573

Exhibit 2
Page 18 & 26 05/04/87 #1

HEIDI A SARACENO
[redacted]

788

April 30 87

Haig for President

1000.00

one-thousand

00/100

Shawmut
Bank of Boston, N.A.
Boston, Massachusetts 02211

Heidi A. Saraceno

[redacted]

83

1574

Exhibit 2
Page 19 of 26 04/15/87 #1

1532

INGEBORG E. SARACENO

Mar 27 87

63-341/113

Committee for Al Hoy Exploratory 250 -
two hundred and fifty and 00/100

Shawmut
Community Bank, N.A.
Framingham, Massachusetts 01701

Ingeborg E. Saracenо

[redacted]

[redacted]

9504365 0051

84

1575

Exhibit 2
Page 20 of 26 04/5/87 #2

95043650052

E.F. Hutton

KURT W SARACENO

[redacted]

203

3/30 ✓ 19 84

3.5
3.10

PAY TO THE ORDER OF Committee For All Haig Exploratory $ 250.00

Two Hundred Fifty DOLLARS

PROVIDENT NATIONAL BANK
17th & CHESTNUT STREETS
PHILADELPHIA PA 19101

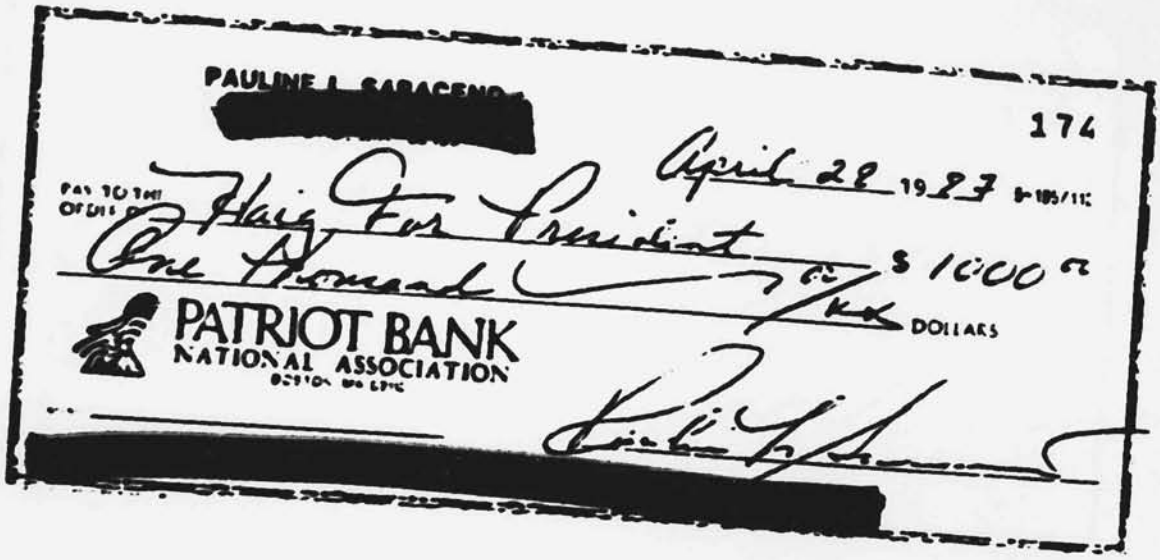
Asset Management Account

[redacted]

85

1571.

Exhibit 2 05/04/87 #1
Page 21 of 26


PAULINE J. SARACENO
[redacted]
174
April 28 1987
PAY TO THE ORDER OF
Haig For President
One Thousand
$ 1000 00
DOLLARS
PATRIOT BANK
NATIONAL ASSOCIATION
[redacted]

950436500

Exhibit 2
Page 22 of 26

5-18-87 #1

JOSEPH G SNEIDER
CYNTHIA A. SNEIDER
[redacted]

838

5/6 1987

B-207
110

PAY TO THE ORDER OF Haigtek President $ 520 00/100

Five Hundred and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street Boston, MA 02210

MEMO Contributed

[redacted]

9504365005 4

87

1707

JUN 1 1 1987

HAIG

LEADERSHIP FOR AMERICA

Exhibit 2
Page 23 of 26

5/18

June 8, 1987

Mrs. Cynthia A. Sneider
250 Hammond Pond Pkwy., 801-N
Chestnut Hill, MA 02167

Dear Mrs. Sneider:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250.00 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires additional documentation regarding contributions submitted for matching which are signed by one accountholder of a joint account but are designated as a contribution of another accountholder which is also identified on the face of the check of a joint accout.

The contribution of $500.00, dated May 6, 1987 and drawn on check #838 of the account Joseph G. Sneider and Cynthia A. Sneider, identifies you as an additional accountholder on this joint account, but is signed by another accountholder other than yourself. One half of this contribution may be redesignated to yourself as contributor and will qualify for matching only if the following statement is true, and, if so, verified by your signature.

Sincerely,

Ross McReynolds
Controller

5/18

This is to verify that one-half of the contribution described above should be designated as my personal contribution and my signature appears below.

NAME Cynthia A Sneider EMPLOYER C & S Candy Co

ADDRESS 250 Hammond Pond Pkwy OCCUPATION Bookkeeper

CITY Chestnut Hill, Ma 02167 SIGNATURE Cynthia A. Sneider

STATE Ma. ZIP 02167 (Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

Exhibit 2
Page 24 of 26

5-18-87 #1

JOSEPH G SNEIDER
CYNTHIA A SNEIDER

[redacted]

838

5/6 1987

5-207
110

PAY TO THE ORDER OF Haigtek President $ 520 00/100

Five Hundred and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street Boston MA 02210

MEMO Contributed

[redacted]

95043650056

89

1708

Exhibit [redacted] 05/04/87 #1
Page 25 of 26

5/4/87 #1

DAVID SPIEGEL

370

4/21 19 87

B-207
110

PAY TO THE ORDER OF Heir for Principal $ 1000 00/100

One Thousand dollars 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
203 Congress Street, Boston, MA 02210

MEMO

[redacted]

[redacted]

[redacted]

9504365 0067

90

1730

Exhibit 2
Page 26 of 26

ON

5/4/87 #1

Michael E. Tierney
[redacted]

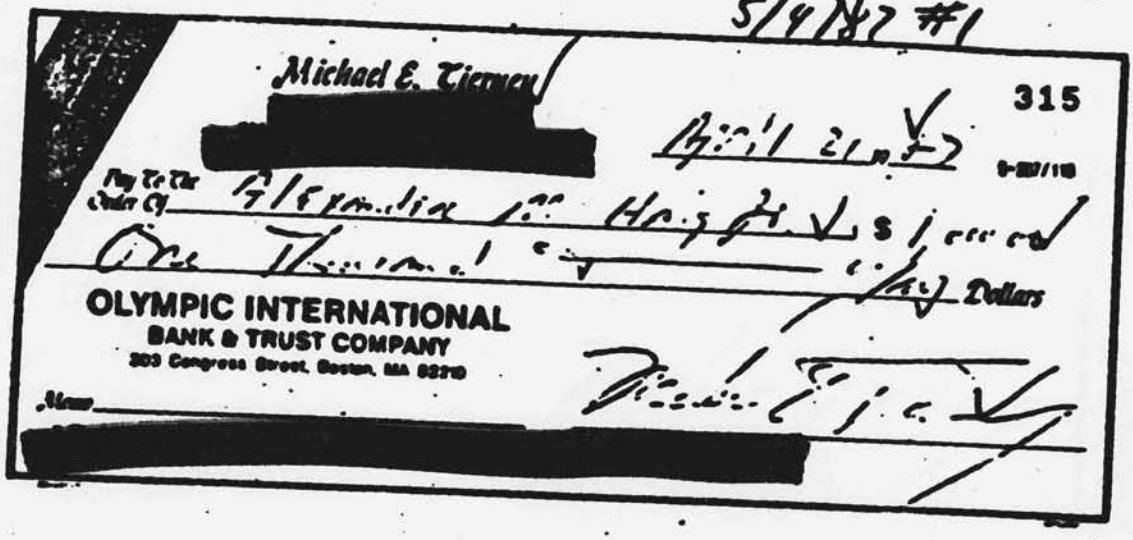
315

April 21 1987

Pay To The Order Of Alexandria [illegible] $ 1,000.00

One Thousand [illegible] Dollars

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210



Memo [redacted]

Schedule of Contributions from Tradewind Systems Employees and family members

Name and Address of Contributor	Date of Contribution	Amount	Occupation
1. Maureen Becker 447 Prospect St. Brockton, MA 02401	09/24/87	$ 250.00	Receptionist
2. Richard M. Clegg 39 Church St. RFD #1 Berkley, MA 02718	09/23/87	250.00	Service Manager
3. Mary E. Cook 222 Bailey St. Canton, MA 02021	09/29/87	250.00	Retired
4. Dennis M. Cooke 222 Bailey St. Canton, MA 02021	10/14/87	250.00	Service Technician
5. Donald A. Cooke, Jr. 6 Brom Dutcher Rd. Buzzards Bay, MA 02532	04/29/87	1,000.00	Contractor
6. Bobby Cowart 1/ 102 Chatham Dr. Brockton, MA 02401	09/30/87	250.00	Sheetmetal Worker
7. Anthony DiBona 22 Twilight Dr. Foxboro, MA 02035	09/24/87	250.00	Project Engineer
8. Arsene E. Frappier, Jr. 243 Everett St. Middleboro, MA 02346	09/24/87	250.00	Sheetmetal Worker
9. Gregory Gagnon 102 Revere St. Hull, MA 02045	09/24/87	250.00	Sheetmetal
10. Richard Knowlton 80 Chalapa Ave. Woonsocket, RI 02895	09/24/87	250.00	Designer

9504365009?

Schedule of Contributions
from Tradewind Systems Employees
and family members

Name and Address of Contributor	Date of Contribution	Amount	Occupation
11. Dennis Morancy 643 Liberty St. Braintree, MA 02184	09/23/87	$ 250.00	Engineer
12. Daniel F. O'Hara, Jr. P.O. Box 7514 Cumberland, RI 02864	09/24/87	250.00	Sheetmetal Worker
13. Mary B. O'Hara P.O. Box 7514 Cumberland, RI 02864	09/24/87	250.00	Not disclosed
14. Frederick H. Shea, III 1439 Central St. Stoughton, MA 02072	09/24/87	250.00	Truck Driver
15. Nancy D. Stockus 297 Mechanic St. Canton, MA 02021	09/21/87	250.00	Secretary
16. Kimberly A. Stockus 297 Mechanic St. Canton, MA 02021	09/23/87	250.00	Student
17. Maureen A. White 20 Beal St. Canton, MA 02021	09/25/87	250.00	Secretary
Total		$5,000.00	

1/ Not submitted for matching.

Exhibit 3
Page 7 of 18
5/4/87 #2

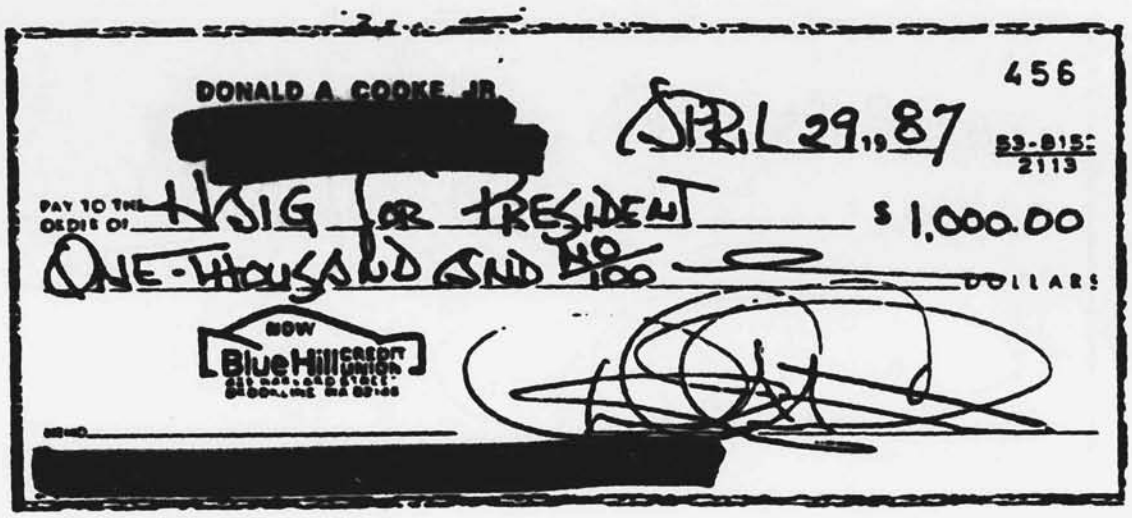


Exhibit 3
Page 8 of 18
9-30-87 #1

ANTHONY P. DI BONA
CONNIE MARIE DI BONA

1150

[redacted]

Sept. 24 19 87

Pay to the order of Haig for President $ 250—

Two Hundred Fifty Dollars

BayBank
BayBank Norfolk County Trust Company
Massachusetts

For campain cont. Anthony DiBona

[redacted] 1150

Enclosed is my personal contribution of:

____ $1,000 ____ X ____ $250 ____ Other ____

____ $500 ____ $100

Name Anthony P. DiBona

Address 22 Twilight Drive

Foxboro, MA 02035

Telephone Number

Occupation Project Engineer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 9 of 18
9-30-87 #1

ARSENE E. FRAPPIER, JR. 140

[redacted]

Sept. 24, 1987 63-7124/2113

AY TO THE ORDER OF Haig for President $ 250.xx

Two Hundred and Fifty xx/100 DOLLARS

FOR RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

Arsene E. Frappier Jr.

[redacted]

SEP 30 1987

#1

Enclosed is my personal contribution of:

___ $1,000 ___ X ___ $250 _____ Other

_____ $500 _____ $100

Name Arsene E. Frappier, Jr.

Address 243 Everett Street

Middleboro, MA 02346

Telephone Number

Occupation Sheet Metal Worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit G
Page 10 of 18
9.30.87 #1

GREGORY G. GAGNON
[redacted]

Sept 24 1987 10-213/113

PAY TO THE ORDER OF Alexander Haig $ 250.00

Two Hundred Fifty DOLLARS

South Shore Bank multibank
QUINCY, MASSACHUSETTS

Haig for President Gregory G. Gagnon

[redacted]

SEP 30 1987
#1

Enclosed is my personal contribution of:

_____ $1,000 ____X____ $250 _____ Other

_____ $500 _____ $100

Name Gregory G. Gagnon

Address 102 Revere Street

Hull, MA 02045

Telephone Number

Occupation Sheet Metal Worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 11 of 18
9.30.87 #1

RICHARD KNOWLTON
SANDRA R. KNOWLTON
[redacted]

9-24-1987 121

Pay to the order of HAIG FOR PRESIDENT | $ 250.00

Two Hundred & Fifty & 00/100 Dollars

Fleet National Bank

Memo [redacted] R. R. Knowlton

Enclosed is my personal contribution of:

_____ $1,000 _ X $250 _____ Other

_____ $500 _____ $100

Name Richard Knowlton

Address 80 Chalapa Avenue

Woonsocket, RI 02895

Telephone Number _____

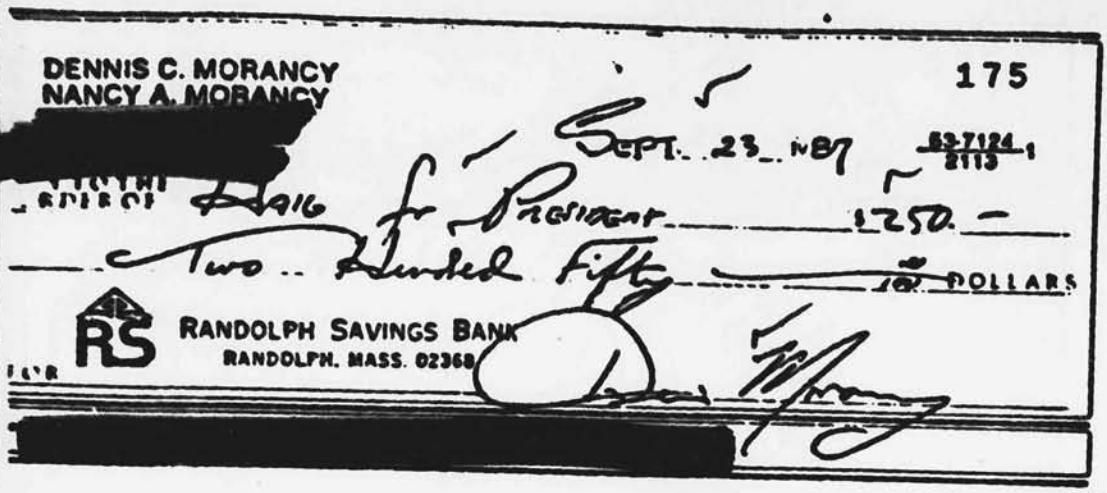
Occupation Designer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 12 of 18

T-ok
d.c.



DENNIS C. MORANCY
NANCY A. MORANCY
[redacted]

175

Sept. 23 1987 53-7124 / 2113 1

Haig for President $250.-

Two Hundred Fifty 00/100 DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR

[redacted]

9/30/87 #1

Enclosed is my personal contribution of:

$1,000 X $250 Other

$500 $100

Name Dennis C. Morancy

Address 643 Liberty Street

Braintree, MA 02184

Telephone Number

Occupation Engineer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Copy submitted with
Threshold Sub

Exhibit 3
Page 13 of 18
9/30/87 #1

DANIEL F. O'HARA, JR.
[redacted]

111

4/24 87

83-7124
2113

PAY TO THE ORDER OF Alexander Haig for President $ 250.00

Two hundred fifty dollars and 00/100 DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR

Daniel F. O'Hara, Jr.

[redacted]

Enclosed is my personal contribution of:

$1,000	X	$250	Other
$500		$100	

Name Daniel F. O'Hara, Jr.

Address P.O. Box 7514

Cumberland, RI 02864

Telephone Number

Occupation Sheet metal worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 14 of 18

9/24 19 87 260

MARY B. O'HARA

93-1/115

930-87 #1

PAY TO THE ORDER OF Citizens for Haig for President $ 250.00

Two Hundred Fifty and 00/100 DOLLARS

Fleet National Bank

MEMO [redacted]

Mary B. O'Hara

Enclosed is my personal contribution of:

	$1,000	X	$250	Other
	$500		$100	

Name Mary B. O'Hara

Address [redacted]

Telephone Number

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 15 of 18
9-30-87

FREDERICK H. SHEA, III

[redacted]

104

Sept. 24 19 87

53-7124
2113

PAY TO THE ORDER OF Alexander Haig for President $250.00

Two Hundred Fifty — 00/100 DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

Frederick H. Shea III

[redacted]

OR

Enclosed is my personal contribution of:

$1,000 X $250 Other

$500 $100

Name Frederick H. Shea, III

Address 1439 Central Street

Stoughton, MA 02072

Telephone Number

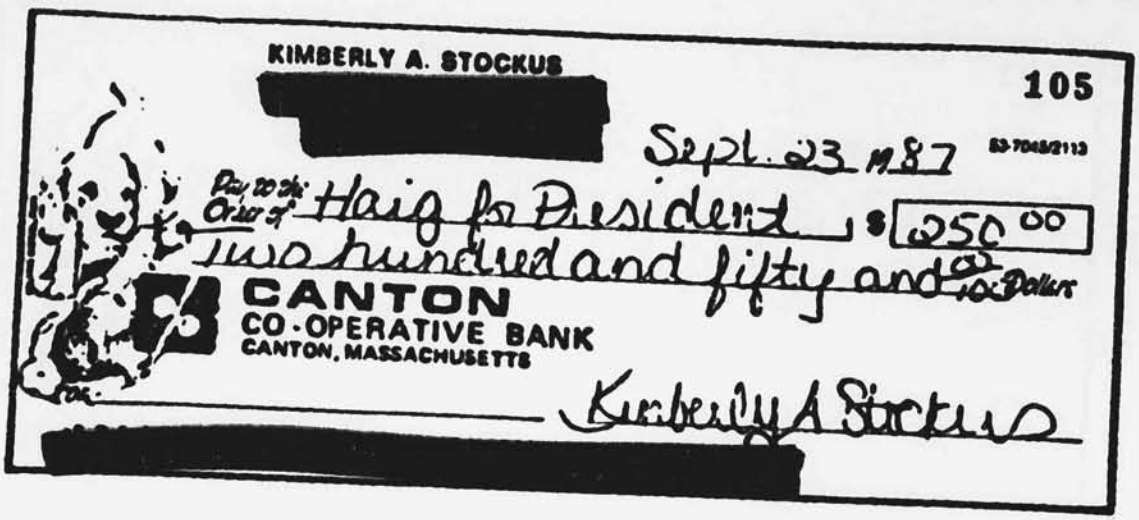
Occupation Truck Driver

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

106

Exhibit 3
Page 16 of 18
9-30-87 #1


KIMBERLY A. STOCKUS
[redacted]
105
Sept. 23 1987
Pay to the Order of Haig for President $ 250 00
two hundred and fifty and 00/100 Dollars
CANTON CO-OPERATIVE BANK
CANTON, MASSACHUSETTS
Kimberly A Stockus
[redacted]

Enclosed is my personal contribution of:

$1,000 ... X ... $250 ... Other

$500 ... $100

Name Kimberly A. Stockus

Address 297 Mechanic Street

Canton, MA 02021

Telephone Number

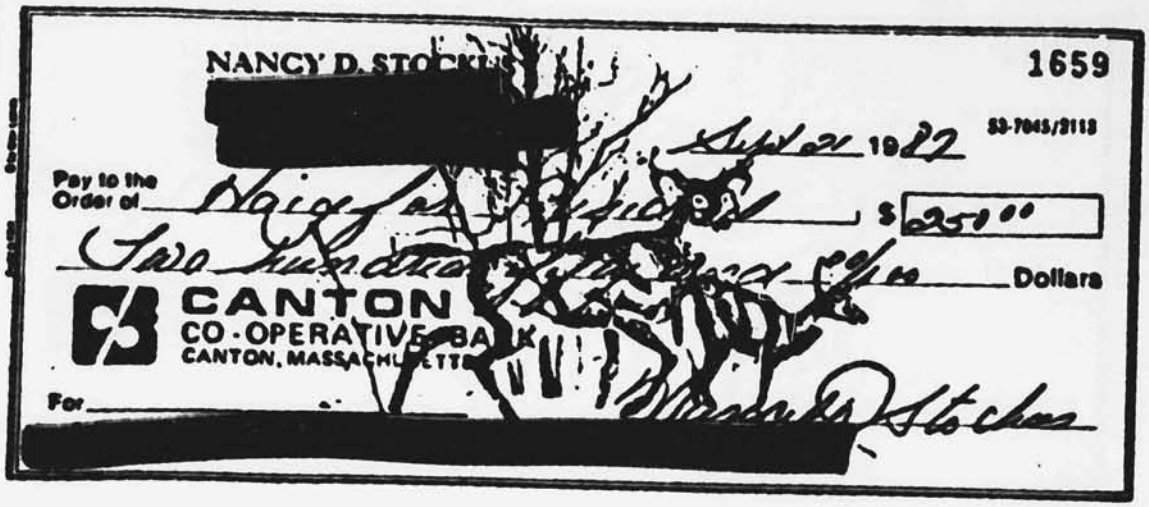
Occupation Student

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 17 of 18

9-30-87*



Enclosed is my personal contribution of:

$1,000	X	$250	Other
$500		$100	

Name Nancy D. Stockus

Address 297 Mechanic Street, P.O. Box 82

Canton, MA 02021

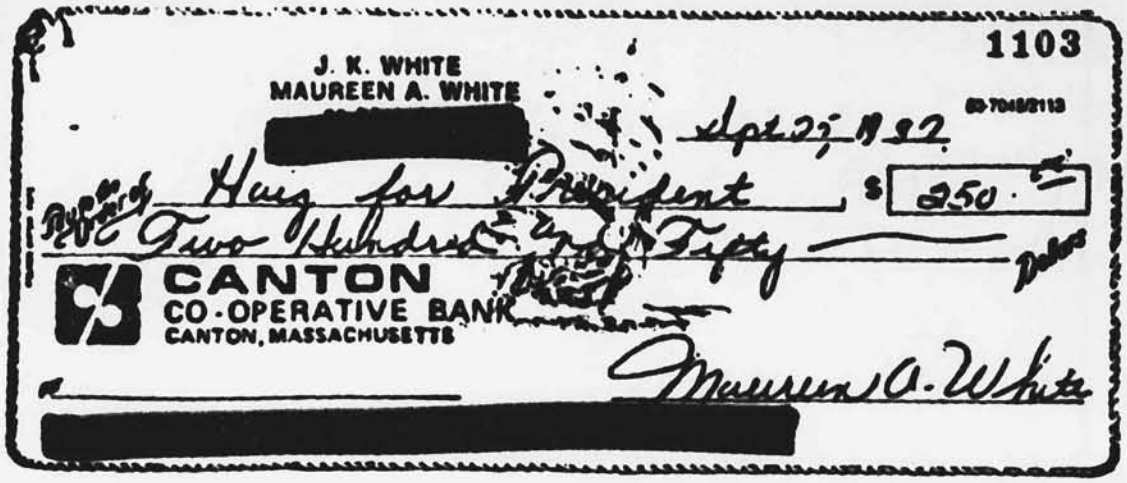
Telephone Number

Occupation Secretary

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 18 of 18
9-30-87 #1



Enclosed is my personal contribution of:

___ $1,000	___ X	___ $250	___	Other
___ $500	___	___ $100		

Name Maureen A. White

Address 20 Beal Street

Canton, MA 02021

Telephone Number

Occupation Secretary

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 4
Page 1 of 22

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430458

APR. 04, 87

_____ 19____

1-30/210

93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

0318

RABBI MILTON BALKANY
SIGNATURE OF DRAWER

5402 15th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

⑈30430458⑈ ⑆021000306⑆0000 0 93999⑈

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430459

APR. 04, 87

_____ 19____

1-30/210

93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

0318

RABBI MILTON BALKANY
SIGNATURE OF DRAWER

5402 15th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

⑈30430459⑈ ⑆021000306⑆0000 0 93999⑈

⑆043650013

MAY 20 1987

HAIG

LEADERSHIP FOR AMERICA

Exhibit 4
Page 2 of 22

4/15

April 20, 1987

Rabbi Milton Balkany
5402 15th Avenue
Brooklyn, NY

Dear Rabbi Balkany:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer: BAIS YAAKOV of BROOKLYN

Occupation: DEAN

RABBI MILTON BALKANY
Print Name

Rabbi Balkany
Signature

25043365004

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

MAY 26 1987

HAIG

LEADERSHIP FOR AMERICA

Exhibit 4
Page 3 of 22

4/15

May 18, 1987

Rabbi Milton Balkany
5402 15th Avenue
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430458 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME RABBI MILTON BALKANY

ADDRESS 5402 15TH AVE

CITY BKLYN N

STATE NY ZIP 11219

YOUR SIGNATURE Rabbi Milton Balkany
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

25043650015

Exhibit 4
Page 4 of 22

Rabbi Milton Balkany
5402 15th Avenue
Brooklyn, NY 11219

I hereby authorize the following allocations of my contributions to the Friends of Phil Gramm:

December 6, 1984	$550.00	1984 Primary Election
December 6, 1984	$450.00	1984 General Election
November 21, 1984	$550.00	1984 General Election

SIGNED: Rabbi Milton Balkany
(Rabbi Milton Balkany)

Paid for by the Friends of Phil Gramm
This is the only committee authorized to raise funds to re-elect Phil Gramm to the United States Senate

Exhibit 4
Page 5 of 22

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430462

APR. 09, 87

_____ 19____ 1-30/210 93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

UJ1B

DOLLARS

SIMON HALPERT
SIGNATURE OF DRAWER

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

HEWES ST BKLYN NY
ADDRESS

⑈30430462⑈ ⑆021000306⑆0000 0 93999⑈

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430463

APR. 09, 87

_____ 19____ 1-30/210 93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

UJ1B

DOLLARS

SIMON HALPERT
SIGNATURE OF DRAWER

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

HEWES ST BKLYN
ADDRESS

⑈30430463⑈ ⑆021000306⑆0000 0 93999⑈

Exhibit 4
Page 6 of 22

HAIG
LEADERSHIP FOR AMERICA

July 16, 1987

Mr. Simon Halpert
Hewes Street
Brooklyn, NY—11234

Dear Mr. Halpert:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

Signature: _____
(Please do not print)

95043650073

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.

Exhibit 9
Page 7 of 22

IG
AMERICA
N.W.
20005

INSUFFICIENT ADDRESS
DO NOT REMAIL
IN THIS ENVELOPE

OKLA. CITY
JUL 27 87
OKLA.
22

AUG 17 1987

Mr. Simon Halpert
Hewes Street
Brooklyn, NY 11234

4/15 #3

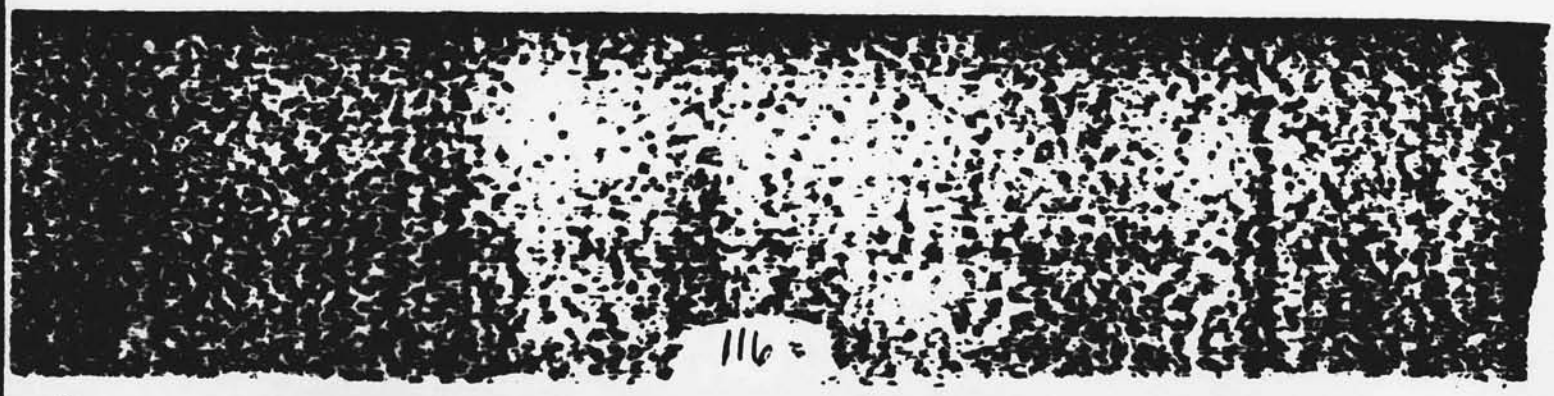


Exhibit 4
Page 8 of 22

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430461

APR. 09, 87
_____ 19____

1-30/210

93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

U31B

FRIED MAN
SIGNATURE OF DRAWER

1409 56 ST BKLYN
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
2510 Fifth Avenue Brooklyn, NY 11209

⑈30430461⑈ ⑆021000306⑆0000 0 93999⑈

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430460

APR. 09, 87
_____ 19____

1-30/210

93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

U31B

FRIED MAN
SIGNATURE OF DRAWER

1409 56 ST BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
2510 Fifth Avenue Brooklyn, NY 11209

⑈30430460⑈ ⑆021000306⑆0000 0 93999⑈

HAIG

LEADERSHIP FOR AMERICA

Exhibit 4
Page 9 of 22

April 20, 1987

Friedman
1408 56th Street
Brooklyn, NY

Dear Friedman:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

_____
Print Name

_____
Signature

25043650001

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
Page 10 of 22

4-15

May 18, 1987

Friedman
1408 56th Street
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430460 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME_____

ADDRESS_____

CITY_____

STATE_____ZIP_____

YOUR SIGNATURE_____
(Please do not print)

P50436500842

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

HAIG

LEADERSHIP FOR AMERICA

Exhibit 4
Page [redacted] of 22

May 18, 1987

Friedman
1408 56th Street
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430461 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME_____

ADDRESS_____

CITY_____

STATE_____ZIP_____

YOUR SIGNATURE_____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
Page [redacted] of 22

July 16, 1987

Friedman
1408 56th Street
Brooklyn, ~~NY~~ ~~11~~ 11234

Dear Mr. Friedman:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

Signature: _____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
Page 13 of 22

4/15

July 20, 1987

Mr. Alex Friedman
1408 56th Street
Brooklyn, NY 11234

Dear Mr. Friedman:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

Signature: _____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.

Exhibit 4
Page 14 of 22

AIG
SHIP FOR AMERICA
th Street, N.W.
gton, D.C. 20005

05 1987

RETURNED TO SENDER
NO SUCH NUMBER
NO SUCH STREET
IN THIS ENVELOPE

OKLAHOMA CITY
8PM
21 JUL
1987

AIRWAYS
USE ZIP CODE

2047

Wanda

Mr. Alex Friedman
1408 56th Street
Brooklyn, NY

4/15

11219

AIG
HIP FOR AMERICA
Street, N.W.
on, D.C. 20005

JUN 30 1987

RETURNED TO SENDER
NO SUCH NUMBER
NO SUCH STREET
IN THIS ENVELOPE

4/15 03

Russ

Friedman
1408 56th Street
Brooklyn, NY

AIG
IP FOR AMERICA
Street, N.W.,
n, D.C. 20005

MAY 20 1987

RETURNED TO SENDER
NO SUCH NUMBER
NO SUCH STREET
IN THIS ENVELOPE

WASHINGTON
APR 27 87
DC

4/15/87
U.S. POS
OC
METER 27481

Friedman
1408 56th Street
Brooklyn, NY 123

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430465

APR. 09, 87

_____ 19____ 1-30/210 93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

0318

REGINA HALPERT
SIGNATURE OF DRAWER

5608 14th AVE BKLYN
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

⑈30430465⑈ ⑆021000306⑆0000 0 93999⑈

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430464

APR. 09, 87

_____ 19____ 1-30/210 93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

0318

REGINA HALPERT
SIGNATURE OF DRAWER

5608 14th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

⑈30430464⑈ ⑆021000306⑆0000 0 93999⑈

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
Page 16 of 22

April 20, 1987

Ms. Regina Halpert
5608 14th Avenue
Brooklyn, NY

Dear Ms. Halpert:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

_____
Print Name

_____
Signature

P50433650022

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4 4-15
Page 17 of 22

May 18, 1987

Mrs. Regina Halpert
5608 14th Avenue
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430464 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME_____

ADDRESS_____

CITY_____

STATE_____ZIP_____

YOUR SIGNATURE_____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
page 18 of 22

July 16, 1987

Ms. Regina Halpert
5608 14th Ave.
Brooklyn, NY 11234

Dear Ms. Halpert:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

Signature: _____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430467

APR. 09, 87

19___ 1-30/210 83999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100 DOLLARS

0318

JONAS HALPERT
SIGNATURE OF DRAWER

5608 14TH AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

⑈30430467⑈ ⑆021000306⑆0000 0 93999⑈

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge Federal Savings
BROOKLYN, NEW YORK 11209

30430466

APR. 09, 87

19___ 1-30/210 83999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100 DOLLARS

0318

JONAS HALPERT
SIGNATURE OF DRAWER

5608 14TH AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

⑈30430466⑈ ⑆021000306⑆0000 0 93999⑈

HAIG
LEADERSHIP FOR AMERICA

Exhibit 4
Page 20 of 22

April 20, 1987

Mr. Jonas Halpert
5608 14th Avenue
Brooklyn, NY

Dear Mr. Halpert:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer:_____

Occupation:_____

_____
Print Name

_____
Signature

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

4-15

Exhibit 4
Page 21 of 22

HAIG
LEADERSHIP FOR AMERICA

May 18, 1987

Mr. Jonas Halpert
5608 14th Avenue
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430466 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME_____

ADDRESS_____

CITY_____

STATE_____ZIP_____

YOUR SIGNATURE_____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

25043650093

4-15

Exhibit 4
Page 22 of 22

HAIG
LEADERSHIP FOR AMERICA

May 18, 1987

Mr. Jonas Halpert
5608 14th Avenue
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430467 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME_____

ADDRESS_____

CITY_____

STATE_____ZIP_____

YOUR SIGNATURE_____
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc

25043650074

Exhibit 5
page 1 of 14

KERRY DICKE
[redacted]

DATE	CHECK NO.
6-26-87	2806

DOLLARS
****250.00***

PAY TO THE ORDER OF
HAIG FOR PRESIDENT
1154 15th STREET, N.W.
WASHINGTON, D.C. 20005

First National Bank

Cindy Carter

[redacted]

Kerry Dicke
127 Southland Road
New Bremen Ohio 45869

Telephone Number [redacted]
Occupation
Name of Employer (if any)

OB + Rpts OK

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

ENCLOSED IS MY PERSONAL CONTRIBUTION OF $250

132

Exhibit 5
Page 2 of 14

DANE W. DICKE
[redacted]

DATE	CHECK NO.
6-26-87	2807

PAY TO THE ORDER OF HAIG FOR PRESIDENT

$***250.00***

The First National Bank

Cindy Carter
[redacted]

250436500026

Name Dane W. Dicke
Address 127 Southland Road
[redacted]
Telephone Number [redacted]
Occupation V. Pres. - Crown Controls Corporation
Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* Enclosed is my personal contribution of $250.

OB + Rpts OK

Exhibit 5
Page 3 of 14

EILLEEN W. DICKE
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2808

CHECK VOID AFTER

$***500.00***

TO THE ORDER OF HAIG FOR PRESIDENT

First National Bank

Cindy Carter
[redacted]

250436500021

Name EILLEEN W. DICKE

Address 415 EAST SOUTH ST.
NEW BREMEN OHIO 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* ENCLOSED IS my personal contribution of: $500.

DL 14th OK

HAIG

LEADERSHIP FOR AMERICA

Exhibit 5
page 4 of 14

July 9, 1987

Ms. Eilleen W. Dicke
415 E. South Street
New Bremen, OH 45869

Dear Ms. Dicke:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer: None

Occupation: Housewife

Signature: Eilleen W. Dicke
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.

Exhibit 5
Page 5 of 14

JAMES F. DICKE
[redacted]

CHECK DATE	CHECK #
6-26-87	2809

PAY TO THE ORDER OF HAIG FOR PRESIDENT

DOLLAR AMOUNT
$***500.00***

First National Bank

Cindy Carter
[redacted]

Name James F. Dicke
Address 415 E. South St.
New Bremen, Ohio 45869
Telephone Number [redacted]
Occupation Chairman - Crown Controls Corporation
Name of Employer (if any)

HAIG FOR PRESIDENT
[redacted] 15th Street, N.W. • Washington, D.C. [redacted] • (703) [redacted]-1988
Paid for by Haig for President

DB + ept OK

YTC STATES
$750 8/13
$1000

136

Exhibit 5
Page 6 of 14

JAMES F. DICKE, II
[redacted]

CHECK DATE	CHECK NO
6-26-87	2810

CHECK AMOUNT
250.00

Y TO THE ORDER OF HAIG FOR PRESIDENT

First National Bank

Cindy Carter

[redacted]

Name James F. Dicke, II
Address 422 Easthaven Dr.
New Bremen, Ohio 45869
Telephone Number [redacted]
Occupation President - Crown Controls Corporation
Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* Enclosed is my personal contribution of: $250

DB + Rpts OK

YTC on Rpt
has $1000
s/c 250

137

Exhibit 5
Page 7 of 14

JANET S. DICKE
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2811

CHECK AMOUNT
250.00

TO THE ORDER OF HAIG FOR PRESIDENT

First National Bank

Cindy Carter

[redacted]

Name Janet S. Dicke
Address 422 Easthaven Drive
New Bremen Ohio 45869
Telephone Number [redacted]
Occupation
Name of Employer (if any)

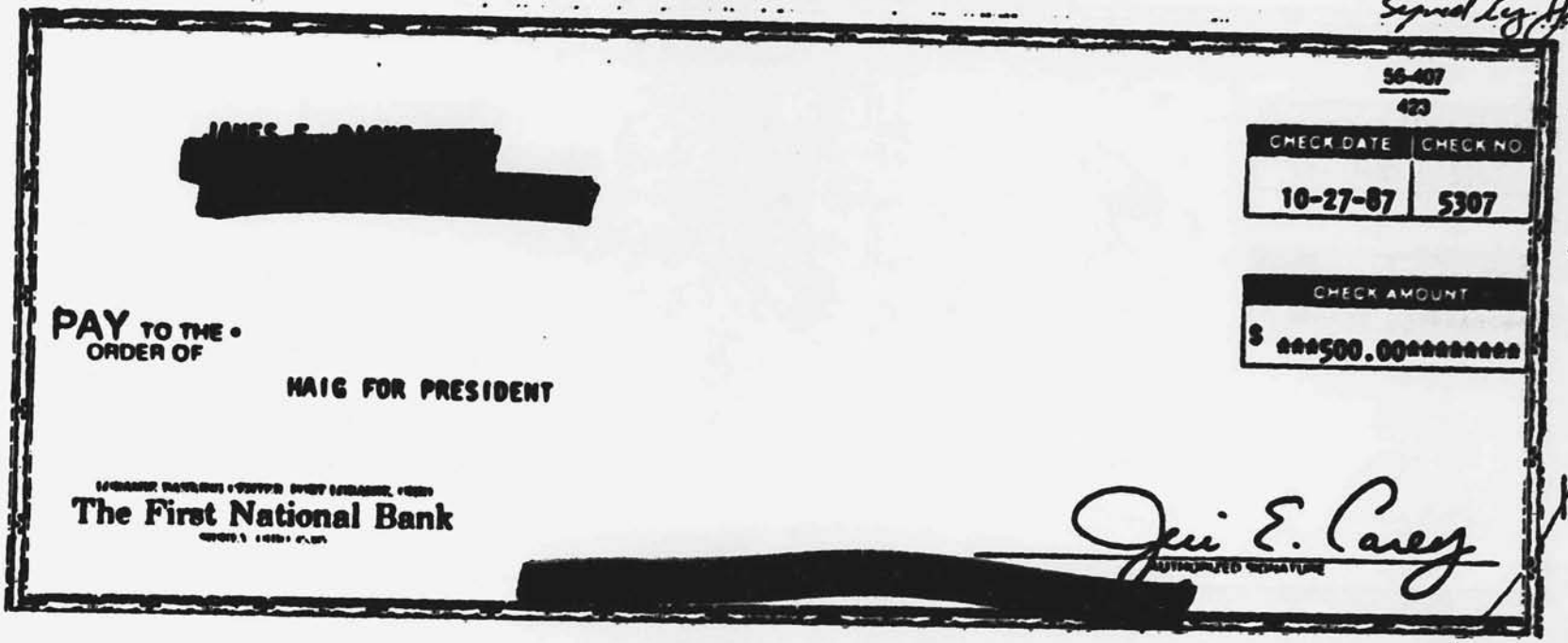
HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* Enclosed is my personal contribution of $250

DB + RPb OK

9 5 0 4 3 6 5 0 1 0 2

Seeds of
[illegible]
Signed by James F



56-407
423

CHECK DATE	CHECK NO.
10-27-87	5307

CHECK AMOUNT
$ ***500.00*********

[redacted]

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

The First National Bank

[redacted]

Jim E. Carey
AUTHORIZED SIGNATURE

Exhibit 5
Page 8 of 14

OCT 29 1987

139

9 5 0 4 3 6 5 0 1 0 3

140

56-407
473

EILLEEN W. DICKE
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5308

CHECK AMOUNT
$****250.00*********

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

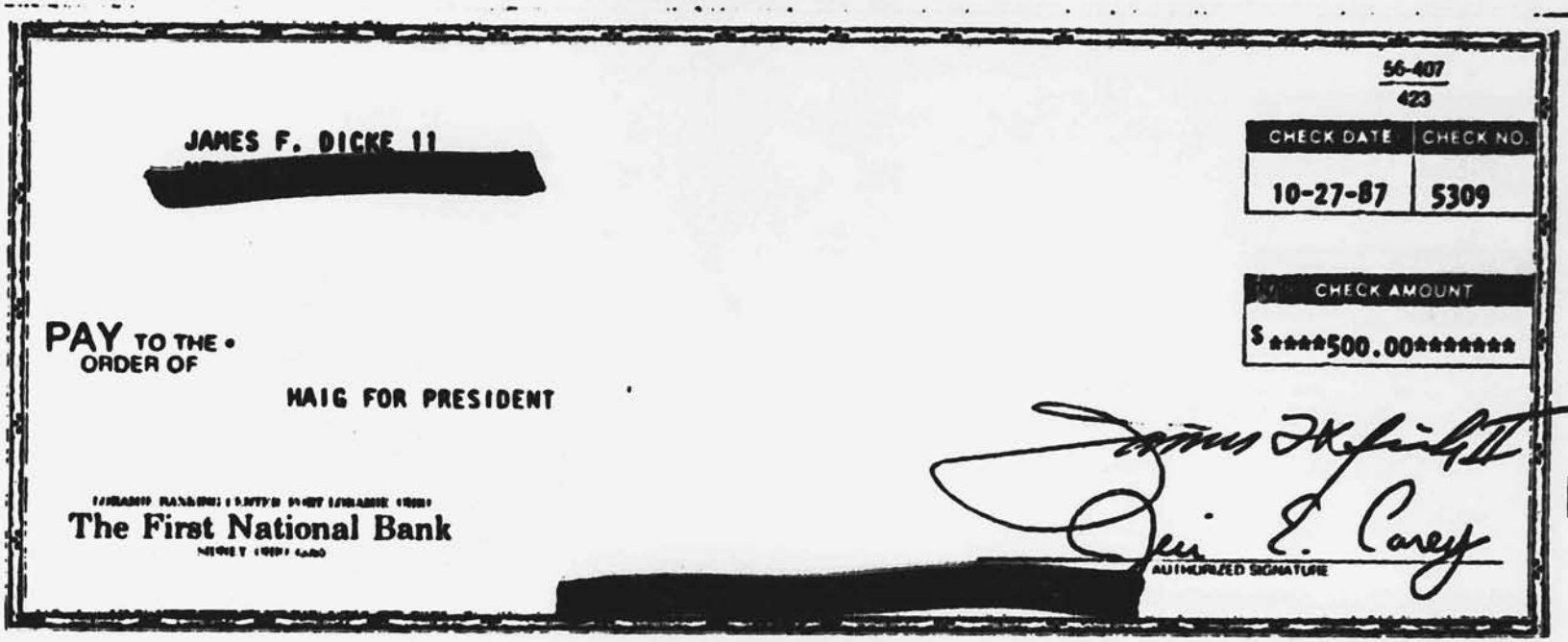
The First National Bank

[redacted]

Jeri E. Carey
AUTHORIZED SIGNATURE

Exhibit 5
Page 9 of 14
OCT 29 1987
#1

9 5 0 4 3 6 5 0 1 0 4



56-407
423

JAMES F. DICKE II
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5309

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

LORAIN BANKING CENTER FORT LORAIN OHIO
The First National Bank
SIDNEY OHIO 45365

[redacted]

James F. Dicke II
Jim E. Carey
AUTHORIZED SIGNATURE

Exhibit 5
Page 10 of 14

#1

141

175

9 5 0 4 3 6 5 0 1 0 5

56-407
423

JANET S. DICKE
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5310

CHECK AMOUNT
$****500.00*******

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

LORAIN BANKING CENTER, FORT LORAIN, OHIO
The First National Bank
SIDNEY, OHIO 45365

Janet S. Dicke
Jeri E. Carey
AUTHORIZED SIGNATURE

[redacted]

EXHIBIT 5
Page 11 of 14

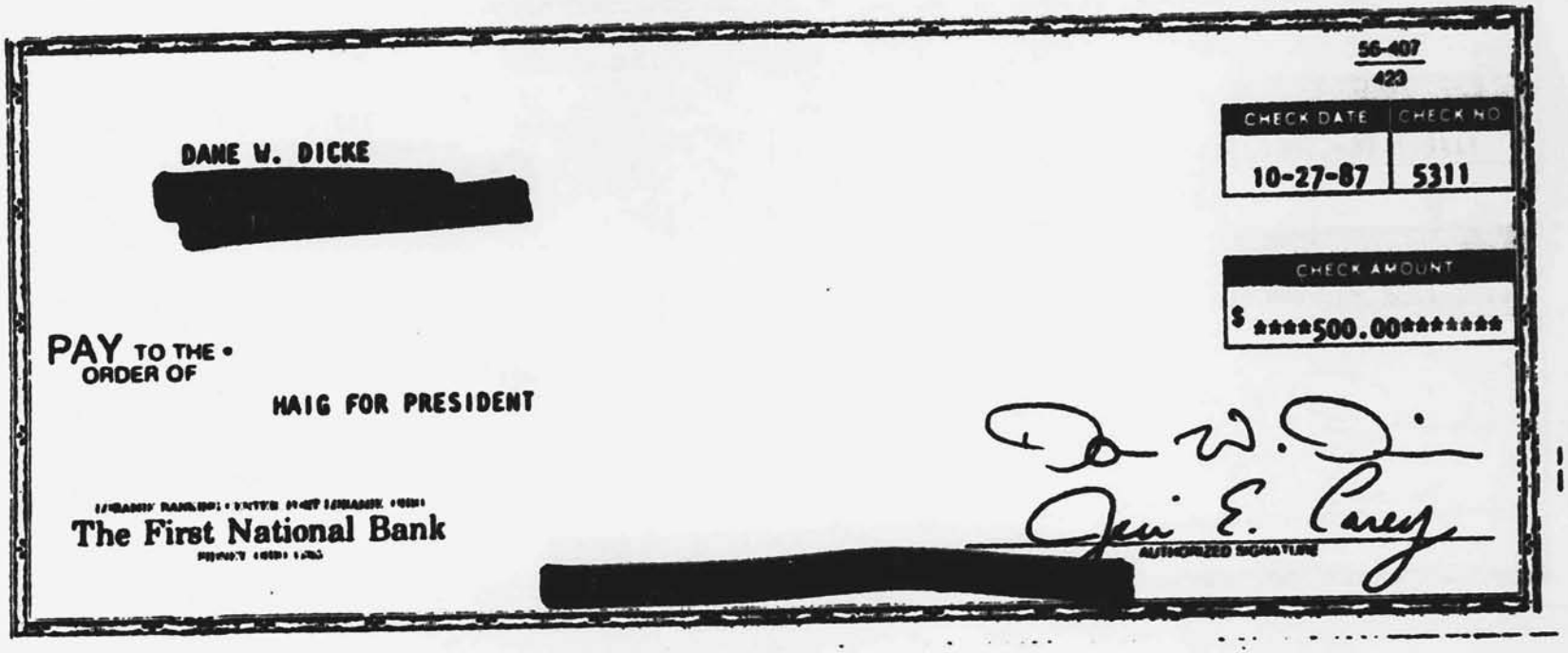
10-27-87
#1

142

176

250433.650106

Exhibit 5
Page 12 of 14



56-407
423

CHECK DATE	CHECK NO
10-27-87	5311

CHECK AMOUNT
$ ****500.00*******

DANE W. DICKE
[redacted]

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

The First National Bank

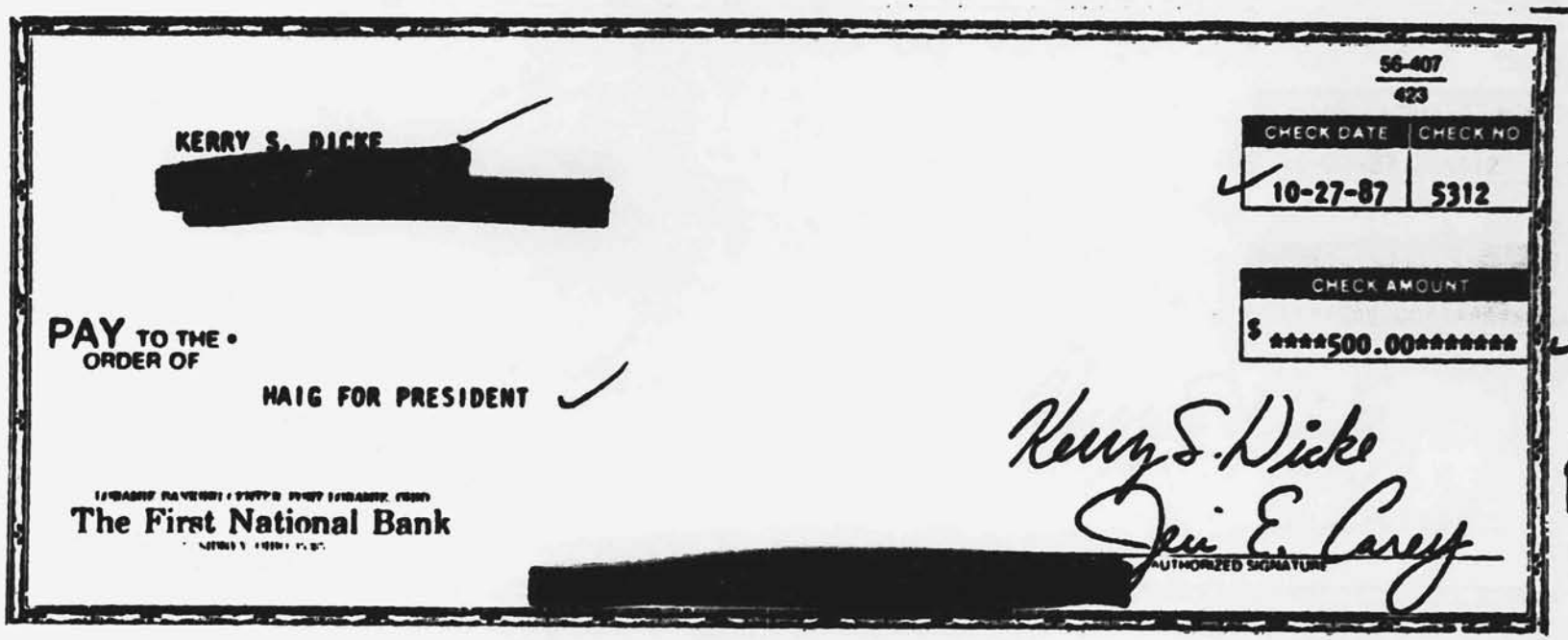
[redacted]

D. W. D.
Jeri E. Carey
AUTHORIZED SIGNATURE

143

10-29-87

9 5 0 4 3 6 5 0 1 0 7



56-407
423

KERRY S. DICKE
[redacted]

CHECK DATE	CHECK NO
10-27-87	5312

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

The First National Bank

[redacted]

Kerry S. Dicke

Jeri E. Carey
AUTHORIZED SIGNATURE

Exhibit 5 10-29-87
Page 13 of 14 #1

144

177

Exhibit 5
Page 14 of 14

JAMES F. DICKE
EILLEEN DICKE
[redacted]

8594

Sept 8 1987

86-407
423

PAY TO THE ORDER OF Haig for President $ 250 00/100

Two hundred and fifty dollars & 00/100 DOLLARS

The First National Bank
SIDNEY, OHIO 45365

Eilleen W. Dicke

[redacted]

HAIG
FOR PRESIDENT

The Federal Elections Commission requires us to request the following information:

Name [illegible]

Address [illegible]

[illegible]

Telephone Number [illegible]

Occupation [illegible]

Name of Employer _____ ☐ *Self-Employed* ☐ *Retired*

The proposed report recommends a repayment pursuant to 26 U.S.C. § 9038(b)(1) in the amount of $3,098.00 ($1,174 + $1,924). Because the Committee will be given the opportunity to respond to the findings regarding the joint fundraiser and the excessive contributions, this amount may be reduced.

PROPOSED REFERRALS

In a memorandum dated July 19, 1988, the Audit Division recommended the referral of five items to this Office. Three of the proposed referrals were apparently generated by the Audit Division's review of matching fund submissions made by the Committee. The remaining two were noted by the auditors during audit fieldwork. In all cases, the Audit Division proposes referral to this Office at this time, rather than inclusion of findings in the interim audit report. The Office of General Counsel concurs with the Audit Division that these matters should be referred to our Office at this time. The proposed referrals present evidence indicating possible violations which, while not conclusive, is sufficient to warrant further inquiry by the Commission. Moreover, in our opinion, no response from the Committee could clarify the facts at issue if these matters were included in the interim audit report.

I. **APPARENT PROHIBITED CORPORATE ACTIVITY** (I.A., B., C., and II.B.)

Four of the proposed referrals involve corporate employees making contributions to the Committee in similar patterns. While each factual situation involves a different pattern and questionable activities, two possible scenarios emerge. The first is that the corporation provided funds to the individual making the contribution. The second possibility is that the corporation facilitated the making of the contributions.

Under FECA, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election, or for a political committee to accept or receive such a contribution. 2 U.S.C. § 441b(a). Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f.

2504365010

Although corporations are specifically prohibited from making a contribution or expenditure, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow candidates for Federal offices an opportunity to appear on corporate premises to address or meet stockholders, executive or administrative personnel or other employees, and their families, subject to certain conditions. 11 C.F.R. § 114.3(c)(2). However, a corporation may not facilitate the making of a contribution to a Federal candidate. See AOs 1987-29 and 1982-2. A corporation may not, for instance, make any effort, oral or written, to solicit, direct or control contributions made by members of the audience to any candidate in conjunction with any appearance made on the corporate premises. 11 C.F.R. § 114.4(a)(2)(iv).

A. Consecutively Numbered Bank Checks--Fellows Corporation

The Audit Division's review of contributions included in the Committee's threshold submission for Vermont revealed ten treasurer's checks issued by a bank located in Boston, Massachusetts. The bank, Olympic International Bank and Trust Company of Boston, is the Committee's designated depository for receipt of matching payments, 11 C.F.R. Part 103 and 11 C.F.R. § 9037.3; and one of its Directors, Dominic Saraceno, also serves as Committee treasurer, 2 U.S.C. § 432(a). All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig For President" was uniformly typed on the payee line. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont.17/ Three individuals are identified as corporate vice presidents, one as director of engineering and another as an engineer. The other five individuals appear to be their spouses.

17/ The Audit Division also notes that an individual identified as an assistant to the President of Fellows reportedly made a contribution of $1,000 written on a personal checking account.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. See, e.g., MUR 1690 (Based on an audit referral outside the scope of the audit, the Commission found reason to believe that 2 U.S.C. § 441b(a) was violated by several business entities based in part upon patterns of contributions by employees of the entities). Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, questions arise as to the true source of these contributions. See, e.g., MUR 1353 (Commission found reason to believe that 2 U.S.C. § 441f was violated by the Carter/Mondale Presidential Committee when cash contributions were used to purchase money orders which were submitted for matching). See also FEC v. Committee to Elect Lyndon LaRouche, 613 F.2d 849 (D.C. Cir. 1979).

Additional factors which should be considered are that the Olympic Bank serves as the Committee's depository for matching funds and that the Committee's treasurer also serves as a member of the Bank's board of directors. These factors raise questions regarding whether bank officials were involved in possible violations of 2 U.S.C. §§ 441b and 441f, with respect to purported contributions from residents of Vermont. Moreover, if the Committee was aware of any irregularities concerning these contributions, it may have submitted false information to the Commission in violation of 26 U.S.C. § 9042(c).[18]

B. Contributions Received from Individuals Associated with Olympic International Bank

A review of contributions submitted for matching payment purposes revealed 28 contributions from 20 individuals associated with Olympic International Bank.[19] Of the 28 contributions, 14

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[18] It appears that the Committee submitted the treasurer's checks to the Commission to be matched. However, since none of the instruments were accompanied by a personal funds statement, they were rejected as non-matchable under 11 C.F.R. § 9034.2(c)(4).

[19] The contributors in question include the Bank's directors, officers, and employees, as well as several of their family members.

2504365011

were apparently made between April 20 and April 30, 1987; four were made between September 21 and 24, 1987. In addition, three of the 20 contributors in question appear to have made excessive contribution in violation of 2 U.S.C. § 441a(a)(1)(A). All three are members of Olympic Board of Directors: Frank N. Cardullo, Director ($1,100); Victor Niclazzo, Chairman ($2,000); and Dominic Saraceno, Director and treasurer of the Committee ($1,275). The auditors have noted that Mr. Saraceno's wife and three children are listed as having made contributions of $1,000 each.

These contributions are questionable because the Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. As discussed in our comments to the proposed interim report, supra, the fact the executive personnel and their families contributed at least $1,000 each to the campaign and that Mr. Saraceno is the Committee treasurer and a member of the Bank's board of directors raises questions regarding how these contributions were obtained.

C. Contributions Received from Employees of Tradewind Systems

The Committee received 17 contributions from employees of Tradewind Systems and their family members. All but one of the checks were for $250 and all were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account and all but one were accompanied by a contribution disclosure form. Eight of these contributions were submitted with the threshold submission for Massachusetts and Rhode Island.20/ The contributors' occuptations were listed as truckdriver, sheet metal worker and secretary.

The patterns of these contributions raises legitimate questions as to whether these contributions were made with the personal funds of the contributor. The uniformity of date, amount and connection with Tradewind Systems raises the possibility of impermissible corporate involvement in the making

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20/ As the Audit Division has noted, if these contributions are determined to be non-matchable, the Massachusetts and Rhode Island submissions would still have sufficient funds to meet the $5000 threshold.

2504365011 2

of these contributions. Moreover, 13 of the contributions were accompanied by a typed contributor information form which appears to have been typed in uniform fashion and on the same typewriter. See, e.g., MUR 1690 (Commission found reason to believe that 2 U.S.C. §§ 441b and 441f were violated by several corporations when an audit review of matching fund submissions revealed uniformity in dates and amounts of contributions which suggested the likelihood of corporate facilitation of contributions).

We note, however, that one of these contributions does not fit the pattern. That is the contribution by Donald A. Cooke, Jr. for $1,000. This check is not accompanied by a contributor information card, but disclosure reports indicate that he is a contractor for Tradewind. While there is no clear connection with the remaining 16 contributions, we concur that any referral also include Mr. Cooke.

D. Consecutively Numbered Checks Drawn on the First National Bank of Sydney, Ohio

During audit fieldwork, the Audit Division reviewed two series of consecutively numbered checks on what may be a business account of Dicke Consolidated. As noted by the Audit Division, the first series indicates that six checks were written on the same date, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on the same date, with uniform typewritten information, and the same authorized signature on each instrument. The second series also included six checks written on the same date that contained another authorized signature for each check in the series. However, four of the six checks in this series also bear what appear to be the signatures of the purported contributors.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation. The other three appear to be spouses of the officers. Four of the six contributed a total of $750 each. The remaining two contribution $1,000 each.21/

21/ One of these two, Eillen Dicke contributed $750 by two of the consecutively numbered checks in question. An additional contribution of $250 was made on a joint account with James F. Dicke, Chairman of Crown Controls Corp.

2504365011 3

The auditors have indicated that, although the account on which the checks were written was business-related, it does not appear that Dicke Consolidated is registered as a corporate entity. However, the fact that all of the contributors were either officers of Crown Controls Corporation or spouses of officers, there is a likelihood that Dicke Consolidated may be connected in some way with Crown Controls Corporation. Under these circumstances, the question arises of whether the funds in the Dicke Consolidated account were corporate funds or personal funds of the Dicke family members. Since the Committee submitted several of these contributions for matching purposes, it is also possible that a violation of 26 U.S.C. § 9042(c) may have occurred.

II. CONSECUTIVELY NUMBERED MONEY ORDERS DRAWN ON BAY RIDGE FEDERAL SAVINGS (II.A.)

During fieldwork, the Audit Division reviewed purported contributions from five individuals that were included in the Committee's bank deposit of April 25, 1987. The contributions were in the form of ten consecutively numbered money orders drawn on Bay Ridge Federal Savings in Brooklyn, New York. Each money order was in the amount of $500, and there were two such money orders per purported contributor.

As pointed out by the auditors, there were a number of striking similarities regarding the money orders, strongly suggesting that a single individual had filled them out. On each instrument, the drawer's "signature" was printed, while "Haig For President" was anomalously written in cursive style on the payee line. In addition to the similarity of the handwriting itself, each money order displayed other idiosyncracies that one normally associates with a single individual, such as the abbreviation of Brooklyn as "BYKLN" (sic) under drawer information.

Based on the attachments submitted with the Audit Division's memorandum, it appears that the Committee sent correspondence to the individuals named requesting information needed for matchability under 11 C.F.R. § 9034.2(c)(4). With the exception of Rabbi Milton Balkany, none of the named contributors responded. In two cases, the correspondence was returned to the Committee and stamped by the Post Office "Returned to sender"; "no such number". Regarding Rabbi Balkany, the handwriting on the filled-in form in the Committee's records appears to be the same as on all the money orders. Moreover, the Audit Division has included a copy of a document reviewed during the audit of

25043650114

the Friends of Phil Gramm, which contains the signature of Rabbi Balkany. The signature appears to be the same as the one submitted to the Committee.

Under these circumstances, there is a substantial question as to the source of the funds used for the four contributions of $1,000 each attributed to individuals other than Rabbi Balkany. If Rabbi Balkany was the actual source of the contributions, he would be in violation of 2 U.S.C. § 441f. See, e.g., MUR 1353 (Commission found reason to believe that 2 U.S.C. § 441f was violated when a representative of the Carter/Mondale Presidential Committee used cash contributions to purchase money orders and listed the contributors as employees of the restaurant where the fundraising activity was held).

Staff Assigned: Thomas E. Zoeller

2504365011 5

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 SEP 12 AM 10: 19

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR 2717
STAFF MEMBER
Kenneth Kellner

SOURCE: INTERNALLY GENERATED

RESPONDENTS:

Haig for President and
Dominic J. Saraceno, as treasurer
Fellows Corporation
Jeffrey W. Allen
Allison Allen
Donald Chabot
June Chabot
Henry Swierczynski
Nora Swierczynski
Carl Johnson
Linda Johnson
Erich Tlaker
Jean Tlaker
Olympic International Bank
and Trust Company
Frank N. Cardullo
Victor Nicolazzo
Dominic J. Saraceno
Judith S. Curtin
Matthew L. Curtin
Peter S. Donadio
Susan M. Fraser
Jon A. Lichter
Joseph G. Maloney
Nora F. Moran
Joann M. O'Brien
William J. O'Brien
Heidi Saraceno
Ingeborg Saraceno
Kurt Saraceno
Pauline Saraceno
Cynthia Sneider
Joseph Sneider
David Speigel
Michael Tierney
Tradewind Systems
Maureen Becker
Richard Clegg
Mary E. Cooke
Dennis M. Cooke
Donald A. Cooke, Jr.
Bobby Cowart

2504365011 6

Anthony DiBona
Arsene E. Frappier, Jr.
Gregory Gagnon
Richard Knowlton
Dennis Morancy
Daniel F. O'Hara, Jr.
Mary B. O'Hara
Frederick H. Shea, III
Nancy D. Stockus
Kimberly A. Stockus
Maureen A. White
Crown Controls Corporation
Kerry Dicke
Dane W. Dicke
Eilleen W. Dicke
James F. Dicke
James F. Dicke, II
Janet S. Dicke
Rabbi Milton Balkany

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441b
2 U.S.C. § 441f
26 U.S.C. § 9042(c)
11 C.F.R. § 110.1(i)
11 C.F.R. § 110.3(c)(2)
11 C.F.R. § 114.4(a)(2)(iv)
11 C.F.R. § 114.9

INTERNAL REPORTS CHECKED: Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On October 4, 1988, the Commission determined to open a Matter Under Review with respect to five items arising from the Interim Audit Report on Haig for President (the "Committee"). Four of the five items involve corporate employees making contributions to the Committee in similar patterns, suggesting either corporate facilitation of the contributions or corporate contributions and contributions made in the name of another. The fifth item involves contributions apparently made in the names of

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others by a single individual.

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election, or for a political committee knowingly to accept such a contribution. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions. See FEC v. Rodriguez, No. 86-687 Civ-T-10(B) (M.D. Fla. May 5, 1987) (Order denying summary judgment motion); MUR 1611; MUR 2555; MUR 2575.

Under 11 C.F.R. § 110.1(i), a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds.

An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election for such

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office) are considered to be one election. 2 U.S.C. § 441a(a)(6).

Under 2 U.S.C. § 441a(f), it is unlawful for an officer or employee of a political committee to knowingly accept a contribution made for the use or benefit of a candidate in violation of the limitations imposed on contributions under 2 U.S.C. § 441a.

Although corporations are specifically prohibited from making any contribution or expenditure in connection with any federal election, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations may allow partisan candidate appearances on corporate premises before stockholders, executive or administrative personnel and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not itself facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

A. Consecutively Numbered Bank Checks--Fellows Corporation

Ten treasurer's checks were issued to the Committee by Olympic International Bank and Trust ("Olympic Bank") in Boston, Massachusetts. All of the written instruments in question were

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in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. All the addresses on the checks are in either Quechee or Springfield, Vermont. On each instrument, "Haig for President" was uniformly typed on the payee line. Each of the ten instruments purports to be a contribution from an individual associated with a Vermont-based company, Fellows Corporation. Three of the individuals are identified as corporate vice president, another as director of engineering, and another as an engineer. The other five individuals appear to be their spouses.

Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, questions arise as to the true source of these contributions. The source of the funds used in making those contributions may actually have been the Fellows Corporation. See, e.g., MUR 1353 (Commission found reason to believe that 2 U.S.C. § 441f was violated by the Carter/Mondale Presidential Committee when cash contributions were used to purchase money orders which were submitted for matching). See also FEC v. Committee to Elect Lyndon LaRoache, 613 F.2d 849 (D.C. Cir. 1979).

Furthermore, that a group of high level corporate employees and their spouses would make identical contributions on the same date raises other questions concerning the possible involvement of Fellows Corporation. See, e.g., MUR 1690 (Based on an audit referral, the Commission found reason to believe that 2 U.S.C.

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§ 441b(a) was violated by several business entities based in part upon patterns of contributions by employees of the entities). Thus, even if these contributions were not reimbursed, the circumstances presented here suggest Fellows Corporation may have used corporate resources to solicit and facilitate the making of contributions by corporate employees and their spouses or otherwise may have known of the true source of the funds.

Therefore, this Office recommends the Commission find reason to believe that Fellows Corporation may have violated 2 U.S.C. §§ 441b and 441f. Additionally, it appears that the ten contributors may have permitted their names to be used to effect a contribution, in violation of 2 U.S.C. § 441f. Therefore, this Office recommends the Commission find reason to believe Jeffrey W. Allen, Allison Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker violated 2 U.S.C. § 441f.

B. **Contributions Received from Individuals Associated with Olympic Bank**

As set forth above, Olympic Bank issued the treasurer's checks to the Committee which led to the recommendations of this Office as to Fellows Corporation. One of the bank's directors, Dominic J. Saraceno, is the Committee's treasurer.

The Audit Division's review of contributions submitted for matching payment purposes revealed 28 contributions totaling $17,475 from 20 individuals, of which 12 were identified as either a director, officer or employee of Olympic Bank and eight were identified as a spouse (4) or relative (4) of a director,

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officer or employee of Olympic Bank. Judging by the dates on the checks, fourteen (14) of the contributions were apparently made between April 20, 1987 and April 30, 1987, and four more were made between September 21, 1987 and September 24, 1987.

Of the 12 bank officials noted above, ten made their contributions from their apparent personal accounts at Olympic Bank. Furthermore, two of the other contributors made their contributions from apparent personal accounts with the bank. Two contributions, each for $1,000, were made on "Treasurers Checks" from Olympic Bank.

In addition, three of the 20 contributors in question appear to have made excessive contributions in violation of 2 U.S.C. § 441a(a)(1)(A). All three are members of the Olympic Bank Board of Directors: Frank N. Cardullo, Director (1,100); Victor Nicolazzo, Chairman ($2,000); and Dominic J. Saraceno, Director and treasurer of the Haig for President Committee ($1,275). The auditors have noted that Mr. Saraceno's wife and three children are listed as having made contributions of $1,000 each.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, were referred by the Audit Division because Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank or otherwise may have facilitated these contributions, in violation of 2 U.S.C.

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§§ 441b and 441f.

Therefore, this Office recommends the Commission find reason to believe that Olympic Bank violated 2 U.S.C. §§ 441b and 441f. This Office also recommends finding reason to believe that Frank N. Cardullo, Victor Nicolazzo and Dominic J. Saraceno violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. Finally, it appears that the remaining seventeen contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution, in violation of 2 U.S.C. § 441f. Therefore, this Office recommends the Commission find reason to believe that Judith S. Curtin, Matthew L. Curtin, Peter S. Donadio, Susan M. Fraser, Jon A. Lichter, Joseph G. Maloney, Nora F. Moran, Joann M. O'Brien, William J. O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, Cynthia Sneider, Joseph Sneider, David Speigel and Michael Tierney violated 2 U.S.C. § 441f.

C. **Contributions Received From Employees of Tradewind Systems**

The Committee received 17 contributions from employees and a contractor of Tradewind Systems and their family members. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one, that of Donald A. Cooke, Jr., were accompanied by a contributor information form. In addition, the contributor information accompanying the checks appears to have been typed in a uniform fashion and a similar typeface. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts.

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The numerous similarities and timing of these contributions suggest that Tradewind Systems, a Massachusetts corporation, may have facilitated the making of the contributions and may have provided the funds for the contributions. Therefore, this Office recommends finding reason to believe that Tradewind Systems violated 2 U.S.C. §§ 441b and 441f. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution, in violation of 2 U.S.C. § 441f. Therefore, this Office recommends finding reason to believe that Maureen Becker, Richard Clegg, Mary E. Cooke, Dennis M. Cooke, Donald A. Cooke, Jr., Bobby Cowart, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus, and Maureen A. White violated 2 U.S.C. § 441f.

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D. **Contributions Received From Individuals Associated With Crown Controls Corporation**

The Audit Division reviewed two series of consecutively numbered checks totaling $4,750, on what appears to be a business account of Dicke Consolidated.

The first check series is dated 6/26/87 and is consecutively numbered 2806 through 2811. On the six checks, the check date, check number and payee are all typed in a similar typeface. Typewritten in the upper left hand corner of each of the checks is the contributor's name and address. On each instrument, the signature of Cindy Carter, not the named holder, appears on the

signature line above the notation "authorized signature".

The second series of checks is identical to the first series except that the six checks are consecutively numbered 5307 through 5312, and each is dated 10/27/87. Furthermore, the signatory on each check in the second series is Jeri E. Carey.

The individuals named as contributors on the checks are all members of the Dicke family, three of whom are officers of Crown Controls Corporation of New Bremen, Ohio. The other three appear to be spouses of the officers. Five of the six contributed a total of $750 each. The sixth contributor James F. Dicke, the Chairman of Crown Controls Corporation, contributed $1,000. One of the contributors, Eilleen Dicke, made a separate $250 contribution on a joint account with James F. Dicke in addition to her contributions totaling $750.

Although Dicke Consolidated by its name appears to be a business entity, it does not appear to be registered as a separate corporate entity. All of the contributions, however, were from officers of Crown Controls Corporation or spouses of officers. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls Corporation, in violation of 2 U.S.C. § 441b. Additionally, the contributions from Crown Controls Corporation may have been made in the names of others, namely members of the Dicke family, in violation of 2 U.S.C. § 441f.

Therefore, this Office recommends the Commission find reason to believe that Crown Controls Corporation violated

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2 U.S.C. §§ 441b and 441f. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution, in violation of 2 U.S.C. § 441f. Therefore, this Office recommends the Commission find reason to believe that Kerry Dicke, Dane W. Dicke, Eileen W. Dicke, James F. Dicke, James F. Dicke, II, and Janet S. Dicke violated 2 U.S.C. § 441f.

E. Contributions In The Form Of Consecutively Numbered Money Orders Drawn On Bay Ridge Federal Savings

A series of ten consecutively numbered money orders from five individuals were included in the Committee's bank deposit of April 25, 1987. The money orders were drawn on Bay Ridge Federal Savings in Brooklyn, New York. Each money order was dated April 9, 1987 and in the amount of $500. There were two such money orders per each purported contributor.

There are a number of similarities apparent from the face of the money orders which suggest that a single individual had filled them all out. On each instrument, the name appearing on the signature of drawer line is written in block print style rather than cursive, while "Haig For President" is written in cursive style on the payee line. In addition to the similarity of the handwriting itself, each money order displays other idiosyncrasies that one normally associates with a single individual, such as the abbreviation of Brooklyn as "BKLYN" under drawer information.

The Committee apparently sent correspondence to the individuals named, requesting information needed for matchability

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under 11 C.F.R. § 9034.2(c)(4). With the exception of Rabbi Milton Balkany, none of the other named contributors responded. In two cases, the correspondence was returned to the Committee and stamped by the Post Office "insufficient address" and "no such number." The handwriting on the personal funds statement submitted by Rabbi Balkany appears to be the same as on all the questionable money orders. The abbreviation "BKLYN" also appears on the personal funds statement signed by Rabbi Balkany. Moreover, the Audit Division has included a copy of a document reviewed during the audit of the Friends of Phil Gramm. The document, a personal funds statement, contains the signature of Rabbi Balkany. The signature is apparently the same as the one submitted to the Committee.

Therefore, it appears that each of the contributions may have actually been made by Rabbi Balkany, yet made in the name of another. If true, the contributions are also excessive, in violation of 2 U.S.C. § 441a(a)(1)(A). Therefore, this Office recommends finding reason to believe that Rabbi Balkany may have violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. There is no indication whether the individual contributors exist or otherwise participated in the making of these contributions. Therefore, this Office is making no recommendations at this time with respect to these individuals.

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F. Haig for President

Under 26 U.S.C. § 9042(c), it is unlawful for a political committee to knowingly and willfully furnish false, fictitious, or fraudulent evidence, books, or information to the Commission, or to include in any evidence, books, or information so furnished any misrepresentation of a material fact, or to falsify or conceal any evidence, books, or information relevant to a certification by the Commission or an examination and audit by the Commission.

This Office noted, in its review of the Interim Audit Report on Haig for President, Inc., memorandum dated September 7, 1988, that there would be reason to believe that the Committee violated 26 U.S.C. § 9042(c) if it was aware of any of these contributor irregularities when it submitted the contributions for matching. Likewise, if the Committee knew that it was accepting corporate contributions or contributions made in the name of another, the Committee violated 2 U.S.C. §§ 441b and 441f. The Committee also apparently accepted excessive contributions from three individuals in violation of 2 U.S.C § 441a(f).

As noted above, the Committee's treasurer, Dominic Saraceno, is a director of Olympic Bank. Also as noted earlier, it appears the Bank and some of its employees including Mr. Saraceno may have made contributions to the Haig Committee in apparent violation of 2 U.S.C. §§ 441b and 441f. The Olympic Bank is the campaign depository for the Haig Committee. As noted, it was also the institution used by the Fellows Corporation and its officers in making apparent contributions to the Haig Committee

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in violation of 2 U.S.C. §§ 441b and 441f. Therefore, it appears that the Committee, through its treasurer, may have been aware of the circumstances surrounding the making of some or all of these contributions. Therefore, this Office recommends finding reason to believe that Haig for President and Dominic J. Saraceno, as treasurer, violated 26 U.S.C. § 9042(c) and 2 U.S.C. §§ 441a(f), 441b and 441f.

III. RECOMMENDATIONS

1. Find reason to believe that Olympic Bank violated 2 U.S.C. §§ 441b and 441f.

2. Find reason to believe that Fellows Corporation violated 2 U.S.C. §§ 441b and 441f.

3. Find reason to believe that the following persons violated 2 U.S.C. § 441f:

    a. Jeffrey W. Allen
    b. Allison Allen
    c. Donald Chabot
    d. June Chabot
    e. Henry Swierczynski
    f. Nora Swierczynski
    g. Carl Johnson
    h. Linda Johnson
    i. Erich Tlacker
    j. Jean Tlacker
    k. Judith S. Curtin
    l. Matthew L. Curtin
    m. Peter S. Donadio
    n. Susan M. Fraser
    o. Jon A. Lichter
    p. Joseph G. Maloney
    q. Nora F. Moran
    r. Joann M. O'Brien
    s. William J. O'Brien
    t. Heidi Saraceno
    u. Ingeborg Saraceno
    v. Kurt Saraceno
    w. Pauline Saraceno
    x. Cynthia Sneider
    y. Joseph Sneider
    z. David Speigel

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aa. Michael Tierney
bb. Maureen Becker
cc. Richard Clegg
dd. Mary E. Cooke
ee. Dennis M. Cooke
ff. Donald A. Cooke, Jr.
gg. Bobby Cowart
hh. Anthony DiBona
ii. Arsene E. Frappier, Jr.
jj. Gregory Gagnon
kk. Richard Knowlton
ll. Dennis Morancy
mm. Daniel F. O'Hara, Jr.
nn. Mary B. O'Hara
oo. Frederick H. Shea, III
pp. Nancy D. Stockus
qq. Kimberly A. Stockus
rr. Maureen A. White
ss. Kerry Dicke
tt. Dane W. Dicke
uu. Eilleen W. Dicke
vv. James F. Dicke
ww. James F. Dicke, II
xx. Janet S. Dicke

4. Find reason to believe Frank N. Cardullo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

5. Find reason to believe Victor Nicolazzo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

6. Find reason to believe Dominic J. Saraceno violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

7. Find reason to believe that Tradewind Systems violated 2 U.S.C. §§ 441b and 441f

8. Find reason to believe that Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f.

9. Find reason to believe that Rabbi Milton Balkany violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

10. Find reason to believe that Haig for President and Dominic J. Saraceno, as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 441f and 26 U.S.C. § 9042(c).

2504365010

11. Approve the attached letters, factual and legal analyses, and Subpoenas and Orders.

Date 9/11/89

Lawrence M. Noble
General Counsel

Attachments:
1-Referral Memorandum (without attachments)
2-Proposed Letters (60) (Letters are attached for each of the respondents, along with one for Cindy Carter as a non-respondent witness.)
3-Factual and Legal Analyses (11) (Factual and Legal Analyses are attached for each corporate entity, Haig for President and Rabbi Balkany, along with five (5) sample Factual and Legal Analyses: one each for individuals associated with Fellows Corporation, Tradewind Systems and Crown Controls Corporation, and two for individuals associated with Olympic Bank.)
4 Subpoenas (13) (Subpoenas to appear for depositions are attached for 12 individual respondents, along with one for Cindy Carter as a non-respondent witness.)
5-Subpoenas and Orders (9) (Subpoenas and Orders are attached for each corporate entity and Haig for President, along with four (4) sample Subpoenas and Orders: one each for individuals associated with Fellows Corporation, Olympic Bank, Tradewind Systems and Crown Controls Corporation.)

2504350181

FEDERAL ELECTION COMMISSION
WASHINGTON [illegible]

MEMORANDUM TO: ROBERT J. COSTA
AUDIT DIVISION

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN

DATE: SEPTEMBER 29, 1988

SUBJECT: INTERIM AUDIT REPORT - HAIG FOR PRESIDENT
MEMORANDUM REPORT DATED SEPTEMBER 28, 1988

The above-captioned document was circulated to the Commission on Wednesday, September 28, 1988 at 4:00 p.m.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens _____
Commissioner Elliott _____
Commissioner Josefiak X
Commissioner McDonald _____
Commissioner McGarry _____
Commissioner Thomas X

This matter will be placed on the Executive Session agenda for October 4, 1988.

25043650132

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Haig for President and Dominic J. Saraceno, as treasurer; Fellows Corporation; Jeffrey W. Allen; Allison Allen; Donald Chabot; June Chabot; Henry Swierczynski; Nora Swierczynski; Carl Johnson; Linda Johnson; Erich Tlaker; Jean Tlaker; Olympic International Bank and Trust Company; Frank N. Cardullo; Victor Nicolazzo; Dominic J. Saraceno; Judith S. Curtin; Matthew L. Curtin; Peter S. Donadio; Susan M. Fraser; Jon A. Lichter; Joseph G. Maloney; Nora F. Moran; Joann M. O'Brien; William J. O'Brien; Heidi Saraceno; Ingeborg Saraceno; Kurt Saraceno; Pauline Saraceno; Cynthia Sneider; Joseph Sneider; David Speigel; Michael Tierney; Tradewind Systems; Maureen Becker; Richard Clegg; Mary E. Cooke; Dennis M. Cooke; Donald A. Cooke, Jr.; Bobby Cowart; Anthony DiBona; Arsene E. Frappier, Jr.; Gregory Gagnon; Richard Knowlton; Dennis Morancy; Daniel F. O'Hara, Jr.; Mary B. O'Hara; Frederick H. Shea, III; Nancy D. Stockus: Kimberly A. Stockus; Maureen A. White; Crown Controls Corporation; Kerry Dicke; Dane W. Dicke; Eilleen W. Dicke; James F. Dicke; James F. Dicke, II; Janet S. Dicke; Rabbi Milton Balkany	)	MUR 2717

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 14, 1989, the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Find reason to believe that Olympic Bank violated 2 U.S.C. §§ 441b and 441f.

2. Find reason to believe that Fellows Corporation violated 2 U.S.C. §§ 441b and 441f.

3. Find reason to believe that the following persons violation 2 U.S.C. § 441f:

   a. Jeffrey W. Allen
   b. Allison Allen
   c. Donald Chabot
   d. June Chabot
   e. Henry Swierczynski
   f. Nora Swierczynski
   g. Carl Johnson
   h. Linda Johnson
   i. Erich Tlacker
   j. Jean Tlacker
   k. Judith S. Curtin
   l. Matthew L. Curtin
   m. Peter S. Donadio
   n. Susan M. Fraser
   o. Jon A. Lichter
   p. Joseph G. Maloney
   q. Nora F. Moran
   r. Joann M. O'Brien
   s. William J. O'Brien
   t. Heidi Saraceno
   u. Ingeborg Saraceno
   v. Kurt Saraceno
   w. Pauline Saraceno
   x. Cynthia Sneider
   y. Joseph Sneider
   z. David Speigel
   aa. Michael Tierney
   bb. Maureen Becker
   cc. Richard Clegg
   dd. Mary E. Cooke
   ee. Dennis M. Cooke
   ff. Donald A. Cooke, Jr.
   gg. Bobby Cowart
   hh. Anthony DiBona
   ii. Arsene E. Frappier, Jr.
   jj. Gregory Gagnon

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kk. Richard Knowlton
ll. Dennis Morancy
mm. Daniel F. O'Hara, Jr.
nn. Mary B. O'Hara
oo. Frederick H. Shea, III
pp. Nancy D. Stockus
qq. Kimberly A. Stockus
rr. Maureen A. White
ss. Kerry Dicke
tt. Dane W. Dicke
uu. Eilleen W. Dicke
vv. James F. Dicke
ww. James F. Dicke, II
xx. Janet S. Dicke

4. Find reason to believe Frank N. Cardullo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

5. Find reason to believe Victor Nicolazzo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

6. Find reason to believe Dominic J. Saraceno violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

7. Find reason to believe that Tradewind Systems violated 2 U.S.C. §§ 441b and 441f.

8. Find reason to believe that Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f.

9. Find reason to believe that Rabbi Milton Balkany violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

10. Find reason to believe that Haig for President and Dominic J. Saraceno, as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 441f and 26 U.S.C. § 9042(c).

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11. Approve the letters, factual and legal analyses, and Subpoenas and Orders, attached to the General Counsel's Report dated September 11, 1989.

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

Attest:

9-15-89
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Tuesday, September 12, 1989 10:19
Circulated to the Commission: Tuesday, September 12, 1989 4:00
Deadline for vote: Thursday, September 14, 1989 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald A. Cooke
6 Brom Dutcher Road
Buzzards Bay, MA 02532

RE: MUR 2717
Donald A. Cooke

Dear Mr. Cooke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

2504365013

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald A. Cooke
6 Brom Dutcher Road
Buzzards Bay, MA 02532

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 receipt of this Order and Subpoena.

2504365013?

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Donald A. Cooke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as considered one election. 2 U.S.C. § 441a(a)(6).

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Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Donald A. Cooke.

Therefore, there is reason to believe Donald A. Cooke violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald Cooke, Registered Agent
Tradewind Systems
14 Springdale Avenue
Canton, MA 02021

RE: MUR 2717
Tradewind Systems

Dear Mr. Cooke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe Tradewind Systems violated 2 U.S.C. §§ 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Tradewind Systems. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against Tradewind Systems, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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2504365014

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald Cooke, Registered Agent
Tradewind Systems
14 Springdale Avenue
Canton, MA 02021

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 receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. List by date and amount all payments, advances, reimbursements, bonuses or other benefits provided to the following individuals in 1987 and 1988 and describe the purpose of each payment, advance, reimbursement, bonus or benefit:

   a. Maureen Becker
   b. Richard Clegg
   c. Mary E. Cooke
   d. Dennis M. Cooke
   e. Donald A. Cooke, Jr.
   f. Bobby Cowart
   g. Anthony DiBona
   h. Arsene E. Frappier
   i. Gregory Gagnon
   j. Richard Knowlton
   k. Dennis Morancy
   l. Daniel F. O'Hara
   m. Mary B. O'Hara
   n. Frederich H. Shea, III
   o. Nancy D. Stockus
   p. Kimberly A. Stockus
   q. Maureen A. White

2. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

3. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

4. Produce all documents which refer, relate or pertain to the making, reimbursement or refund of contributions to Haig for President by Tradewind Systems or any individual or entity associated with Tradewind Systems.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Tradewind Systems **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Although corporations are specifically prohibited from making a contribution or expenditure in connection with a federal election, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow

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candidates for Federal offices an opportunity to make partisan appearances on corporate premises before stockholders, executive or administrative personnel and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. These persons are: Maureen Becker, Richard Clegg, Mary E. Cooke, Dennis M. Cooke, Donald A. Cooke, Jr., Bobby Cowart, Anthony DiBona, Arsene F. Frappier, Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus,

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Kimberly A. Stockus, and Maureen A. White.

Therefore, there is reason to believe Tradewind Systems violated 2 U.S.C. §§ 441b(a) and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dominic Saraceno
15 Surrey Street
Newton, MA 0215

RE: MUR 2717
Dominic Saraceno

Dear Mr. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

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2504365017

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dominic Saraceno
15 Surrey Street
Newton, MA 02158

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 receipt of this Order and Subpoena.

2504365018

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

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DEFINITIONS

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"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 the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Dominic Saraceno **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987. In addition, Dominic Saraceno appears to have made contributions which exceeded the $1,000 limit by $275.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Dominic Saraceno.

Therefore, there is reason to believe Dominic Saraceno violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Victor A. Nicolazzo, Jr., Chairman
Olympic International Bank and Trust
303 Congress Street
Boston, MA 02210

RE: MUR 2717
Olympic International Bank and Trust

Dear Mr. Nicolazzo:

On September 14, 1989, the Federal Election Commission found that there is reason to believe Olympic International Bank and Trust ("Olympic Bank") violated 2 U.S.C. §§ 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Olympic Bank. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against Olympic Bank, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Victor A. Nicolazzo, Jr., Chairman
Olympic International Bank and Trust
303 Congress St.
Boston, MA 02210

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 receipt of this Order and Subpoena.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. Describe in detail the services provided by you for Alexander Haig or Haig for President (the "Committee").

2. Regarding treasurers' checks numbered 4963, 4964, 5211 and 4966 to 4972, dated August 12, 1988, and issued by you to the Committee:

   a. Identify the individuals who requested the issuance of the treasurers' checks. Describe in detail the circumstances involved.

   b. Identify the persons involved in the mechanical preparation of the checks.

3. List by date and amount all payments, advancements, reimbursements, or other benefits provided to the following individuals in 1987 and 1988 and describe the purpose of each payment, advancement, reimbursement, or other benefit:

   a. Judith S. Curtin
   b. Matthew L. Curtin
   c. Peter S. Donadio
   d. Susan M. Fraser
   e. Jon A. Lichter
   f. Joseph G. Maloney
   g. Nora F. Moran
   h. Joann O'Brien
   i. William J. O'Brien
   j. Heidi Saraceno
   K. Ingeborg Saraceno
   l. Kurt Saraceno
   m. Pauline Saraceno
   n. Cynthia Sneider
   o. Joseph Sneider
   p. David Speigel
   q. Michael Tierney
   r. Frank N. Cardullo
   s. Victor Nicolazzo
   t. Dominic Saraceno

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

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5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

6. Produce all documents which refer, relate or pertain to the making, reimbursement or refund of contributions to Haig for President by Olympic Bank or any individual or entity associated with Olympic Bank.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: OLYMPIC INTERNATIONAL BANK AND TRUST **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

Although corporations are specifically prohibited from making a contribution or expenditure in connection with a federal election, the Commission's regulations provide that stockholders

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and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow candidates for Federal offices an opportunity to make partisan appearances on corporate premises before stockholders, executive or administrative personnel, and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not itself facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with a corporation in Boston, Massachusetts: Olympic International Bank and Trust ("Olympic Bank"). Fourteen of the contributions were made within a short span of time in April 1987; four more were made within a three day period in September 1987. In addition, three of the 20 contributors in question appear to have made excessive contributions. All three are members of Olympic Bank Board of Directors: Frank N. Cardullo, Director (1,100); Victor Nicolazzo, Chairman ($2,000); and Dominic Saraceno, Director and treasurer of the Haig for President Committee ($1,275).

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the

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Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated these contributions. It also appears that the remaining seventeen contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. These persons are: Judith S. Curtin, Matthew L. Curtin, Peter S. Donadio, Susan M. Fraser, Jon A. Lichter, Joseph G. Maloney, Nora F. Moran, Joann O'Brien, William J. O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, Cynthia Sneider, Joseph Sneider, David Speigel and Michael Tierney.

Therefore, there is reason to believe Olympic International Bank and Trust violated 2 U.S.C. §§ 441b and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dominic J. Saraceno, Treasurer
Haig for President
1312 Vincent Place
McLean, Virginia 22101

RE: MUR 2717
Haig for President and
Dominic J. Saraceno, as
treasurer

Dear Mr. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe Haig for President ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 26 U.S.C. § 9042(c). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against the

Committee and you, as treasurer, 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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L McDonald
Chairman

Enclosures
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Designation of Counsel Form

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dominic J. Saraceno, Treasurer
Haig for President
1312 Vincent Place
McLean, Virginia 22101

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 receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. Describe in detail the services provided to Haig for President ("the Committee") by Olympic International Bank and Trust ("Olympic Bank").

2. Describe the procedure by which the Committee verifies the source of funds for individual contributions. Identify all the individuals involved in this process.

3. Provide an organizational chart and list of all the Committee's employees and officials

4. List by date, location and amount raised all of the Committee's fundraising events.

5. Provide all written guidance, instructions or information distributed by the Committee to individuals in connection with fundraising activity.

6. Provide all documents relating or in any way pertaining to the individuals named in the factual and legal analysis accompanying this Subpoena and Order.

7. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

8. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: HAIG FOR PRESIDENT AND DOMINIC J. SARACENO, AS TREASURER

MUR: 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year

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for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

Under 2 U.S.C. § 441a(f), it is unlawful for an officer or employee of a political committee to knowingly accept a contribution made for the use or benefit of a candidate in violation of the limitations imposed on contributions under 2 U.S.C. § 441a.

Although corporations are specifically prohibited from making a contribution or expenditure in connection with a federal election, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow candidates for Federal offices an opportunity to make partisan appearances on corporate premises before stockholders, executive or administrative personnel and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not itself facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

Section 9042(c) of Title 26 of the United States Code makes it unlawful for any person to furnish false, fictitious or fraudulent information to the Commission in connection with any publicly-financed campaign under the Presidential Primary

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Matching Payment Account Act.

A. **Fellows Corporation**

Ten treasurer's checks were issued to Haig for President (the "Committee") by Olympic International Bank and Trust ("Olympic Bank") in Boston, Massachusetts. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. All the addresses on the checks are in either Quechee or Springfield, Vermont. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. These persons are: Jeffrey W. Allen, Allison Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used

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in making those contributions actually may have been the Fellows Corporation.

B. **Contributions Received from Individuals Associated with Olympic Bank**

A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic Bank. Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987. In addition, three of the 20 contributors in question appear to have made excessive contributions in violation of 2 U.S.C. § 441a(a)(1)(A). All three are members of Olympic Bank Board of Directors: Frank N. Cardullo, Director (1,100); Victor Nicolazzo, Chairman ($2,000); and Dominic Saraceno, Director and treasurer of the Haig for President Committee ($1,275). Mr. Saraceno's wife and three children are also listed as having made contributions of $1,000 each.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated these contributions. It also appears that the remaining seventeen contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. These persons

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are: Judith S. Curtin, Matthew L. Curtin, Peter S. Donadio, Susan M. Fraser, Jon A. Lichter, Joseph G. Maloney, Nora F. Moran, Joann O'Brien, William J. O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, Cynthia Sneider, Joseph Sneider, David Speigel and Michael Tierney.

C. **Contributions Received From Employees of Tradewind Systems**

The Committee received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the Checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. These persons are: Maureen Becker, Richard Clegg, Mary E. Cooke, Dennis M. Cooke, Donald A. Cooke, Jr., Bobby Cowart, Anthony DiBona, Arsene F. Frappier, Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F.

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O'Hara, Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus, and Maureen A. White.

D. Crowns Controls/Dicke Consolidated

Two series of consecutively numbered checks on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on the same date, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on the same date, with uniform typewritten information and the same authorized signature on each instrument. The second series also included six checks written on the same date that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers. Four of the six contributed a total of $750 each. The remaining two contributions were for $1,000 each.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or spouses of officers. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have

permitted their names to be used to effect a contribution. These persons are: Kerry Dicke, Dane W. Dicke, Eileen W. Dicke, James F. Dicke, James F. Dicke, II, and Janet S. Dicke.

E. **Bay Ridge Federal Savings Money Orders**

Contributions from five individuals were included in the Committee's bank deposit of April 25, 1987, in the form of ten consecutively numbered money orders drawn on Bay Ridge Federal Savings in Brooklyn, New York. Each money order was in the amount of $500. There were two such money orders per each purported contributor.

There are a number of similarities apparent from the face of the money orders which suggest that a single individual had filled them all out. On each instrument, the name appearing on the signature of drawer line is written in block print style rather than cursive, while "Haig For President" is written in cursive style on the payee line. In addition to the similarity of the handwriting itself, each money order displays other idiosyncrasies that one normally associates with a single individual, such as the abbreviation of Brooklyn as "BKYLN" under drawer information.

The Committee apparently sent correspondence to the individuals named, requesting information needed for matchability under 11 C.F.R. § 9034.2(c)(4). With the exception of Rabbi Milton Balkany, none of the named contributors responded. In two cases, the correspondence was returned to the Committee and stamped by the Post Office "return to sender" and "no such number." The handwriting on the personal funds statement

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submitted by Rabbi Balkany appears to be the same as on all the questionable money orders.

Therefore, it appears that each of the contributions may have actually been made by Rabbi Balkany, yet made in the name of another. As such, the contributions also appear to be excessive.

F. Haig for President

Based on the foregoing circumstances, it appears the Committee was aware of many of these contributor irregularities when it submitted the contributions for matching. Likewise, it appears the Committee knew that it may have been accepting corporate contributions or contributions made in the name of others. As noted above, the Committee's treasurer, Dominic Saraceno, is a director of Olympic Bank. Also as noted earlier, it appears the Bank and some of its employees including Mr. Saraceno may have made contributions to the Haig Committee. It was also the institution used by the Fellows Corporation and its officers in making contributions to the Haig Committee. Thus, it appears that the Committee, through its treasurer, may have been aware of the circumstances surrounding the making of some or all of these contributions. Therefore, there is reason to believe that Haig for President and Dominic J. Saraceno, as treasurer, violated 26 U.S.C. § 9042(c) and 2 U.S.C. §§ 441a(f), 441b and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph W. Smith, President
Fellows Corporation
Precision Drive
P.O. Box 851
Springfield, Vermont 05156

RE: MUR 2717
Fellows Corporation

Dear Mr. Smith:

On September 14 1989, the Federal Election Commission found that there is reason to believe Fellows Corporation violated 2 U.S.C. §§ 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Fellows Corporation. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against Fellows Corporation, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

2504365011

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, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

2504365012

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Joseph W. Smith, President
Fellows Corporation
Precision Drive
P.O. Box 851
Springfield, VT 05156

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 receipt of this Order and Subpoena.

2504365019 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 27th day of Sept 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504365019 4

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504365015

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 the 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.

2504365019

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. List by date and amount all payments, advances, reimbursements or other benefits provided to the following individuals in 1987 and 1988 and describe the purpose of each payment, advance, reimbursement, or benefit:

   a. Jeffrey W. Allen
   b. Allison Allen
   c. Donald Chabot
   d. June Chabot
   e. Henry Swierczynski
   f. Nora Swierczynski
   g. Carl Johnson
   h. Linda Johnson
   i. Erich Tlaker
   j. Jean Tlaker

2. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

3. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

4. Produce all documents which refer, relate or pertain to the making, reimbursement or refund of contributions to Haig for President by Fellows Corporation or any individual or entity associated with Fellows Corporation.

5043650127

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: FELLOWS CORPORATION **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Although corporations are specifically prohibited from making a contribution or expenditure in connection with a federal election, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow candidates for Federal offices an opportunity to make partisan

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appearances on corporate premises before stockholders, executive or administrative personnel, and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not itself facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust ("Olympic Bank"). All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. All the addresses on the checks are in either Quechee or Springfield, Vermont. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. These persons are: Jeffrey W. Allen, Allison Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker.

That a group of high level corporate employees and their spouses would make identical contributions on the same date

2504365011

raises legitimate questions concerning the possible involvement of the corporation in facilitating the making of such contributions. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation.

Therefore, there is reason to believe Fellows Corporation violated 2 U.S.C. §§ 441b and 441f.

2504365020

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kurt Saraceno
57 Welles Avenue
Newton, MA 02159

RE: MUR 2717
Kurt Saraceno

Dear Mr. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650202

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kurt Saraceno
57 Welles Avenue
Newton, MA 02159

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 receipt of this Order and Subpoena.

5043650203

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504365024

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650205

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 the 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.

5043650206

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2504365207

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kurt Saraceno **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

2504365020 3

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Kurt Saraceno.

Therefore, there is reason to believe Kurt Saraceno violated 2 U.S.C. § 441f.

2504365020

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cindy Carter
c/o Dicke Consolidated
40 S. Washington Street
New Bremen, Ohio 45869

RE: MUR 2717

Dear Ms. Carter:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena which requires you to appear and give sworn testimony on December 6, 1989 at 9:00 a.m. and 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 present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition. You may also consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena. However, you are required to submit the information within 15 days of your receipt of this subpoena.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $30.00, plus mileage at the rate of 21 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

5043650210

Within two days of your receipt of this notification, please confirm your scheduled appearance with Kenneth E. Kellner, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Subpoena

> 50436502 1 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Cindy Carter
c/o Dicke Consolidated
40 S. Washington St.
New Bremen, Ohio 45869

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on December 6, 1989 in Room 602 at the Federal Building and U.S. Courthouse, 200 West Second Street, Dayton, Ohio 45402, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

2504365021 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 31st day of Oct., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

2504365021 3

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650214

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 the 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.

5043650215

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents in your possession referring, relating or pertaining to campaign contributions made to Haig for President including, but not limited to, copies of both sides of all checks, correspondence and records of telephone conversations.

5043650216

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Rabbi Milton Balkany
5402 - 15th Street
Brooklyn, New York 11219

RE: MUR 2717
Rabbi Milton Balkany

Dear Rabbi Balkany:

On September 14 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

2504365021

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
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2504365021 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Rabbi Milton Balkany
5402 - 15th Street
Brooklyn, New York 11219

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 9, 1989 in Room 440 at One S. Andrews Plaza, New York, New York 10007, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

2504365021

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

7504365022D

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650221

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 the 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.

5043650222

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to the making, reimbursement or refund of contributions to Haig for President by you or any individual whose contributions were assisted, facilitated or reimbursed by you.

5043650223

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: RABBI MILTON BALKANY **MUR:** 2717

The Federal Election Campaign Act of 1971, as amended (the "Act"), makes it unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

Contributions from five individuals to the Haig for President Committee were included in the Committee's bank deposit of April 25, 1987, in the form of ten consecutively numbered money orders drawn on Bay Ridge Federal Savings in Brooklyn, New York. Each money order was in the amount of $500. There were two such money orders per each purported contributor.

5043650224

There are a number of similarities apparent from the face of the money orders which suggest that a single individual had filled them all out. On each instrument, the name appearing on the signature of drawer line is written in block print style rather than cursive, while "Haig For President" is written in cursive style on the payee line. In addition to the similarity of the handwriting itself, each money order displays other idiosyncrasies that one normally associates with a single individual, such as the abbreviation of Brooklyn as "BKYLN" under drawer information.

The committee apparently sent correspondence to the individuals named, requesting information needed for matchability under 11 C.F.R. § 9034.2(c)(4). With the exception of Rabbi Milton Balkany, none of the named contributors responded. In two cases, the correspondence was returned to the Committee and stamped by the Post Office "return to sender" and "no such number." Regarding Rabbi Balkany, the handwriting on the filled-in formed in the Committee's records appears to be the same as on all the questionable money orders.

Thus, it appears that each of the contributions may have actually been made by Rabbi Balkany, yet made in the name of another. As such, the contributions also appear to be excessive.

Therefore, there is reason to believe Rabbi Milton Balkany violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

50436502223

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Janet S. Dicke
422 Easthaven Drive
New Bremen, Ohio 45869

RE: MUR 2717
Janet S. Dicke

Dear Ms. Dicke:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

5043650220

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, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Janet S. Dicke
422 Easthaven Drive
New Bremen, Ohio 45869

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on December 6, 1989 in Room 602 at the Federal Building and U.S. Courthouse, 200 West Second Street, Dayton, Ohio 45402, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

5043650226

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

5043650222

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650250

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 the 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.

5043650231

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

5043650292

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Janet S. Dicke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650233

Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is Janet S. Dicke.

Therefore, there is reason to believe Janet S. Dicke violated 2 U.S.C. § 441f.

5043650234

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James F. Dicke
415 East South Street
New Bremen, Ohio 45869

RE: MUR 2717
James F. Dicke

Dear Mr. Dicke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

50436502355

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650236

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James F. Dicke
415 E. South Street
New Bremen, Ohio 45869

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 receipt of this Order and Subpoena.

5043650231

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650233

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650237

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 the 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.

5043650240

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Crown Controls Corporation or Dicke Consolidated. If so,

   a. State all positions or titles held by you, or a member of your family, within those entities and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650241

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James F. Dicke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650242

Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is James F. Dicke.

Therefore, there is reason to believe James F. Dicke violated 2 U.S.C. § 441f.

5043650243

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Eilleen W. Dicke
415 East South Street
New Bremen, Ohio 45869

RE: MUR 2717
Eilleen W. Dicke

Dear Ms. Dicke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650244

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650245

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Eilleen W. Dicke
415 E. South Street
New Bremen, Ohio 45869

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 receipt of this Order and Subpoena.

5043650246

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650241

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650245

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 the 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.

5043650249

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Crown Controls Corporation or Dicke Consolidated. If so,

   a. State all positions or titles held by you, or a member of your family, within those entities and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650250

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Eilleen W. Dicke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650251

Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is Eilleen W. Dicke.

Therefore, there is reason to believe Eilleen W. Dicke violated 2 U.S.C. § 441f.

5043650202

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James F. Dicke, II
422 Easthaven Drive
New Bremen, Ohio 45869

RE: MUR 2717
James F. Dicke, II

Dear Mr. Dicke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650253

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

50436502541

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James F. Dicke, II
422 Easthaven Drive
New Bremen, Ohio 45869

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 receipt of this Order and Subpoena.

5043650255

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650200

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650207

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 the 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.

5043650206

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Crown Controls Corporation or Dicke Consolidated. If so,

   a. State all positions or titles held by you, or a member of your family, within those entities and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650227

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James F. Dicke II **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650200

Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is James F. Dicke II.

Therefore, there is reason to believe James F. Dicke II violated 2 U.S.C. § 441f.

5043650201

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

October 3 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717
Anthony DiBona

Dear Mr. DiBona:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650202

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650263

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

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 receipt of this Order and Subpoena.

5043650264

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650203

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650206

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 the 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.

5043650207

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650203

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Anthony DiBona **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as considered one election. 2 U.S.C. § 441a(a)(6).

5043650209

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Anthony DiBona.

Therefore, there is reason to believe Anthony DiBona violated 2 U.S.C. § 441f.

3043650270

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dane W. Dicke
127 Southland Road
New Bremen, Ohio 45869

RE: MUR 2717
Dane W. Dicke

Dear Mr. Dicke:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

5043650271

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650272

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Dane W. Dicke
127 Southland Road
New Bremen, Ohio 45869

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on December 7, 1989 in Room 602 at the Federal Building and U.S. Courthouse, 200 West Second Street, Dayton, Ohio 45402, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

5043650273

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

5043650274

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650273

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 the 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.

5043650213

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

7504365027 /

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Dane W. Dicke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650279

Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is Dane W. Dicke.

Therefore, there is reason to believe Dane W. Dicke violated 2 U.S.C. § 441f.

5043650279

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary E. Cooke
222 Bailey Street
Canton, MA 02021

RE: MUR 2717
Mary E. Cooke

Dear Ms. Cooke:

OnSeptember 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650200

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650281

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary E. Cooke
222 Bailey Street
Canton, MA 02021

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 receipt of this Order and Subpoena.

5043650282

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650253

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650204

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 the 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.

5043650265

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650206

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary E. Cooke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as considered one election. 2 U.S.C. § 441a(a)(6).

5043650207

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Mary E. Cooke.

Therefore, there is reason to believe Mary E. Cooke violated 2 U.S.C. § 441f.

5043650230

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Maureen Becker
447 Prospect Street
Brockton, MA 02401

RE: MUR 2717
Maureen Becker

Dear Ms. Becker:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

5043650207

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650210

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Maureen Becker
447 Prospect Street
Brockton, MA 02401

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 16, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

5043650291

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

5043650292

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Maureen Becker **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as

5043650293

considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Maureen Becker.

Therefore, there is reason to believe Maureen Becker violated 2 U.S.C. § 441f.

5043650224

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650295

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 the 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.

5043650290

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

5043650211

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bobby Cowart
102 Chatham Drive
Brockton, MA 02401

RE: MUR 2717
Bobby Cowart

Dear Mr. Cowart:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650270

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650292

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Bobby Cowart
102 Chatham Drive
Brockton, MA 02401

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 receipt of this Order and Subpoena.

5043650300

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650301

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650302

5043650303

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 the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650304

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Bobby Cowart **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as considered one election. 2 U.S.C. § 441a(a)(6).

5043650305

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Bobby Cowart.

Therefore, there is reason to believe Bobby Cowart violated 2 U.S.C. § 441f.

5043650306

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis M. Cooke
222 Bailey Street
Canton, MA 02021

RE: MUR 2717
Dennis M. Cooke

Dear Mr. Cooke:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

5043650307

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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650303

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Dennis M. Cooke
222 Bailey Steet
Canton, MA 02021

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 16, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

5043650309

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

5043650310

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650311

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

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"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 the 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.

5043650312

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

5043650313

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Dennis M. Cooke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

5043650314

considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Dennis M. Cooke.

Therefore, there is reason to believe Dennis M. Cooke violated 2 U.S.C. § 441f.

5043650315

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Maureen White
20 Beal Street
Canton, MA 02021

RE: MUR 2717
Maureen White

Dear Ms. White:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650316

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650317

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Maureen White
20 Beal Street
Canton, MA 02021

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 receipt of this Order and Subpoena.

5043650318

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650319

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650320

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 the 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.

5043650321

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650322

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Maureen White **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Maureen White.

Therefore, there is reason to believe Maureen White violated 2 U.S.C. § 441f.

5043650324

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Kimberly A. Stockus

Dear Ms. Stockus:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650325

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
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5043650326

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

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 receipt of this Order and Subpoena.

5043650327

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 27th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650331

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kimberly A. Stockus **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Kimberly A. Stockus.

Therefore, there is reason to believe Kimberly A. Stockus violated 2 U.S.C. § 441f.

5043650333

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary B. O'Hara
P.O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Mary B. O'Hara

Dear Ms. O'Hara:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

5043650335

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Mary B. O'Hara
P. O. Box 7514
Cumberland, RI 02864

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 receipt of this Order and Subpoena.

5043650336

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650337

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650338

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 the 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.

5043650337

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650340

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary B. O'Hara **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Mary B. O'Hara.

Therefore, there is reason to believe Mary B. O'Hara violated 2 U.S.C. § 441f.

5043650342

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard M. Clegg
39 Church Street
RFD #1
Berkley, MA 02718

RE: MUR 2717
Richard M. Clegg

Dear Mr. Clegg:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
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Procedures
Designation of Counsel Form

5043650344

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Richard M. Clegg
39 Church Street
RFD #1
Berkley, MA 02718

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 receipt of this Order and Subpoena.

5043650345

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650346

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650347

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 the 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.

5043650348

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650349

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Richard M. Clegg **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

5043650300

considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Richard M. Clegg.

Therefore, there is reason to believe Richard M. Clegg violated 2 U.S.C. § 441f.

5043650351

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jean Tlaker
15 Orchard St.
Springfield, VT 05156

RE: MUR 2717
Jean Tlaker

Dear Ms. Tlaker:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650332

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650333

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jean Tlaker
15 Orchard Street
Springfield, VT 05156

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 receipt of this Order and Subpoena.

5043650334

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650335

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650356

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 the 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.

5043650357

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650358

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jean Tlaker **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650369

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Jean Tlaker.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Jean Tlaker may have permitted her name to be used to effect a contribution.

5043650360

Therefore, there is reason to believe Jean Tlaker violated 2 U.S.C. § 441f.

50436503601

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jeffrey W. Allen
P. O. Box 704
Quechee, Vermont 05059

RE: MUR 2717
Jeffrey W. Allen

Dear Mr. Allen:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

5043650302

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650303

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Jeffrey W. Allen
P.O. Box 704
Quechee, Vermont 05059

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 20, 1989 in Room 610 at the Federal Building, 11 Elmwood Avenue, Burlington, Vermont 05401, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

5043650364

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

5043650365

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650366

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 the 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.

5043650307

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

5043650368

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jeffrey W. Allen **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

5043650369

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Jeffrey W. Allen.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Jeffrey W. Allen may have permitted his name to be used to effect a contribution.

5043650370

Therefore, there is reason to believe Jeffrey W. Allen violated 2 U.S.C. § 441f.

50436503711

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Allison Allen
P.O. Box 704
Quechee, Vermont 05059

RE: MUR 2717
Allison Allen

Dear Ms. Allen:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

5043650372

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

5043650373

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Allison Allen
P.O. Box 704
Quechee, Vermont 05059

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 receipt of this Order and Subpoena.

5043650374

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

5043650375

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

5043650376

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 the 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.

5043650317

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5043650378

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Allison Allen **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Allison Allen.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Allison Allen may have permitted her name to be used to effect a contribution.

Therefore, there is reason to believe Allison Allen violated 2 U.S.C. § 441f.

5043650330

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Victor A. Nicolazzo
50 Tower Road
Newton Upper Falls, MA 02164

RE: MUR 2717
Victor A. Nicolazzo

Dear Mr. Nicolazzo:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350382

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Victor A. Nicolazzo
50 Tower Road
Newton Upper Falls, MA 02164

Pursuant to 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 receipt of this Order and Subpoena.

2504350383

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504350384

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Victor A. Nicolazzo **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987. In addition, Victor A. Nicolazzo appears to have made contributions which exceeded the $1,000 limit by $1,000.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Victor A. Nicolazzo.

Therefore, there is reason to believe Victor A. Nicolazzo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

2004350339

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Nancy D. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Nancy D. Stockus

Dear Ms. Stockus:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

3504350301

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Nancy D. Stockus
297 Mechanic Steet
Canton, MA 02021

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 17, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

2504350302

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504365035

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 the 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.

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Nancy D. Stockus **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Nancy D. Stockus.

Therefore, there is reason to believe Nancy D. Stockus violated 2 U.S.C. § 441f.

9504365030

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

RE: MUR 2717
Frederick H. Shea, III

Dear Mr. Shea:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504345040

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

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 receipt of this Order and Subpoena.

95043650411

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504356042

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350405

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Frederick H. Shea, III **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Frederick H. Shea, III.

Therefore, there is reason to believe Frederick H. Shea, III violated 2 U.S.C. § 441f.

2504350407

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Knowlton
80 Chalapa Avenue
Woonsocket, RI 02895

RE: MUR 2717
Richard Knowlton

Dear Mr. Knowlton:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350429

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)
)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Richard Knowlton
80 Chalapa Avenue
Woonsocket, RI 02895

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 receipt of this Order and Subpoena.

2504350410

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350412

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 the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Richard Knowlton **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Richard Knowlton.

Therefore, there is reason to believe Richard Knowlton violated 2 U.S.C. § 441f.

2504350416

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gregory Gagnon
102 Revere Street
Hull, MA 02045

RE: MUR 2717
Gregory Gagnon

Dear Mr. Gagnon:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504360418

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Gregory Gagnon
102 Revere Street
Hull, MA 02045

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 receipt of this Order and Subpoena.

9504365049

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365040

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504350421

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 the 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.

95043650472

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Gregory Gagnon **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

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considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Gregory Gagnon.

Therefore, there is reason to believe Gregory Gagnon violated 2 U.S.C. § 441f.

9304350435

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ocotber 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kerry Dicke
127 Southland Road
New Bremen, Ohio 45869

RE: MUR 2717
Kerry Dicke

Dear Ms. Dicke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350427

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Kerry Dicke
127 Southland Road
New Bremen, Ohio 45869

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 receipt of this Order and Subpoena.

9504350402

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Crown Controls Corporation or Dicke Consolidated. If so,

   a. State all positions or titles held by you, or a member of your family, within those entities and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Kerry Dicke **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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Two series of consecutively numbered checks made payable to Haig for President on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or their spouses. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls. Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. One of these persons is Kerry Dicke.

Therefore, there is reason to believe Kerry Dicke violated 2 U.S.C. § 441f.

9504350474

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James F. Dicke, Chairman
Crown Controls Corporation
40 S. Washington St.
New Bremen, Ohio 45869

RE: MUR 2717
Crown Controls Corporation

Dear Mr. Dicke:

On September 14, 1989, the Federal Election Commission found that there is reason to believe Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Crown Controls Corporation. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against Crown Controls Corporation, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

2504350476

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: James F. Dicke, Chairman
Crown Controls Corporation
40 S. Washington St.
New Bremen, Ohio 45869

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 receipt of this Order and Subpoena.

9504365047

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504378

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. Identify the owner(s) and signators of account # [redacted] of the First National Bank, Sidney, Ohio.

2. Regarding the contributions to Haig for President made from the above bank account:

   a. Describe the relationship between Dicke Consolidated, including its business accounts, and Crown Controls Corporation.

   b. Identify the source of funds in the Dicke Consolidated account.

   c. Identify all persons or entities authorized to use the Dicke Consolidated account.

   d. Identify all persons involved in the mechanical preparation of the relevant checks.

3. List by date and amount all payments, advances, reimbursements or other benefits provided to any of the following individuals from April 1, 1987 to March 31, 1988 and describe the purpose of each payment, advance, reimbursement or benefit:

   a. Kerry Dicke
   b. Dane W. Dicke
   c. Eileen W. Dicke
   d. James F. Dicke
   e. James F. Dicke, II
   f. Janet S. Dicke

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and bank statements.

6. Produce all documents which refer, relate or pertain to the making, reimbursement or refund of contributions to Haig for President by Crown Controls Corporation or any individual or entity associated with Crown Controls Corporation.

9504350411

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: CROWN CONTROLS CORPORATION **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Although corporations are specifically prohibited from making a contribution or expenditure in connection with a federal election, the Commission's regulations provide that stockholders and employees of the corporation, subject to the corporation's rules and practices, may make "occasional, isolated or incidental use of the facilities of a corporation for individual volunteer activity in connection with a Federal election...." 11 C.F.R. § 114.9(a)(1). In addition, corporations are permitted to allow candidates for Federal offices an opportunity to make partisan appearances on corporate premises before stockholders, executive

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or administrative personnel and their families. At such appearances, the candidate may solicit contributions to his or her campaign from such personnel. 11 C.F.R. § 114.3(c)(2). A corporation, however, may not itself facilitate the making of a contribution to a Federal candidate. See Advisory Opinions 1987-29 and 1982-2.

Two series of consecutively numbered checks made payable to Haig for President (the "Committee") on what may be a business account of Dicke Consolidated were reviewed. The first series indicates that six checks were written on June 26, 1987, that the typewritten information on each check was uniform, and that the same authorized signature was present on each instrument. The second series included six checks written on October 27, 1987, with uniform typewritten information that contained another authorized signature for each check in the series.

All the contributions were purportedly made by six members of the Dicke family, three of whom are officers of Crown Controls Corporation ("Crown Controls"). The other three appear to be spouses of the officers. Four of the six contributed a total of $750 each. The remaining two contributions were for $1,000 each.

Dicke Consolidated does not appear to be a registered corporate entity. All of the contributions, however, were from officers of Crown Controls or spouses of officers. Therefore, the funds in the Dicke Consolidated account used to make these contributions may have been corporate funds from Crown Controls.

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Additionally, the contributions from Crown Controls may have been made in the names of others, namely members of the Dicke family. Finally, it appears that the members of the Dicke family may have permitted their names to be used to effect a contribution. These persons are: Kerry Dicke, Dane W. Dicke, Eileen W. Dicke, James F. Dicke, James F. Dicke, II, and Janet S. Dicke.

Therefore, there is reason to believe Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f.

9504365044

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peter S. Donadio
290 Lyman Road
Milton, MA 02186

RE: MUR 2717
Peter S. Donadio

Dear Mr. Donadio:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350346

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Peter S. Donadio
290 Lyman Road
Milton, MA 02186

Pursuant to 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 receipt of this Order and Subpoena.

2504305047

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504355048

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Peter S. Donadio **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350452

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Peter S. Donadio.

Therefore, there is reason to believe Peter S. Donadio violated 2 U.S.C. § 441f.

9504365047

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Nora F. Moran
d/b/a The Moran Company,
Realtors
129 Newbury Street
Suite 204
Boston, MA 02116

RE: MUR 2717
Nora F. Moran

Dear Ms. Moran:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504355054

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

9504350455

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Nora Moran
d/b/a The Moran Company, Realtors
129 Newbury Street
Suite 204
Boston, MA 02116

Pursuant to 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 receipt of this Order and Subpoena.

9504356

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365047

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350458

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 the 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.

9504365049

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504365340

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Nora Moran **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350041

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Nora Moran.

Therefore, there is reason to believe Nora Moran violated 2 U.S.C. § 441f.

9504350402

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ingeborg E. Saraceno
15 Surrey Road
Newton, MA 02159

RE: MUR 2717
Ingeborg E. Saraceno

Dear Mr. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350473

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

9504365044

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Ingeborg E. Saraceno
15 Surrey Road
Newton, MA 02159

Pursuant to 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 receipt of this Order and Subpoena.

2504365045

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504306

9504350447

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

9504365048

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350509

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ingeborg E. Saraceno **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350470

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Ingeborg E. Saraceno.

Therefore, there is reason to believe Ingeborg E. Saraceno violated 2 U.S.C. § 441f.

9504365047

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Pauline L. Saraceno
553 Winthrop Street
Medford, MA 02155

RE: MUR 2717
Pauline L. Saraceno

Dear Ms. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350472

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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9504305347

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Pauline Saraceno
553 Winthrop Street
Medford, MA 02155

Pursuant to 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 receipt of this Order and Subpoena.

2504355474

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504350475

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

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Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

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9504365047 6

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 the 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.

9504365047

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504365047 8

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Pauline Saraceno **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350479

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Pauline Saraceno.

Therefore, there is reason to believe Pauline Saraceno violated 2 U.S.C. § 441f.

9504350480

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Speigel
600 Mountain Street
Sharon, MA 02067

RE: MUR 2717
David Speigel

Dear Mr. Speigel:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350341

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350482

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: David Speigel
600 Mountain Street
Sharon, MA 02067

Pursuant to 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 receipt of this Order and Subpoena.

9504360504 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504365084

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350435

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 the 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.

9504355046

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350497

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: David Speigel **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504365048

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is David Speigel.

Therefore, there is reason to believe David Speigel violated 2 U.S.C. § 441f.

9504350439

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Sneider
250 Hammond Pond Pkwy.
801-N
Chestnut Hill, MA 02167

RE: MUR 2717
Joseph Sneider

Dear Mr. Sneider:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350400

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

9504350401

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Joseph Sneider
250 Hammond Pond Parkway
Chestnut Hill, MA 02167

Pursuant to 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 receipt of this Order and Subpoena.

2950436504 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365043

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504350404

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 the 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.

9504350405

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350506

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joseph Sneider **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350427

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Joseph Sneider.

Therefore, there is reason to believe Joseph Sneider violated 2 U.S.C. § 441f.

9504350408

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Tierney
35 Grayfield Avenue
West Roxbury, MA 02132

RE: MUR 2717
Michael Tierney

Dear Mr. Tierney:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350439

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

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9504365050

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael Tierney
35 Grayfield Avenue
West Roxbury, MA 02132

Pursuant to 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 receipt of this Order and Subpoena.

9504350561

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305052

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365053

9504365054

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 the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504365055

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Michael Tierney **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504305056

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Michael Tierney.

Therefore, there is reason to believe Michael Tierney violated 2 U.S.C. § 441f.

9504350507

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph G. Maloney
3 Fuller Place
Cambridge, MA 02138

RE: MUR 2717
Joseph G. Maloney

Dear Mr. Maloney:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §.441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504305058

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504305059

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Joseph G. Maloney
3 Fuller Place
Cambridge, MA 02138

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 15, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

9504355510

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

9504365051 1

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504305512

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 the 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.

9504360513

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

9504365051 4

2504350515

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joseph G. Maloney **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Joseph G. Maloney.

Therefore, there is reason to believe Joseph G. Maloney violated 2 U.S.C. § 441f.

9504305516

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jon A. Lichter
62 Phillips Street
Boston, MA 02166

RE: MUR 2717
Jon A. Lichter

Dear Mr. Lichter:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504350517

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, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
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Procedures
Designation of Counsel Form

9504350518

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Jon A. Lichter
62 Phillips Street
Boston, MA 02166

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 receipt of this Order and Subpoena.

2504365519

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305050

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350521

9504365052

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 the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504365053

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Jon Lichter **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504355034

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Jon Lichter.

Therefore, there is reason to believe Jon Lichter violated 2 U.S.C. § 441f.

2504305055

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Susan M. Fraser
303 Congress Street
Boston, MA 02210

RE: MUR 2717
Susan M. Fraser

Dear Ms. Fraser:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504355056

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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
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9504305027

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Susan M. Fraser
303 Congress Street
Boston, MA 02210

Pursuant to 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 receipt of this Order and Subpoena.

9504365052 8

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305029

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504355070

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 the 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.

9504350571

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2504365052

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Susan M. Fraser **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

2504350153

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Susan M. Fraser.

Therefore, there is reason to believe Susan M. Fraser violated 2 U.S.C. § 441f.

9504355074

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cynthia Sneider
250 Hammond Pond Pkwy.
801-N
Chestnut Hill, MA 02167

RE: MUR 2717
Cynthia Sneider

Dear Ms. Sneider:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504305035

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny J. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504305036

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Cynthia Sneider
250 Hammond Pond Parkway
801-N
Chestnut Hill, MA 02167

Pursuant to 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 receipt of this Order and Subpoena.

9504350507

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305078

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504305079

9504350510

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 the 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.

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504365051

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Cynthia Sneider **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504350512

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Cynthia Sneider.

Therefore, there is reason to believe Cynthia Sneider violated 2 U.S.C. § 441f.

9504305

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Erich Tlaker
15 Orchard Street
Springfield, Vermont 05156

RE: MUR 2717
Erich Tlaker

Dear Mr. Tlaker:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504305054

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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504305045

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Erich Tlaker
15 Orchard Street
Springfield, Vermont 05156

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 21, 1989 in Room 610 at the Federal Building, 11 Elmwood Avenue, Burlington, Vermont 05401, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

95043605516

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

2504305017

9504350518

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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 the 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.

9504350519

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

9504365050

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Erich Tlaker **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504365051

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Erich Tlaker.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Erich Tlaker may have permitted his name to be used to effect a contribution.

Therefore, there is reason to believe Erich Tlaker violated 2 U.S.C. § 441f.

9504355552

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Linda Johnson
768 Breezy Hill
Springfield, VT 05156

RE: MUR 2717
Linda Johnson

Dear Ms. Johnson:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504305053

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350554

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Linda Johnson
768 Breezy Hill
Springfield, VT 05156

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 receipt of this Order and Subpoena.

9504355055

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365056

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504355357

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 the 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.

9504350558

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504305059

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Linda Johnson **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504355350

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Linda Johnson.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Linda Johnson may have permitted her name to be used to effect a contribution.

Therefore, there is reason to believe Linda Johnson violated 2 U.S.C. § 441f.

9504355541

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Arsene E. Frappier, Jr.
243 Everett Street
Middleton, MA 02346

RE: MUR 2717
Arsene E. Frappier, Jr.

Dear Mr. Frappier:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504305052

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350513

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Arsene E. Frappier, Jr.
243 Everett Street
Middleton, MA 02346

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 receipt of this Order and Subpoena.

9504305054

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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 the 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.

9504355357

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504355048

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Arsene E. Frappier, Jr. **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) as considered one election. 2 U.S.C. § 441a(a)(6).

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Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Arsene E. Frappier, Jr..

Therefore, there is reason to believe Arsene E. Frappier, Jr. violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Henry Swierczynski
Park Ridge Road
Springfield, VT 05156

RE: MUR 2717
Henry Swierczynski

Dear Mr. Swierczynski:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
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Designation of Counsel Form

9504305572

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Henry Swierczynski
Park Ridge Road
Springfield, VT 05156

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 receipt of this Order and Subpoena.

9504365057

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504305574

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

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The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365055

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.

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"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 the 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.

9504305576

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350577

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Henry Swierczynski **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504305057 8

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Henry Swierczynski.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Henry Swierczynski may have permitted his name to be used to effect a contribution.

Therefore, there is reason to believe Henry Swierczynski

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violated 2 U.S.C. § 441f.

9504355

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Nora Swierczynski
Park Ridge Road
Springfield, VT 05156

RE: MUR 2717
Nora Swierczynski

Dear Ms. Swierczynski:

On September 14,1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

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In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504360505 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Nora Swierczynski
Park Ridge Road
Springfield, VT 05156

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 receipt of this Order and Subpoena.

95043650583

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305054

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365035

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 the 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.

9504355586

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350507

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Nora Swierczynski **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Nora Swierczynski.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Nora Swierczynski may have permitted her name to be used to effect a contribution.

9504350507

Therefore, there is reason to believe Nora Swierczynski violated 2 U.S.C. § 441f.

2504305050

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carl Johnson
768 Breezy Hill
Springfield, VT 05156

RE: MUR 2717
Carl Johnson

Dear Mr. Johnson:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9304350501

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504305052

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Carl Johnson
768 Breezy Hill
Springfield, VT 05156

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 receipt of this Order and Subpoena.

9504365053

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504360505 4

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

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If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365505

DEFINITIONS

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"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 the 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.

9504350506

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2504355027

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Carl Johnson **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504350508

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Carl Johnson.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Carl Johnson may have permitted his name to be used to effect a contribution.

Therefore, there is reason to believe Carl Johnson violated 2 U.S.C. § 441f.

9504305059

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William J. O'Brien
242 Adams Street
Quincy, MA 02169

RE: MUR 2717
William J. O'Brien

Dear Mr. O'Brien:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350600

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350601

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: William J. O'Brien
242 Adams Street
Quincy, MA 02619

Pursuant to 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 receipt of this Order and Subpoena.

95043350302

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504350603

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504355064

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 the 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.

9504350605

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: William J. O'Brien **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504350607

A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is William J. O'Brien.

Therefore, there is reason to believe William J. O'Brien violated 2 U.S.C. § 441f.

9504355060

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Heidi Saraceno
50 Winchester Street
Brookline, MA 02146

RE: MUR 2717
Heidi Saraceno

Dear Ms. Saraceno:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350609

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350610

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Heidi Saraceno
50 Winchester Street
Brookline, MA 02146

Pursuant to 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 receipt of this Order and Subpoena.

9504350611

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504305612

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350613

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 the 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.

9504350614

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Heidi Saraceno **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

2504365061 6

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Heidi Saraceno.

Therefore, there is reason to believe Heidi Saraceno violated 2 U.S.C. § 441f.

9304350617

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Joann M. O'Brien
242 Adams Street
Quincy, MA 02169

RE: MUR 2717
Joann M. O'Brien

Dear Ms. O'Brien:

On September 14 , 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504306506 18

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

7504360619

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Joann M. O'Brien
242 Adams Street
Quincy, MA 02169

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 14, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

9504350620

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

9504365021

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350602

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 the 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.

9504505623

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

9504336506 4

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joann M. O'Brien **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

2504306035

A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Joann M. O'Brien.

Therefore, there is reason to believe Joann M. O'Brien violated 2 U.S.C. § 441f.

9504350606

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald Chabot
P.O. Box 470
Quechee, Vermont 05059

RE: MUR 2717
Donald Chabot

Dear Mr. Chabot:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350627

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350638

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Donald Chabot
P.O. Box 470
Quechee, VT 05059

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 receipt of this Order and Subpoena.

9504350569

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365070

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350631

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 the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2504306506 3

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Donald Chabot **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504365064

Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is Donald Chabot.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, Donald Chabot may have permitted his name to be used to effect a contribution.

Therefore, there is reason to believe Donald Chabot violated 2 U.S.C. § 441f.

9504350675

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June Chabot
P.O. Box 470
Quechee, Vermont 05059

RE: MUR 2717
June Chabot

Dear Ms. Chabot:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504355066

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350687

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: June Chabot
P. O. Box 470
Quechee, VT 05059

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 receipt of this Order and Subpoena.

9504365068

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept, 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504306579

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365040

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 the 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.

9504365061

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504350612

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: June Chabot **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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Ten treasurer's checks were issued to the Haig for President Committee by a bank in Boston, Massachusetts: Olympic International Bank and Trust. All of the written instruments in question were in the amount of $1,000, all were dated August 12, 1987, and all but one were consecutively numbered. The names and addresses of the reported contributors were uniformly typed in the upper left hand corner. On each instrument, "Haig for President" was uniformly typed on the payee line. All the addresses on the checks are in either Quechee or Springfield, Vermont. Each of the ten instruments purports to be a contribution from an individual associated with the Fellows Corporation of Springfield, Vermont. Three individuals are identified as corporate vice president, one as director of engineering, and another as an engineer. The other five individuals appear to be their spouses. One of these persons is June Chabot.

That a group of high level corporate employees and their spouses would make identical contributions on the same date raises legitimate questions concerning the possible involvement of the corporation. Since all of these contributions were made on an out-of-state bank's treasurer's checks, and all but one were in sequential order, additional questions arise as to the true source of these contributions. The source of the funds used in making those contributions actually may have been the Fellows Corporation or Olympic International Bank and Trust. If so, June Chabot may have permitted her name to be used to effect a contribution.

Therefore, there is reason to believe June Chabot violated 2 U.S.C. § 441f.

9504350614

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank N. Cardullo
12 J. F. Kennedy Street
Cambridge, MA 02138

RE: MUR 2717
Frank N. Cardullo

Dear Mr. Cardullo:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504365065

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, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504350616

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Frank N. Cardullo
12 J.F. Kennedy Street
Cambridge, MA 02138

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 receipt of this Order and Subpoena.

9304350617

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9304305068

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350649

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 the 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.

9504350650

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2504350651

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Frank N. Cardullo **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

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A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987. In addition, Frank N. Cardullo appears to have made contributions which exceeded the $1,000 limit by $100.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Frank N. Cardullo.

Therefore, there is reason to believe Frank N. Cardullo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

9504350657

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Matthew L. Curtin
39 Maugus Hill Road
Wellesley, MA 02181

RE: MUR 2717
Matthew L. Curtin

Dear Mr. Curtin:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and to give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpeona. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

2504350654

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9504360655

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Matthew L. Curtin
39 Maugus Hill Road
Wellesley Hills, MA 02181

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 13, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 2:00PM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

9504350656

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept., 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

9504350657

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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9504365059

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 the 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.

ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

9504305060

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Matthew L. Curtin **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

A review of contributions submitted for matching payment

9504305061

purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Matthew L. Curtin.

Therefore, there is reason to believe Matthew L. Curtin violated 2 U.S.C. § 441f.

9504356062

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Judith S. Curtin
39 Maugus Hill Road
Wellesley, MA 02181

RE: MUR 2717
Judith S. Curtin

Dear Ms. Curtin:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. Please submit such materials to the General Counsel's Office along with your response to the enclosed subpoena to produce documents within 15 days of your receipt of this subpoena. The subpoena further requires you to appear and to give sworn testimony. You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpeona. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

9504356063

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, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

2504365064

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA

TO: Judith S. Curtin
39 Maugus Hill Road
Wellesley Hills, MA 02181

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to appear for deposition with regard to certain contributions to Haig For President. Notice is hereby given that the deposition is to be taken on November 14, 1989 in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts 02109, beginning at 9:00AM and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

2004350605

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request

9504305066

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350657

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 the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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ATTACHMENT TO SUBPOENA

Please provide:

Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

9504350649

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Judith S. Curtin **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year the office of President (other than a general election) are considered one election. 2 U.S.C. § 441a(a)(6).

9504350670

A review of contributions submitted for matching payment purposes by the Haig for President Committee revealed 28 contributions from 20 individuals associated with Olympic International Bank & Trust ("Olympic Bank"). Fourteen were made within a short span of time in April 1987; four more were made within a three day period in September 1987.

Olympic Bank also serves as the Committee's depository for matching payments and has extended a line of credit to the Committee in the amount of $375,000. A director of the Bank, Dominic Saraceno, is treasurer of the Committee. These contributions, therefore, raise the possibility Olympic Bank may have made contributions in the names of these 20 individuals associated with the Bank and may have facilitated the making of these contributions. It also appears that the contributors associated with Olympic Bank may have permitted their names to be used to effect a contribution. One of these persons is Judith S. Curtin.

Therefore, there is reason to believe Judith S. Curtin violated 2 U.S.C. § 441f.

9504350671

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Daniel F. O'Hara, Jr.
P.O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Daniel F. O'Hara, Jr.

Dear Mr. O'Hara:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350562

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered into after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

7504306073

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Daniel F. O'Hara, Jr.
P. O. Box 7514
Cumberland, RI 02864

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 receipt of this Order and Subpoena.

9504350674

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365075

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the 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.

9504350677

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

2304350673

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Daniel F. O'Hara, Jr. **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

9504350679

considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Daniel F. O'Hara, Jr.

Therefore, there is reason to believe Daniel F. O'Hara, Jr. violated 2 U.S.C. § 441f.

9504350680

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 3, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis Morancy
643 Liberty Street
Braintree, MA 02184

RE: MUR 2717
Dennis Morancy

Dear Mr. Morancy:

On September 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted within 15 days of your receipt of this order and subpoena. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications or other communications from the Commission.

9504350681

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(D). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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 Kenneth Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Order and Subpoena
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Designation of Counsel Form

9504350602

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dennis Morancy
643 Liberty Street
Braintree, MA 02184

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 receipt of this Order and Subpoena.

9504350683

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 29th day of Sept. 1989.

Danny L. McDonald, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365084

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504350685

DEFINITIONS

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"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 the 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.

9504356506

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

9504355037

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Dennis Morancy **MUR:** 2717

Pursuant to 2 U.S.C. § 441b, it is unlawful for any corporation or bank to make a contribution or expenditure in connection with a Federal election. Moreover, it is unlawful for a person to make a contribution in the name of another or to knowingly permit his or her name to be used to effect such a contribution or for a person to knowingly accept a contribution made in the name of another. 2 U.S.C. § 441f. This prohibition includes a corporation's payment, reimbursement, or other compensation to any person for his or her contribution to any federal candidate or political committee. See Advisory Opinion 1986-41. The Commission has interpreted Section 441f to apply not only to persons who make contributions in the name of another, but also to those who assist in the making of such contributions.

Also, a spouse may make a contribution in his or her own name even if only one spouse has income, but minor children may make contributions only from their own funds. 11 C.F.R. § 110.1(i). An individual may contribute an aggregate of $1,000 to a federal candidate with respect to any federal election. 2 U.S.C. § 441a(a)(1)(A). This limitation applies separately to each election except that all elections held in any calendar year for the office of President (other than a general election) are

9504355063

considered one election. 2 U.S.C. § 441a(a)(6).

Haig for President (the "Committee") received 17 contributions from employees and a contractor of Tradewind Systems and their family members. Tradewind Systems is a corporation located in Massachusetts. All but one of the checks were for $250. All were dated on or about September 24, 1987. Each check was drawn on the contributor's personal account, and all but one were accompanied by a contribution disclosure form. Additionally, contributor information accompanying the checks appears to have been uniformly typed. Three of the 17 apparent contributors had Rhode Island addresses. The remaining 14 had addresses in Massachusetts. Because of the numerous similarities in these contributions, it appears that the corporation Tradewind Systems may have facilitated making the contributions and may have provided the funds for such contributions. Additionally, it appears that the individuals associated with Tradewind Systems and their family members may have permitted their names to be used to effect a contribution. One of these individuals is Dennis Morancy.

Therefore, there is reason to believe Dennis Morancy violated 2 U.S.C. § 441f.

9504350619

OGC 4295

GAFFNEY, PEASE & DiFABIO

ATTORNEYS AT LAW

ONE LIBERTY SQUARE
NEW BRITAIN, CONNECTICUT 06051
TELEPHONE (203) 229-0301
FACSIMILE (203) 826-1997

GENERAL PRACTICE GROUP

J. BRIAN GAFFNEY
ANTHONY F. DiFABIO
MICHAEL K. PATENAUDE
JAY F. MALCYNSKY
E. TIMOTHY SULLIVAN JR.
LAWRENCE J. HALLORAN

52 CHAMBERLAIN HIGHWAY
KENSINGTON, CONNECTICUT 06037
TELEPHONE (203) 828-4879
FACSIMILE (203) 828-9432

TAXATION AND ESTATE PLANNING GROUP

ALLEN H. PEASE
ROBERT F. SCHULZ
FREDERICK M. SHORTZ

REPLY TO: NEW BRITAIN

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 19 PM 1:07

October 16, 1989

Federal Election Commission
999 East Street NW
Washington DC 20463

RE: MUR2717
Subpoena/Order (10/3/89)
HAIG FOR PRESIDENT COMMITTEE

To The Commission:

This office represents the Haig for President Committee, and its Treasurer, Dominic Saraceno. Receipt on October 6, 1989 of the above-referenced material is hereby acknowledged. This is to request an additional twenty days to respond to the Commission subpoena and order on behalf of the Haig for President Committee.

The additional time is needed due to the extensive nature of the Commmission's eight-part request for responses and documents. Moreover, the Committee treasurer resides in Massachusetts, while the Committee records are in Virginia. This logistic problem will require significant time and effort to overcome in order to prepare a complete response.

Very truly yours,

Lawrence J. Halloran

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FEDERAL ELECTION COMMISSION
MAIL ROOM
89 OCT 19 AM 10:29

9304305060

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 16 AM 9:53

#4272

STATEMENT OF DESIGNATION OF COUNSEL

2717

NAME OF COUNSEL: Lawrence J. Halloran
c/o Gaffney & DiFabio
One Liberty Square
New Britain, CT 06051

TELEPHONE: (203) 229-0301

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.

10/10/89
Date

Signature

RESPONDENT'S NAME: Dominic J. Saraceno, Tresurer
HAIG FOR PRESIDENT COMMITTEE
1312 Vincent Place
McLean, VA 22101

HOME PHONE:

BUSINESS PHONE: 617-965-8030

95043506021

89 OCT 16 PM 2:34
OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
RECEIVED

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 27, 1989

Lawrence J. Halloran, Esq.
Gaffney, Pease & DiFabio
One Liberty Square
New Britain, Connecticut 06051

RE: MUR 2717
Haig for President
Commitee and Dominic J.
Saraceno, as treasurer

Dear Mr. Halloran:

This is in response to your letter dated October 16, 1989, which we received on October 19, 1989, requesting an extension of twenty (20) days to respond to the above-captioned matter. 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 November 10, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504350602

MUR 2717

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 19 AM 10:00

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P. C.
RONALD GARMEY, P. C.
ANTHONY J. MEDAGLIA, JR., P. C.
JOHN H. CLYMER, P. C.
CHARLES W. ROBINS, P. C.
MARY ELLEN O'MARA, P. C.
RICHARD S. MORSE, JR., P. C.
JOSEPH C. TANSKI
ROBERT S. GULICK

JOHN C. THOMSON, P. C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
KENNETH S. MAY
FREDERICK H. GREIN, JR.
REGINA S. ROCKEFELLER
KATHERINE L. BABSON, JR.
JOHN D. HUGHES
DAVID S. ROSENTHAL
JAMES WESTRA
MARK N. BERMAN
ADRIENNE SMITH
ROBERT A. THOMPSON
PAUL J. HARTNETT, JR.
KARYN FAITH SCHEIER

HOPE CONSTANCE VASSOS
DONALD D. COOPER
ARTHUR W. YOUNG III
PETER E. GUMPEL*
CAROL C. BROWN
MELINDA J. HARRISON
LORI J. HOLIK
JONATHAN R. KARIS
RICHARD S. NICHOLSON
HELEN H. STEWART
HARRY A. HANSON III
JOHN M. BAKER
PHILIP C. LOMBARDO, JR.
CHARLES A. WRY, JR.
JOHN P. CONNELLY
JEFFREY S. WIEAND
ANDREW M. TROOP
MARGUERITE M. CORN
JAMES A. ROBE

EVELYN VENABLES MORENO
TIMOTHY A. CLARK
PAULA M. GESMUNDO
MARK G. MAHER
W. GEOFFREY STEIN
STEVEN M. PECK
MARYAUSTIN DOWD
GARY D. LEVINE
BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS
DAVID J. KRAMER
JULIE A. TEDESCO
JEFFREY R. PORTER
DONALD W. PARKER
DAVID L. MCEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN

BRUCE A. COHEN

* ADMITTED ONLY IN NEW YORK

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

October 18, 1989

BY FEDERAL EXPRESS

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

Re: MUR 2717

Dear Mr. Kellner:

As we discussed yesterday, we are counsel for Olympic International Bank & Trust Company, Victor N. Nicolazzo, Jr., Susan M. Fraser, William J. O'Brien, Joann O'Brien, Joseph G. Maloney, Joseph Sneider and Cynthia Sneider. We have enclosed herewith the Statements Of Designation Of Counsel which Mr. Maloney and Mr. and Mrs. Sneider have completed, and we expect to deliver the Statements for our remaining clients to you shortly.

Our clients received interrogatories and document requests from the Federal Election Commission ("FEC") regarding MUR 2717 beginning on October 13, 1989. Accordingly, the fifteen (15) day period for our clients to respond to the FEC's interrogatories and document requests expires beginning on October 28,

1989. However, the information and documents which our clients have been asked to compile for the FEC are extensive and will require a great deal of time and effort. In addition, the business schedules of our clients, and our trial schedules, are such that we cannot meet with our clients to review and finalize the information and documents which the FEC has requested until after November 1, 1989. Therefore, for all these reasons, we hereby request an extension until November 17, 1989 for our clients to respond to the FEC's interrogatories and document requests.

Thank you for your consideration, and we look forward to hearing from you shortly regarding our request for an extension.

Very truly yours,

John P. Connelly

JPC/mc

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

10/17/89
Date

Joseph G. Maloney
Signature

RESPONDENT'S NAME: Joseph G. Maloney

ADDRESS: 3 Fuller Place
Cambridge, MA 02138

HOME PHONE:

BUSINESS PHONE:

9504305095

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler

101 Federal Street

Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

10/17/89
Date

Joseph G Sneider
Signature

RESPONDENT'S NAME: Joseph G SNEIDER

ADDRESS: 252 Hammond Pond Pkwy

Chestnut Hill, MA 02167

~~617~~

HOME PHONE: 527·6543

BUSINESS PHONE: 617·357·8000

2004305006

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

[illegible]/12/89
Date

Cynthia A. Sneider
Signature

RESPONDENT'S NAME: Cynthia A. Sneider

ADDRESS: 250 [illegible] Pond Pkwy
Chestnut Hill, MA 02167
Apt 801-N

HOME PHONE: 617-527-6543

BUSINESS PHONE: 617-357-8000

9 5 0 4 3 3 5 0 6 9 7

OGC 4300 HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 19 AM 11:21

THOMPSON, HINE AND FLORY

2900 DUBOIS TOWER · 511 WALNUT ST.

CINCINNATI, OHIO 45201-5717

(513) 352-6600

FAX (513) 352-6614

50 SOUTH MAIN STREET
AKRON, OHIO 44308
(216) 376-6090

ONE WEST FOURTH STREET
CINCINNATI, OHIO 45202
(513) 352-6700

1100 NATIONAL CITY BANK BUILDING
CLEVELAND, OHIO 44114
(216) 566-5500 · TELEX 980217

100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 469-7200

2000 COURTHOUSE PLAZA N.E.
DAYTON, OHIO 45401
(513) 443-6600

9200 BASIL COURT, SUITE 300
LANDOVER, MARYLAND 20785
(301) 925-4900

125 WORTH AVENUE
PALM BEACH, FLORIDA 33480
(407) 833-5900

1920 N STREET, N.W.
WASHINGTON, D.C. 20036
(202) 331-8800 · TELEX 904173

October 18, 1989
By Federal Express

WRITER'S DIRECT DIAL NUMBER
(513) 352-6635

89 OCT 19 PM 1:07
RECEIVED
FEDERAL ELECTION COMMISSION

Kenneth E. Kellner, Esquire
FEDERAL ELECTION COMMISSION
999 E. Street, NW
Washington, D.C. 20463

Re: MUR 2717 - Respondents: James F. Dicke, James F. Dicke, II, James F. Dicke, Chairman Crown Controls Corporation, Eilleen W. Dicke, Janet Dicke, Dane W. Dicke; and, Witness: Cindy Carter

Dear Mr. Kellner:

Enclosed are executed Designations of Counsel in respect of each of the above captioned Respondents and the above captioned witness in MUR 2717. Please address all further correspondence and communications to me, at this office.

As I indicated Monday afternoon, we will prepare responses to your interrogatories and document requests. I shall call you either Thursday afternoon or Friday morning to discuss further the scope of discovery in this MUR, now that you have the Designations of Counsel in hand and we are able to go into more detail. I believe that this matter will lend itself to expeditious resolution, at least for these Respondents.

Thank you for your assistance to date. Please call me if you have any questions.

Sincerely

Gordon M. Strauss

GORDON M. STRAUSS

GMS/tp
Enclosures

cc: John Maxa, Esquire
Michael Herr, Esquire

7 5 0 4 3 0 5 0 6 0 3

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10/17/89
Date

Cindy C. Carter
Signature

RESPONDENT'S NAME: Cindy C. Carter

ADDRESS: 405 E. Main St.
Anna, OH 45302

HOME PHONE: 513/394-2701

BUSINESS PHONE:

9504350609

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10/17/89
Date

Dane W. Dicke
Signature

RESPONDENT'S NAME: Dane W. Dicke

ADDRESS: 02657 Southland Road
New Bremen, OH 45869

HOME PHONE: 419/629-3418

BUSINESS PHONE: 419/629-2713

9504365070

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10/17/89
Date

Signature

RESPONDENT'S NAME: James F. Dicke II

ADDRESS: 422 Easthaven Drive
New Bremen, OH 45869

HOME PHONE: 419/629-2424

BUSINESS PHONE: 419/629-2713

9504350701

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10-17-89
Date

Signature

RESPONDENT'S NAME: James F. Dicke

ADDRESS: Crown Equipment Corporation
40 S. Washington St.
New Bremen, OH 45869

HOME PHONE: 419/629-3223

BUSINESS PHONE: 419/629-2713

9504350702

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10-17-89
Date

Signature

RESPONDENT'S NAME: James F. Dicke

ADDRESS: 415 E. South St.
New Bremen, OH 45869

HOME PHONE: 419/629-3223

BUSINESS PHONE: 419/629-2713

9504305070

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: GORDON M. STRAUSS

ADDRESS: Thompson, Hine & Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: (513) 352-6635

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.

10/15/84
Date

Eilleen W. Dicke
Signature

RESPONDENT'S NAME: Eilleen W. Dicke

ADDRESS: 415 East South Street
New Bremen, OH 45869

HOME PHONE: 419/629-3223

BUSINESS PHONE:

9304355074

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 19 PM 1:38

SWIDLER & BERLIN
CHARTERED
3000 K STREET, N.W.
SUITE 300
WASHINGTON, D.C. 20007-3851
(202) 944-4300

BRIAN W. FITZGERALD
ATTORNEY-AT-LAW

DIRECT DIAL
(202) 944-4951
TELEX 701131
TELECOPIER (202) 944-4296

October 19, 1989

HAND DELIVERED

Kellner

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W., Room 657
Washington, D.C. 20463

Re: MUR 2717 - Rabbi Milton Balkany

Dear Mr. Noble:

Please find enclosed an executed original and two copies of a Statement of Designation of Counsel in the above-referenced matter. A third copy has been enclosed to be stamped "filed" and returned to our office.

Thank you for your assistance in this matter.

Sincerely,

Brian W. Fitzgerald

Brian W. Fitzgerald

BWF:bk
Enclosures

9 5 0 4 3 0 5 0 7 0 5

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Bruce A. Lehman
Brian W. Fitzgerald

ADDRESS: Swidler & Berlin
3000 K Street, N.W. Suite 300
Washington, D.C. 20007-3841

TELEPHONE: 202-944-4300

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.

October 18, 1989
Date

Rabbi Milton Balkany
Signature

RESPONDENT'S NAME: Rabbi Milton Balkany

ADDRESS: 5402 - 15th Street
Brooklyn, New York 11219

HOME PHONE: (718) 851-2430

BUSINESS PHONE: (718) 435-7776

9504350706

OGC 4343

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 OCT 23 PM 1:57

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

October 16, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 23 PM 4:09

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717 - Dominic J. Saraceno

Dear Mr. MC Donald:

In response to your letter of October 3, 1989, I submit the following answers to the interrogatories:

1. Dominic J. Saraceno, 15 Surrey Road, Newton, MA 02159 - Self-employed.

2. I am not employed by the Olympic Bank, nor is any family member. I am, however, a customer and depositor.

   a. I am a director of the Olympic Bank, a founder and stockholder. I serve on the Executive Committee and am one of three members of the Board of the bank's holding company (USA Bancorp). I attend two Executive Board meetings per month and one full board meeting per month. I receive a $200.00 fee for each full board meeting and $100.00 for each Executive meeting. I am not now, have never been, and do not intend to be an employee of Olympic Bank and Trust Company.

3. a & b On March 26, 1987, I made a contribution of $250.00 to the Committee for Al Haig - Exploratory (copy of check attached). On April 22, 1987, I made a contribution in the amount of $750.00 to Haig for President Committee (copy of check attached). On February 6, 1987, prior to Mr. Haig's candidacy announcement, I sent a check to him personally which was to be used for him to become a member of the World War II Glider Pilots Association (Silent Wings). A copy of the check in the amount of $225.00 is enclosed. It appears from the endorsement that one of the pre-campaign employees inadvertently deposited the check into the Haig for President Committee account. This was clearly an error. This check was a personal gift to my

9504350707

long-time friend General Haig, and not made in connection with the campaign.

I will enclose a copy of one of my own checks made payable to "Silent Wings" to demonstrate commonality. There is no connection between the Silent Wings Association other than the admiration and respect of all its members for General Haig.

4. The answers to all questions were prepared solely by the respondent.

5. Copies of all checks showing endorsements are enclosed.

Sincerely,

Dominic J. Saraceno

DJS/rjr
Encl.
CC: Kenneth E. Kellner, Attorney

9504305703

Dominic J. Saraceno

Date Oct 16, 1989

On October 16, 1989, the above-named Dominic J. Saraceno appeared before me and declared under oath that the enclosed written responses to the interrogatories posed by the Federal Election Commission are true and correct.

Carleton G. Tarp
Notary Public

My commission expires April 29, 1994.

CARLETON G. TARPINIAN, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 29, 1994

9504365079

313

DOMINIC J. SARACENO

53-243
113

April 22 19 87

04-30-87 002 05 0181

Pay to the order of HAIG for PRESIDENT $ 750.00

seven hundred - fifty Dollars

BayBank

BayBank Norfolk County Trust Company
Massachusetts

5 05-01-87 03

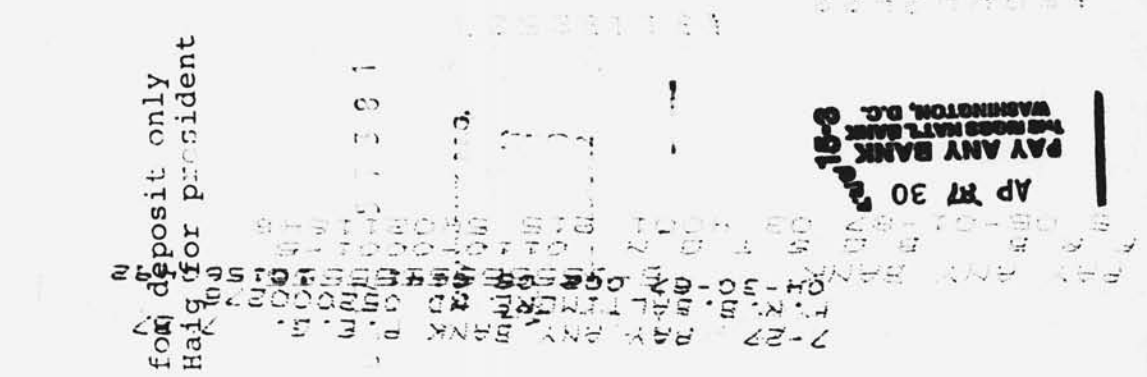
For Dom Saraceno

[redacted]

9 5 0 4 3 6 5 0 7 1 0

for deposit only
Haig for president

AP 87 30
PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.



310

DOMINIC J. SARACENO

4 04-20-87 03 51[illegible] 332 4[illegible] 3[illegible]49

53-243
113

Mar 26 1987

Pay to the order of Committee for AL Haig - Exploratory $ 250.00

Two hundred - fifty Dollars

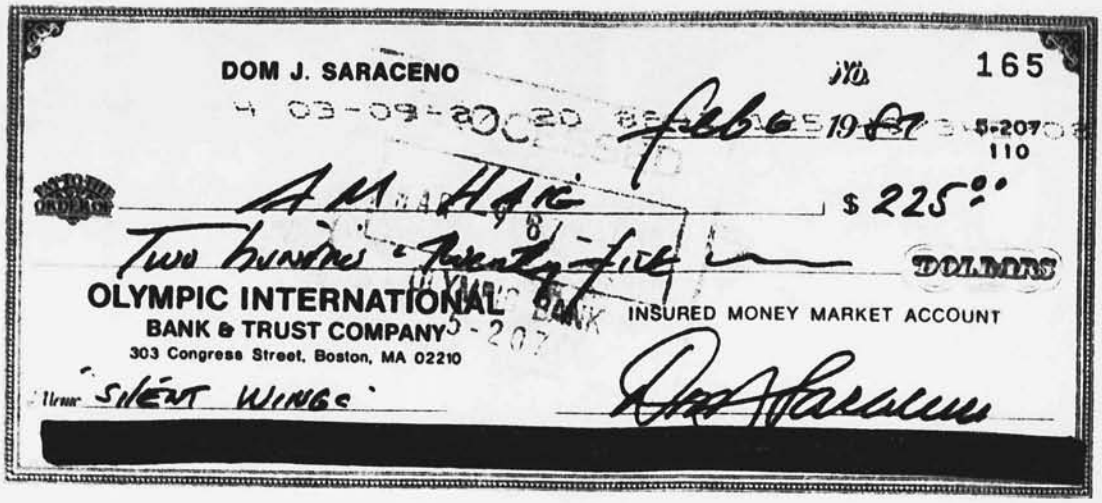
BayBank

BayBank Norfolk County Trust Company
Massachusetts

For Dom Saraceno

[redacted]

9 5 0 4 3 3 5 0 7 1 1



DOM J. SARACENO

165

Feb 6 1987

5-207
110

PAY TO THE ORDER OF

A M HAIG $ 225.00

Two hundred twenty-five DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

Memo SILENT WINGS

Dom Saraceno

FOR DEPOSIT ONLY
COMMITTEE FOR ALEXANDER
HAIG EXPLORATORY

MR '87 06
PROCESSED
FIRST AMERICAN BANK OF MA
NATIONAL TR. CORP.
68-424

95043650712

333

DOMINIC J. SARACENO

3 05-28-87 02 4149 897 3415 [illegible]

May 11 19 87 113

Pay to the order of Silent Wines Museum $ 500.00

five hundred Dollars

BayBank

BayBank Norfolk County Trust Company
Massachusetts

For donation

[redacted]

9 5 0 4 3 6 5 0 7 1 3

1119 1787

1111
PAY ANY BANK, P.E.G.
AMERICAN
NATIONAL BANK
OF TERRELL, TEXAS
88-151 88-151

26 MAY 87

MY '87 28

PAY ANY BANK
F R B B D S T D 0110-0001-5
3 05-28-87 02 4149 897 3415 [illegible]

PAY ANY BANK P.E.G.
MARSH-DALLAS, NA
DALLAS, TEXAS
R/S #3

MY '87 27

DGC 4344

FEDERAL ELECTION COMMISSION
RECEIVED
SECRETARIAT
89 OCT 23 PM 1:57

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 23 PM 4:09

October 17, 1989

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717 - Kurt W. Saraceno

Dear Mr. Mc Donald:

In response to your letter of October 3, 1989, I submit the following answers to the interrogatories:

1. Kurt W. Saraceno, 253 Marlborough Street, Boston, MA 02116
   Self-employed

2. My father, Dominic J. Saraceno, has been a Director of Olympic Bank since its inception in 1985.

3. Yes, I made a contribution to Alexander Haig or Haig for President in the amount of $1,000.00. I believe it was by two $500.00 checks in the Spring of 1987. I have not been able to locate the cancelled checks for verification.

4. None.

5. I am now in the process of obtaining back-up information from my bank.

Sincerely,

Kurt W. Saraceno

KWS/rjr
CC: Kenneth E. Kellner, Attorney

9504305071 4

Kurt W. Saraceno

10/17/89
Date

On October 17, 1989, the above-named Kurt W. Saraceno appeared before me and declared under oath that the enclosed written responses to the interrogatories posed by the Federal Election Commission are true and correct.

Carleton G. Tarpinian
Notary Public

My commission expires April 29, 1994.

CARLETON G. TARPINIAN, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 29 1994

9504350715

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 23 PM 1:36

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 OCT 23 AM 10:43

MUR 2717

1. Kimberly A. Stockus
297 Mechanic St. Canton, MA. 02021
part-time student

2. I was employed by Trade Winds part-time in highschool. My responsibilities were filing and some typing.
My mother, Nancy D. Stockus, is currently employed by Trade Winds as an office manager.

3. I made a donation to Haig for President in the amount of 250^{00}, by check on September 23, 1987.

4. No one was consulted or assisted in the preparation of answers to these questions

5. A copy of both sides of the check ~~is~~ IS enclosed.

Kimberly A Stockus
10-19-89

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF NORFOLK

SUBSCRIBED AND SWORN TO BEFORE ME BY KIMBERLY A. STOCKUS
THIS 19TH DAY OF OCTOBER 1989.

Theresa J Ulrich

MY COMMISSION EXPIRES: 7-30-93

7-30-93

9504305071 6

I donot fully understand the meaning of "pre-probable cause conciliation". If it is something I should be asking for, please consider this my request.

If for any ~~reason~~ reason I need to be contacted between now and December 20, 1989 I can be reached at:

201 Northview Rd. West
Ithaca, NY 14850.

Kimberly A Stockus

9504365037117

KIMBERLY A. STOCKUS
[redacted]

105

Sept. 23 1987

Pay to the Order of Haig for President $ 250 00

two hundred and fifty and 00/100 Dollars

CANTON
CO-OPERATIVE BANK
CANTON, MASSACHUSETTS

Kimberly A Stockus

[redacted]

9 5 0 4 3 2 5 0 7 1 8

MUR- 2977 4324

On Sept. 21, 1987 I, Nancy D Stockus of 297 Mechanic St. Canton, MA 02021; and an employee of Trade Winds Systems, Canton, wrote my check # 1669 to "Naig for President". The $250.00 amount was for a fund-raiser being held in Boston for Lieu. Naig's campaign.

I was requested & write the check when I was at work, and saw no reason not to. My daughter also wrote a check and we had planned & attend the fund-raiser & meet a supporter of Naig's - Billy Dee Williams. We did not attend. Had I realized that there was a problem with the donation, I certainly would never have involved myself - especially. I would not have done so & my daughter.

9304350719

89 OCT 23 PM 1:38

FEDERAL ELECTION COMMISSION

Nancy D. Stockus

Sworn and signed this date of October 19, 1989
the above Nancy D. Stockus

Dina M. Marruzzi

Dina M. Marruzzi
My Comission Expires 10/25/94

89 OCT 23 PM 3:32

I do not have an attorney to represent me; but if I should be requesting for probable cause conciliation, please consider this my request.

I do not feel I have done anything wrong; however, I have never heard the term and wish to do the right thing in this matter.

Thank you

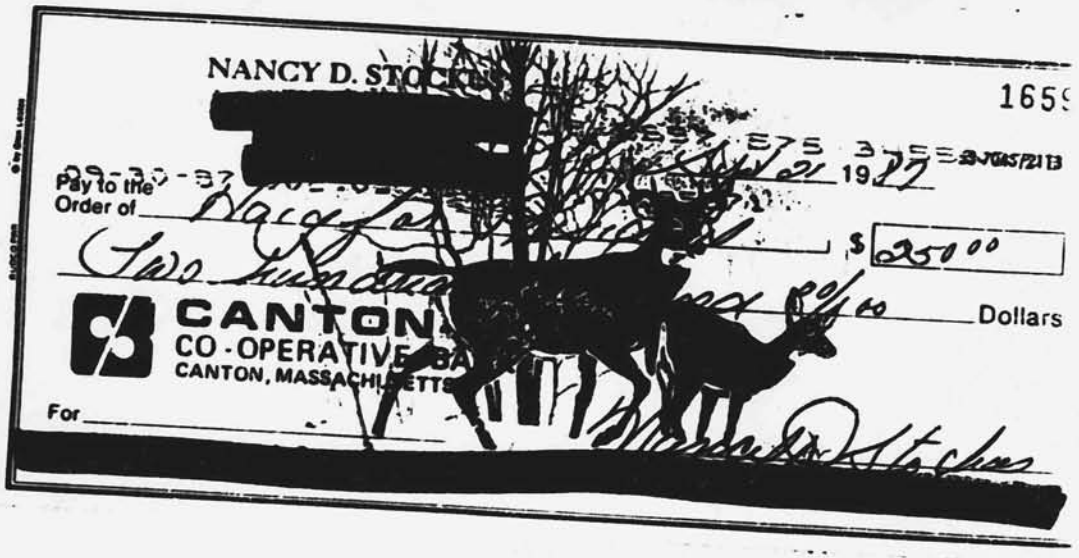
Nancy D Stockus

MUR- 2717

Nancy D. Stockus
291 Mechanic St
Canton MA 02021

95043150700

MUR 2717



There was no correspondence or phone conversations that I am aware of, and this is the only contribution I made

9504350796

OGC 4335

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 23 PM 1:36

MUR ~~2717~~ 2717

10/17/89

1. Daniel F. O'Hara Jr
P.O. Box 7514 Cumberland, RI 02864
employed by: Trade Winds Systems Corp.

2. Yes, I am employed by Trade Winds Systems Corp.
Mr Guy S. Shorter Jr, my brother inlaw, is also employed by Trade Winds Systems Corp.

2a. My position is: Shop help
Mr Shorter's position is: Shop foreman

b My duties are: the production of duct work and receiving
Mr Shorter's responsible for the overseeing of the shop.

3. Yes, I did

3a $ 250.00 date: 9/24/87

3b Check

4. None

5. Enclosed

Daniel F. O'Hara Jr

9504305072

Deposit To The Credit Of
Haig For President
12 08 611 850

SE 87 30

PAY ANY BANK

WASHINGTON, D.C.

DANIEL F. O'HARA, JR.
[redacted]

111

53-7124
2113

9/24 1987

PAY TO THE ORDER OF Alexander Haig for President $ 250.00

Two hundred fifty and 00/100 DOLLARS

PROCESSED

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR [redacted]

Daniel F. O'Hara Jr.

OGC 4328

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 23 PM 1:38

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 OCT 23 AM 9:18

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

PAULINE L. SARACENO
553 WINTHROP ST.
W. MEDFORD, MA 02155

1. State your name, address and current employment. NOT EMPLOYED

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so, NO IMMEDIATE FAMILY MEMBER.

   a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held. MY FATHER'S COUSIN, DOMENIC SARACENO, IS A DIRECTOR OF OLYMPIC I DON'T KNOW FOR HOW LONG.
   b. Describe the duties and responsibilities of the position or title held by you or a member of your family. I DON'T KNOW WHAT DOMENIC'S DUTIES ARE.

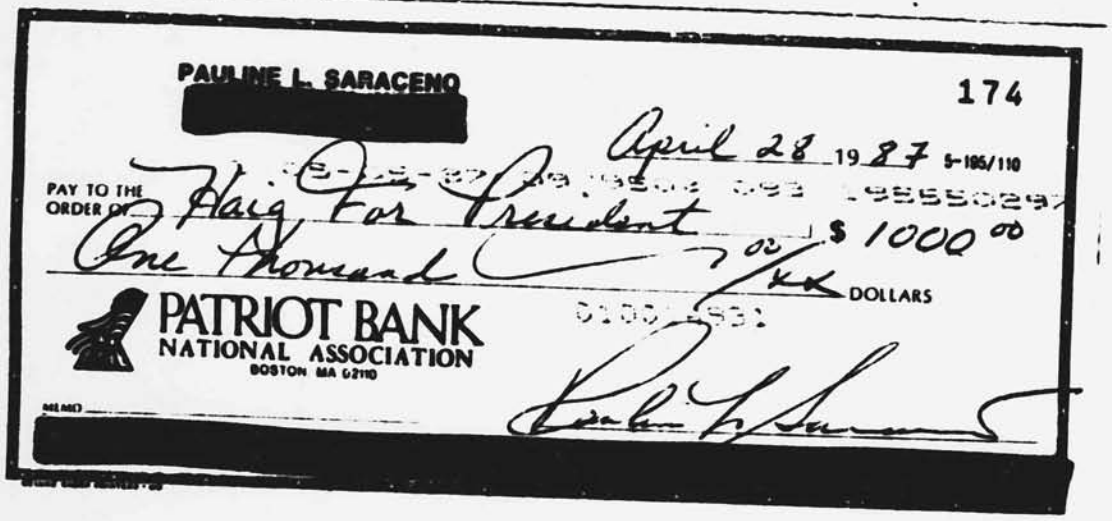
3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution: YES

   a. State the amount and date of the contribution.
   $1,000.00 ON APRIL 28, 1987
   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.
   PERSONAL CHECK

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions. NO ONE

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence. A COPY IS ATTACHED.

9504350724



PAULINE L. SARACENO
[redacted]

174

April 28 1987 5-195/110

PAY TO THE ORDER OF Haig For President $ 1000 00

One Thousand 00/xx DOLLARS

PATRIOT BANK
NATIONAL ASSOCIATION
BOSTON MA 02110

MEMO

[redacted]

9504365072 5

OGC 4338

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 23 AM 9:36

LAW OFFICES OF
ANTHONY R. PELUSI, JR.

BULFINCH SQUARE
43 THORNDIKE STREET
CAMBRIDGE, MASSACHUSETTS 02141-1714

TELEPHONE (617) 577-8400
FAX (617) 225-0515

October 19, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 23 PM 1:37

Kenneth E. Kellner, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 2717
Frank N. Cardullo

Dear Mr. Kellner:

In accordance with our telephone conversation of October 19, 1989, enclosed herewith please find a Statement of Designation of Counsel completed by my client, the above-referenced Frank N. Cardullo. Be advised that I shall represent him on this matter. Mr. Cardullo did not receive your letter of October 3, 1989, until October 13, 1989, and it was presented to me only yesterday.

Since I am departing the Commonwealth on a long-standing and pre-arranged vacation, will be unavailable from Friday, October 20, 1989 until Tuesday, October 31, 1989. By my computations, an answer would normally be due you on October 28, 1989. Based upon my unavailability during this period, I, on behalf of my client, request a 20 day extension of the deadline.

I assure you that upon my return, I shall immediately review this matter so that I may assist my client in responding to your subpoena to produce documents. Further, I will discuss with him the advisability of requesting a pre-probable cause conciliation pursuant to 11 C.F.R. §111.18(D).

Trusting that this request will meet with your approval, I shall see that you are in receipt of Mr. Cardullo's answer and decision on or before November 17, 1989.

Until then, I thank you for your consideration of this request, and I remain

Sincerely yours,

Anthony R. Pelusi, Jr.

ARP:KD

Enclosure: Statement of Designation of Counsel

cc: Mr. Frank N. Cardullo

9 0 0 4 3 0 5 0 7 7

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Anthony R. Pelusi, Jr.

ADDRESS: 43 Thorndike Street
Cambridge, MA 02141-1714

TELEPHONE: (617)577-8400

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.

October 19, 1989
Date

Frank N. Cardullo
Signature

RESPONDENT'S NAME: Frank N. Cardullo

ADDRESS: 12 John F. Kennedy Street
Cambridge, MA 02138

HOME PHONE: (617)497-1599

BUSINESS PHONE: (617)491-7110

9304365078

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 27, 1989

Anthony R. Pelusi, Jr., Esq.
Bulfinch Square
43 Thorndike Street
Cambridge, Massachusetts 02141

RE: MUR 2717
Frank N. Cardullo

Dear Mr. Pelusi:

This is in response to your letter dated October 19, 1989, which we received on October 23, 1989, requesting an extension of twenty (20) days to respond to the above-captioned matter. 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 November 17, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504365079

OGC 4326

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P. C.
RONALD GARMEY, P. C.
ANTHONY J. MEDAGLIA, JR., P. C.
JOHN H. CLYMER, P. C.
CHARLES W. ROBINS, P. C.
MARY ELLEN O'MARA, P. C.
RICHARD S. MORSE, JR., P. C.
JOSEPH C. TANSKI
ROBERT S. GULICK

JOHN C. THOMSON, P. C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
KENNETH S. MAY
FREDERICK H. GREIN, JR.
REGINA S. ROCKEFELLER
KATHERINE L. BABSON, JR.
JOHN D. HUGHES
DAVID S. ROSENTHAL
JAMES WESTRA
MARK N. BERMAN
ADRIENNE SMITH
ROBERT A. THOMPSON
PAUL J. HARTNETT, JR.
KARYN FAITH SCHEIER

HOPE CONSTANCE VASSOS
DONALD D. COOPER
ARTHUR W. YOUNG III
PETER E. GUMPEL*
CAROL C. BROWN
MELINDA J. HARRISON
LORI J. HOLIK
JONATHAN R. KARIS
RICHARD S. NICHOLSON
HELEN H. STEWART
HARRY A. HANSON III
JOHN M. BAKER
PHILIP C. LOMBARDO, JR.
CHARLES A. WRY, JR.
JOHN P. CONNELLY
JEFFREY S. WIEAND
ANDREW M. TROOP
MARGUERITE M. DORN
JAMES A. KOBE

EVELYN VENABLES MORENO
TIMOTHY A. CLARK
PAULA M. GESMUNDO
MARK G. MAHER
W. GEOFFREY STEIN
STEVEN M. PECK
MARYAUSTIN DOWD
GARY D. LEVINE
BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS
DAVID J. KRAMER
JULIE A. TEDESCO
JEFFREY R. PORTER
DONALD W. PARKER
DAVID L. MCEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN

BRUCE A. COHEN

* ADMITTED ONLY IN NEW YORK

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 23 AM 9:16

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 23 PM 1:38

October 19, 1989

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

Re: MUR 2717

Dear Mr. Kellner:

Enclosed herewith are five (5) Statements Of Designation Of Counsel for our clients William J. O'Brien, Joann O'Brien, Susan M. Fraser, Victor A. Nicolazzo, Jr. and Olympic International Bank & Trust Company.

Very truly yours,

John P. Connelly

JPC/mc
Enclosures

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

10-17-89
Date

William J. O'Brien
Signature

RESPONDENT'S NAME: William J. O'Brien

ADDRESS: 242 Adams Street
Quincy MA 02169

HOME PHONE: 617 328-1408

BUSINESS PHONE: 617 357-8000

9504305071

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

October 18, 1989
Date

Joann O'Brien
Signature

RESPONDENT'S NAME: Joann O'Brien

ADDRESS: 242 Adams Street
Quincy MA 02169

HOME PHONE: 617 · 328-1408

BUSINESS PHONE: 617 472-5339

2504365073 2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

October 17, 1989
Date

Susan M. Fraser
Signature

RESPONDENT'S NAME: Susan M. Fraser

ADDRESS: 124 Mishawum Road
Woburn MA 01801

HOME PHONE: 617 933-3654

BUSINESS PHONE: 617 357-8000

9004305073

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

10-18-89
Date

Signature

RESPONDENT'S NAME: Victor A. Nicolazzo, Jr.

ADDRESS: 37 Holden Road
Newton MA 02165

HOME PHONE: 617 244-3989

BUSINESS PHONE: 617 357-8000

9504335074

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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.

10-18-87
Date

Signature
Victor A. Nicolazzo, Jr.
Chairman

RESPONDENT'S NAME: Olympic International Bank and Trust Co.

ADDRESS: 303 Congress Street
Boston, MA 02110

HOME PHONE:

BUSINESS PHONE: (617) 357-8000

9504305075

DEC 4338

FEDERAL ELECTION COMMISSION
MAIL ROOM
89 OCT 23 AM 11:30

THOMPSON, HINE AND FLORY

2900 DuBOIS TOWER · 511 WALNUT ST.
CINCINNATI, OHIO 45201-5717
(513) 352-6600
FAX (513) 352-6614

50 SOUTH MAIN STREET
AKRON, OHIO 44308
(216) 376-8090

ONE WEST FOURTH STREET
CINCINNATI, OHIO 45202
(513) 352-6700

1100 NATIONAL CITY BANK BUILDING
CLEVELAND, OHIO 44114
(216) 566-5500 · TELEX 980217

100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 469-7200

2000 COURTHOUSE PLAZA N.E.
DAYTON, OHIO 45401
(513) 443-6600

9200 BASIL COURT, SUITE 300
LANDOVER, MARYLAND 20785
(301) 925-4900

125 WORTH AVENUE
PALM BEACH, FLORIDA 33480
(407) 833-8900

1920 N STREET, N.W.
WASHINGTON, D.C. 20036
(202) 331-8800 · TELEX 904173

October 20, 1989
By Federal Express

WRITER'S DIRECT DIAL NUMBER
(513) 352-6635

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 23 PM 1:34

Kenneth E. Kellner, Esquire
FEDERAL ELECTION COMMISSION
999 E. Street, NW
Washington, D.C. 20463

Re: MUR 2717 - Respondents: Janet Dicke, Dane W. Dicke, and Kerry Dicke; and, Witness: Cindy Carter

Dear Mr. Kellner:

Enclosed is an executed Designation of Counsel for Kerry Dicke, Respondent in the above captioned MUR, and also one for Janet Dicke, for whom I had previously indicated one was being sent. Apparently the original of Janet Dicke's was not included among the materials I sent you.

I am sorry that we were unable to speak today, but I expect that we will have spoken by the time you receive this. This is, among other things, a formal request that the Depositions scheduled presently for December 6 and 7, 1989, be moved up sooner. Those dates and dates thereafter are difficult for the Dickes, who have requested that the Depositions be rescheduled for November 28, 1989, instead. Ms. Carter will be available on that date, as well.

As you know, I had hoped to be able to discuss this MUR preliminarily with you in person next Thursday, October 26, 1989, at your office, which you indicated may be possible, depending on your schedule. It does not now appear that we will have compiled and completed the documents and responses to your interrogatories in sufficient time for you to review them by Thursday afternoon, however. Therefore, it may be necessary to postpone that meeting for a few days. I shall know for certain on Tuesday, October 24, and I will of course tell you then, assuming that you are also available.

2004305075

I wish also to discuss the confidentiality of some of the information we are compiling in response to your Discovery requests. Some of this information is extremely sensitive, and we want to ensure that it be seen only by appropriate personnel in connection with the resolution of this MUR.

Please let us know if the Depositions can be moved up as soon as you can. Thank you very much for your cooperation in this Matter.

Sincerely,

GORDON M. STRAUSS

GMS/tp
Enclosures

2004350737

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10-18-89
Date

Janet S. Dicke
Signature

RESPONDENT'S NAME: Janet S. Dicke

ADDRESS: 422 Easthaven Drive
New Bremen, OH 45869

HOME PHONE: 419/629-2424

BUSINESS PHONE:

9504335078

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Gordon M. Strauss

ADDRESS: Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

TELEPHONE: 513/352-6635

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.

10/18/89
Date

Kerry S. Dicke
Signature

RESPONDENT'S NAME: Kerry S. Dicke

ADDRESS: 02657 Southland Road
New Bremen, OH 45869

HOME PHONE: 419/629-3418

BUSINESS PHONE:

9504350739

OGC 4355

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 OCT 24 PM 2:53

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 24 PM 4:14

October 20, 1989

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717
Ingeborg E. Saraceno

Dear Mr. Mc Donald:

On the day that your letter dated October 3, 1989 was received by my wife (October 17), she departed on a scheduled two-week trip to Europe. When she returns, she will forward her answers to the interrogatories as requested. This will serve as a request for extension of the time in which she has to reply.

Sincerely,

Dominic J. Saraceno

DJS/rjr
CC: Kenneth Kellner, Attorney

9504305071 0

OGC 4358

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 24 PM 4:35

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

JAN W. BARAN
(202) 429-7330

TELECOPIER
(202) 429-7049
TELEX 248349 WYRN UR

October 24, 1989

Mr. Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: MUR 2717
Fellows Corporation

ATTN: Kenneth E. Kellner

Dear Mr. Noble:

This office has been retained to represent the Fellows Corporation ("Respondent") in the above-captioned matter. An executed Statement of Designation of Counsel is attached hereto.

A response to the Commission's reason to believe finding and the attached interrogatories is currently due on October 30, 1989. In order to fully confer with Respondent in Vermont and obtain whatever information and documentation which may prove necessary with respect to this matter, I respectfully request a twenty-one day extension to and including November 20, 1989 within which to respond.

Your favorable consideration of this request will be appreciated.

Sincerely,

Jan W. Baran

9504350741

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Jan W. Baran, Esq.

ADDRESS: Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

TELEPHONE: 429-7330

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.

OCT. 23, 1989
Date

Joseph W. Smith
Signature

RESPONDENT'S NAME: Fellows Corporation

ADDRESS: Precision Drive
P.O. Box 851
Springfield, Vermont 05156

HOME PHONE: 802-886-8246

BUSINESS PHONE: 802-886-8333

[redacted] (PVT. Business Phone)

9504365074 2

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 27, 1989

Jan W. Baran, Esq.
Wiley, Rein and Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2717
Fellows Corporation

Dear Mr. Baran:

This is in response to your letter dated October 24, 1989, which we received that date, requesting an extension of twenty-one (21) days to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted an extension of fifteen (15) days. Accordingly, your response is due by the close of business on November 14, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504350743

OGC 4359

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 25 PM 2:43

SWIDLER & BERLIN
CHARTERED
3000 K STREET, N.W.
SUITE 300
WASHINGTON, D.C. 20007-3841
(202) 944-4300

BRUCE A. LEHMAN
ATTORNEY-AT-LAW

DIRECT DIAL
(202) 944-4360
TELEX: 701131
TELECOPIER (202) 944-4296

October 25, 1989

Hand Delivered

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W.,Room 657
Washington, D.C. 20463

Re: MUR 2717 - Rabbi Milton Balkany

Dear Mr. Noble:

We were recently retained by Rabbi Milton Balkany and entered our appearance in the above-referenced matter on October 19, 1989.

Rabbi Balkany has told us he received the FEC's subpoena in this matter on October 17, 1989. Accordingly, his response is due within 15 days of his receipt, November 1, 1989. In order to have sufficient time to prepare our response and produce relevant documents, we respectfully request an additional twenty days in order to respond. The new response date would be November 21, 1989.

Additionally, consistent with this request for an extension of time in under to respond to the FEC's subpoena, we also respectfully request that Rabbi Balkany's November 9, 1989 deposition be rescheduled for some time after the requested November 21, 1989 deadline.

If you have any questions or would like any additional information, please contact either Brian Fitzgerald or myself at your convenience at (202) 944-4300.

Thank you for your consideration in this matter.

Sincerely,

Bruce A. Lehman

Bruce A. Lehman

2304355075

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 27, 1989

Bruce A. Lehman, Esq.
Swidler & Berlin
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

RE: MUR 2717
Rabbi Milton Balkany

Dear Mr. Lehman:

This is in response to your letter dated October 25, 1989, which we received that date, requesting an extension of twenty (20) days to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted an extension of fifteen (15) days. Accordingly, your response is due by the close of business on November 16, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504350716

OGC 4375

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT 26 AM 9:11

HUTCHINS & WHEELER
COUNSELLORS AT LAW

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P. C.
RONALD GARMEY, P. C.
ANTHONY J. MEDAGLIA, JR., P. C.
JOHN H. CLYMER, P. C.
CHARLES W. ROBINS, P. C.
MARY ELLEN O'MARA, P. C.
RICHARD S. MORSE, JR., P. C.
JOSEPH C. TANSKI
ROBERT S. GULICK

JOHN C. THOMSON, P. C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
KENNETH S. MAY
FREDERICK H. GREIN, JR.
REGINA S. ROCKEFELLER
KATHERINE L. BABSON, JR.
JOHN D. HUGHES
DAVID S. ROSENTHAL
JAMES WESTRA
MARK N. BERMAN
ADRIENNE SMITH
ROBERT A. THOMPSON
PAUL J. HARTNETT, JR.
KARYN FAITH SCHEIER

HOPE CONSTANCE VASSOS
DONALD D. COOPER
ARTHUR W. YOUNG III
PETER E. GUMPEL*
CAROL C. BROWN
MELINDA J. HARRISON
LORI J. HOLIA
JONATHAN R. KARIS
RICHARD S. NICHOLSON
HELEN H. STEWART
HARRY A. HANSON III
JOHN M. BAKER
PHILIP C. LOMBARDO, JR.
CHARLES A. WRY, JR.
JOHN P. CONNELLY
JEFFREY S. WIEAND
ANDREW M. TROOP
MARGUERITE M. DORN
JAMES A. KOBE

EVELYN VENABLES MORENO
TIMOTHY A. CLARK
PAULA M. GESMUNDO
MARK G. MAHER
W. GEOFFREY STEIN
STEVEN M. PECK
MARYAUSTIN DOWD
GARY D. LEVINE
BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS
DAVID J. KRAMER
JULIE A. TEDESCO
JEFFREY R. PORTER
DONALD W. PARKER
DAVID L. MCEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN

BRUCE A. COHEN

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

* ADMITTED ONLY IN NEW YORK

October 25, 1989

BY FEDERAL EXPRESS

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

Re: MUR 2717

Dear Mr. Kellner:

We have been retained by two additional persons, Judith S. Curtin and Matthew L. Curtin, to represent them in the above-referenced matter. Enclosed herewith are the Statements Of Designation Of Counsel which our clients have completed.

Our clients received subpoenas from the Federal Election Commission ("FEC") regarding MUR 2717 on October 13, 1989. Accordingly, the fifteen (15) day period for our clients to respond to the FEC's subpoenas expires on October 28, 1989. However, the information and documents which our clients have been asked to compile for the FEC are extensive and will require a great deal of time and effort to compile. In addition, the business schedules of our clients, and our trial schedules, are such that we cannot meet with our clients to

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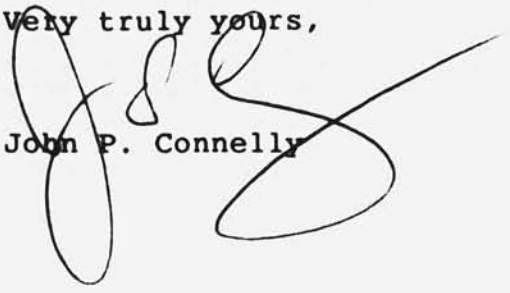
review and finalize the information and documents which the FEC has requested until after November 1, 1989. Therefore, for all these reasons, we hereby request an extension until November 17, 1989 for our clients to produce information and documents in accordance with the FEC's subpoenas. In addition, we also request that our clients' depositions, presently scheduled for November 13 and 14, 1989, by postponed until sometime after November 17, 1989.

Thank you for your consideration, and we look forward to hearing from you shortly regarding our request for a extension.

Very truly yours,



John P. Connelly

JPC/mc
Enclosures

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717 John D. Hughes

NAME OF COUNSEL: John P. Carroll

ADDRESS: Hutchins + Wheeler
101 Federal Street
Boston, Ma.

TELEPHONE: (617) 951-6711

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.

Oct. 16, 1983
Date

Judith S Curtin
Signature

RESPONDENT'S NAME: Judith S Curtin

ADDRESS: 39 Marquis Hill Rd
Wellesley Hills, Ma. 02181

HOME PHONE: (617) 237-0710

BUSINESS PHONE: (617) 338-1200

9504355074 9

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John Connelly

ADDRESS: Hutchins + Wheeler
101 Federal St.
Boston, Ma.

TELEPHONE: (617) 951-6711

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.

10/24/89
Date

Matthew L. Curtin
Signature

RESPONDENT'S NAME: Matthew L. Curtin

ADDRESS: 39 Maugus Hill Rd.
Wellesley, Ma. 02181

HOME PHONE: (617) 237-0710

BUSINESS PHONE: (617) 426-9620

2504350750

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

October 27, 1989

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, Massachusetts 02110

RE: MUR 2717
Olympic International Bank & Trust Company; Victor N. Nicolazzo, Jr.; Susan M. Fraser; William J. O'Brien; Joann O'Brien; Joseph G. Maloney; Joseph Sneider; Cynthia Sneider; Judith S. Curtin; and Matthew L. Curtin

Dear Mr. Connelly:

This is in response to your letter dated October 18, 1989, which we received on October 19, 1989, requesting an extension of until November 17, 1989 to respond to the above-captioned matter. 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 November 17, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 OCT 30 PM 12:07

BRADLEY, BARRY & TARLOW, P. C.

101 ARCH STREET
BOSTON, MASSACHUSETTS 02110
Area Code 617 951-2900
Fax 617 951-2456

October 26, 1989

Danny L. McDonald, Chairman
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Dear Mr. McDonald:

Enlosed please find the "Statement of Designation of Counsel". We do hereby request an extension of 30 days pursuant to your subpoena to produce documents and written answers.

Very truly yours,

John E. Bradley

Enc.
JEB/lah

9504350752

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 4:56

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John E. Bradley, Esq.

ADDRESS: Bradley, Barry & Tarlow, P.C.
101 Arch Street
Boston, MA 02110

TELEPHONE: (617) 951-2900

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.

October 26, 1989
Date

Signature

RESPONDENT'S NAME: Nora Moran

ADDRESS: d/b/a The Moran Company, Realtors
129 Newbury Street
Suite 204
Boston, MA 02116

HOME PHONE:

BUSINESS PHONE:

2504365073

2e 1

OGC 4384

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 26 AM 10: 22

Written answers requested
MUR 2717

answer from question 1.

Gregory B. Gagnon
66 Ridway Ave
Apt 10
Weymouth, Mass 02188
Current employment
Trade Winds Systems

answer from question 2.

employed by Trade Winds
Systems currently-
A) sheetmetal fabricator
from January 1987 to present
B) prepaid for fabrication
then fabricated sheet-
metal ductwork. Keep
records of weight of metal
being shipped and various
supplies needed for job.

Gregory B. Gagnon

Dina M. Manning
My Commission
Expires 10/25/94

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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Page 2

answer from question 3.
Did make a contribution to Haig for President.
A) amount of $250.00 on Sept 24, 1987.
B) contribution made by check.

answer to question 4.
answered all questions myself.

answer to question 5.

only document I have is check. (copy of check enclosed)

Gregory G. Gagnon

Wina M. Marruzzi
My Commission Expires 10/25/94

95043650755

GREGORY G. GAGNON

[redacted]

Sept 24 1987

53-215/113

09-30-87 002 05 0102 101295862

PAY TO THE ORDER OF Alexander Haig $ 250.00

Two Hundred Fifty DOLLARS

South Shore Bank
QUINCY, MASSACHUSETTS
multibank

MEMO Haig for President Gregory G. Gagnon

[redacted]

9 5 0 4 3 6 5 0 7 5 6

Deposit To The Credit Of
Haig For President
12 08 611 850

Gregory G. Gagnon
Dina M. Marruzzi
My Commission Expires
10/25/94

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 2, 1989

John E. Bradley, Esq.
Bradley, Barry & Tarlow, P.C.
101 Arch Street
Boston, MA 02110

RE: MUR 2717
Nora F. Moran

Dear Mr. Bradley:

This is in response to your letter dated October 26, 1989, which we received on October 30, 1989, requesting an extension of thirty (30) days to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted an extension of fifteen (15) days. Accordingly, your response is due by the close of business on November 16, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504365057

HAND DELIVERED

OGC 4442

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 30 AM 10:19

THOMPSON, HINE AND FLORY

2900 DuBOIS TOWER · 511 WALNUT ST.
CINCINNATI, OHIO 45201-5717
(513) 352-6600
FAX (513) 352-6614

50 SOUTH MAIN STREET
AKRON, OHIO 44308
(216) 376-8090

ONE WEST FOURTH STREET
CINCINNATI, OHIO 45202
(513) 352-6700

1100 NATIONAL CITY BANK BUILDING
CLEVELAND, OHIO 44114
(216) 566-5500 · TELEX 980217

100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 469-7200

2000 COURTHOUSE PLAZA N.E.
DAYTON, OHIO 45401
(513) 443-6600

9200 BASIL COURT, SUITE 300
LANDOVER, MARYLAND 20785
(301) 925-4900

125 WORTH AVENUE
PALM BEACH, FLORIDA 33480
(407) 833-8900

1920 N STREET, N.W.
WASHINGTON, D.C. 20036
(202) 331-8800 · TELEX 904173

WRITER'S DIRECT DIAL NUMBER

(513) 352-6635

October 27, 1989

BY FEDERAL EXPRESS

Confidential: 5 U.S.C. §§552(b)(6), 552(b)7(A), 552(b)7(C)

Federal Election Commission
999 E. Street, N. W.
Washington, D. C. 20463
Attention: Kenneth E. Kellner, Esquire

Re: MUR 2717 - Respondents: James F. Dicke, James F. Dicke, II, James F. Dicke, Chairman Crown Equipment Corporation (formerly Crown Controls Controls Corporation; hereafter "Crown"), Eilleen W. Dicke, Janet Dicke, Dane W. Dicke, and Kerry Dicke; and, Witness: Cindy Carter

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 12:32

To the Federal Election Commission:

Enclosed are the above-captioned Respondents' and Witness' First Responses To Interrogatories and Request For Production of Documents in MUR 2717. By this letter, we wish to accomplish two things: to set out the facts of this matter and thereby demonstrate that there was no violation of the Federal Campaign Act; and, to ensure that certain intimately personal, confidential information regarding financial matters will be shielded from public scrutiny at the conclusion of Respondents' part in this MUR, in accordance with the express protections provided by the Freedom of Information Act (FOIA).

Consistent with this, we are providing the enclosed Discovery materials and all further, future or updated Responses, as well as this letter describing the case, with the express expectation this material is protected from such disclosure at the conclusion of the MUR by operation of the FOIA, specifically the Sections noted above and on each subsequent page of this letter.

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Discussion of the Case

The FEC's position is that Crown corporate money may have flowed to Haig For President, Inc. ("hereafter "Haig"), through willing Dicke "fronts." In federal elections, corporate contributions are prohibited by 2 U.S.C. § 441b; using another to make a contribution and permitting another to use you for that purpose are prohibited by 2 U.S.C. § 441f. These are the sections which Crown and the Dickes are charged with violating.

The Commission's Statement of Factual And Legal Analysis indicates confusion as to the manner in which the Dickes contributed to Haig. By using a joint checking account which they share among themselves and with other entities to make these contributions, and because that joint checking account has authorized signatories other than the individual Dickes, they have apparently created the impression in the Commission that the contributions to Haig were something other than personal donations.

The facts are that only personal funds of each Dicke went to Haig. The joint checking account noted above, which is the reason the Dickes have been included in this MUR, is named "Dicke Consolidated." As shown in the Responses, Dicke Consolidated is nothing more than a checking account, albeit a complicated one. It is not a business entity; it pays no taxes; it employs no person. In fact, Dicke Consolidated holds money only long enough to honor checks drawn by its owners. As a "zero-balance" checking account, it exists just to transfer its owners' individual or business funds to ultimate payees, and to provide those owners with an extremely convenient, centralized accounting/clearinghouse.

In this case, each Dicke decided to make a contribution to Haig. Each one then authorized Dicke Consolidated to write a check, which was sent to Haig and deposited into the banking system by Haig. Personal funds of each contributor were then drawn from the respective personal checking account of that respective Dicke and his or her spouse, to cover the Haig check, and deposited into Dicke Consolidated, which then honored the Haig checks upon their presentment at the bank. From the Dickes' perspective, this is just a transfer from one joint checking account to another one.

The funds transferred and ultimately sent to Haig were personal funds of each respective Dicke, husband and wife, drawn

from joint checking accounts over which each has full "dominion and control." Dicke Consolidated is another joint checking account which each of the Respondents uses to pay bills and, as in this case, to make other discretionary personal payments.

These personal funds went from one joint checking account into another joint checking account, and then to Haig. The Commission has long acknowledged that both spouses may make contributions from a joint checking account, even if only one spouse has income in respect of the account. [11 C.F.R. § 110.1(i)(1)] The fact that Dicke Consolidated is a joint account of more than a husband and wife does not change its nature, either; so long as the contributor had the right to draw on his/her funds in the account (which, in this case, is put in the account expressly to cover his/her specific obligation), the account is a valid mechanism for contributing to Haig.

The donor's name was clearly identified on the check. There was no subterfuge.

The Commission has incorrectly attributed exclusive ownership of Dicke Consolidated to Crown, thereby implying that the funds in Dicke Consolidated belong to Crown. This incorrect assumption has led to the incorrect conclusion that the Dickes used Crown's money for Haig. This is not so. The facts are more complicated, but they remove the element of potential violation.

As shown in the Discovery materials, Dicke Consolidated serves twenty-two entities in this manner. Some of these are individuals, others are business entities owned by members of the Dicke family. The relevant fact is that the each owner/user of Dicke Consolidated puts his, her, or its personal funds into the account to cover their respective personal obligations. The funds which went to Haig were just such: personal contributions.

The Discovery materials provided to the Commission by each Dicke demonstrate this chain of transfers and the source of the money in the Dicke Consolidated account for each contribution in question. Checks drawn for the Dicke Consolidated joint account from the husband/wife joint account are for more than one transaction, but the money to cover the Haig contributions is included wherever shown in a deposit.

We look forward to the opportunity to discuss the details of each transaction in question with the Office of

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General Counsel. We have compiled all the information requested by Counsel, and have transmitted the bulk of it herewith. We have interposed specific objections to providing the remaining information immediately, because of questions regarding its confidentiality at the close of the investigation. (Please see infra.)

Confidentiality of Certain Discovery Materials

Respondent Crown has interposed general objections to providing certain intimate, personal financial information of certain of its (or its subsidiaries') personnel, including specifically the Dicke family members who are Respondents in this MUR. Further, Crown has entered a specific objection to providing the Commission with the information and documentation requested in Questions 3.a. - 3.f, and 5 of the Interrogatories and Request For Production of Documents at this time. We have, in fact complied that information and fully expect to share it with the Commission expeditiously. However, we are obliged to take all appropriate steps to protect the confidentiality of this information at this time, in order to avoid waiving any rights which Respondents presently have.

Respondents James F. Dicke, James F. Dicke, II, Eilleen W. Dicke, Janet Dicke, Dane W. Dicke, and Kerry Dicke join in this objection to the extent that they would be adversely affected by the disclosure of the subject information. Each Respondent reserves expressly all his, her, or its rights of confidentiality herein.

Attached to the Responses is a Memorandum in Support of the privilege hereby reserved, in accordance with the Commission's rules. We believe the narrow scope of the information we consider confidential under the FOIA, and the overwhelming case law in support of our request, will lead the Commission to agree with us. We do not dispute the Commission's right to request the subject information; we only want to protect it from unwarranted disclosure to persons outside the Commission. Furthermore, we note that we seek to protect only certain clearly defined information, obtained from personnel files and which, if disclosed, would clearly constitute an unwarranted invasion of privacy [c.f., 5 U.S.C. § 552(b)(6), and therefore also 5 U.S.C. § 552(b)(7)(C), which has an even less restrictive standard of privacy]. We will gladly share the information with the Commission, and will provide access to view (though not to copy

without advance agreement) this information and the documents even before the issue of its subsequent confidentiality is resolved. We hope that the confidentiality of this information and material will be protected to the full extent of the law.

To this end, we wish to enter into an Agreement of Confidentiality with the Commission, stating essentially that:

a. the specifically described personal, financial information is subject to the confidentiality provisions of 5 U.S.C. § 552(b)(6) at all times both during and after the investigation of this MUR, 5 U.S.C. § 552(b)(7)(A) during the investigation of this MUR, and 5 U.S.C. § 552(b)(7)(C) at all times thereafter; the information referred to herein expressly includes transcripts of any depositions, whether presently scheduled or later set and completed.

b. the Commission will agree to defend this information from disclosure under the FOIA or any other law until it is ordered to do so by a court of competent jurisdiction, after all avenues and rights of appeal by it or by Respondent, as appropriate, have been exhausted; and,

c. the Commission will notify the Respondents, to the extent it is permitted to do so by law, of any attempt by any person to obtain or to review this information.

We request the opportunity to meet personally with Counsel to discuss these arrangements, so that the information can be put before him in time enough for him to prepare for the Depositions scheduled for December 6 and 7, 1989.

Thank you very much for your consideration in this request. We look forward to a speedy resolution of the MUR, and the intervening FOIA issue, and to putting this behind us all as soon as possible.

Sincerely,

Gordon M. Strauss

GORDON M. STRAUSS

GMS/tp
Enclosures

cc: John G. Maxa, Esquire
J. Michael Herr, Esquire

2504365072

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

In the Matter of:	:	
	:	**MUR 2717**
Janet S. Dicke	:	
422 Easthaven Drive	:	
New Bremen, OH 45869	:	
. . . . .	:	

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 12:36

RESPONDENT'S FIRST RESPONSES
TO
REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW Janet S. Dicke, Reposndent in the above-captioned Matter Under Review, being first duly cautioned and sworn, and for her Responses to the Commission's Request For Production of Documents, states as follows:

STATEMENT OF GENERAL OBJECTIONS

1. Respondent Janet S. Dicke objects to the Commission's statement that each of the interrogatories "is continuing" and may require her to furnish different and unspecified additional information up through and including the conclusion of this MUR. Respondent agrees to supplement its responses in all manners specifically required by Fed. R. Civ. P. 26(e).

2. Respondent objects to the definitions, to the extent that they require Respondent to divulge information which is protected from discovery by the attorney-client privilege or the work product doctrine, or to gather information from third persons.

3. Respondent objects to providing information in response to the interrogatories which is not in its possession, custody or control.

4. Respondent objects generally to providing information which is not or would not be subject to discovery by virtue of the attorney-client privilege, the work product doctrine, or Fed. R. Civ. P. 26(b)(3). By answering these interrogatories, Respondent waives no privilege or objection which might be available to it.

STATEMENT OF GENERAL OBJECTIONS (CONTINUED)

5. Respondent objects to disclosure of any information requested herein at this time, to the extent that any such information is subject to protection from disclosure at the conclusion of this MUR under the exemption provisions of 5 U.S.C. §552(b)(6) and §552(b)(7)(C), and as such would be subject to a Protective Order pursuant to Fed. R. Civ. P. 26(c)(7) if this MUR were in litigation.

Respondent therefore objects to providing this information (particular items and documents being specifically cited and subject to specific objections as noted herein), or producing any such documents requested herein until Respondent and the Commission have entered into an Agreement of Confidentiality and a proposed Stipulated Protective Order which would be applied in the event of any subsequent litigation concerning this MUR, or until an appropriate protective order is entered pursuant to Fed. R. Civ. P. 26(c)(7), by a Court of competent jurisdiction.

RESPONSES

1. Copies of Dicke Consolidated checks written to Haig for President, (10-27-87 & 6-26-87) for James F. Dicke, Eilleen W. Dicke, James F. Dicke, II, Janet S. Dicke, Dane W. Dicke, Kerry S. Dicke and copy of personal check written (9-8-87) by Eilleen W. Dicke.

2. Check listings showing the checks in 3; personal cancelled checks (6-30-87 & 10-30-87) written to Dicke Consolidated to cover the Haig checks.

3. Copies of Dicke Consolidated deposit slips.

4. Bank statements from personal accounts of James F. & Eilleen W. Dicke, James F. & Janet S. Dicke, Dane W. & Kerry S. Dicke and Dicke Consolidated account showing the transactions.

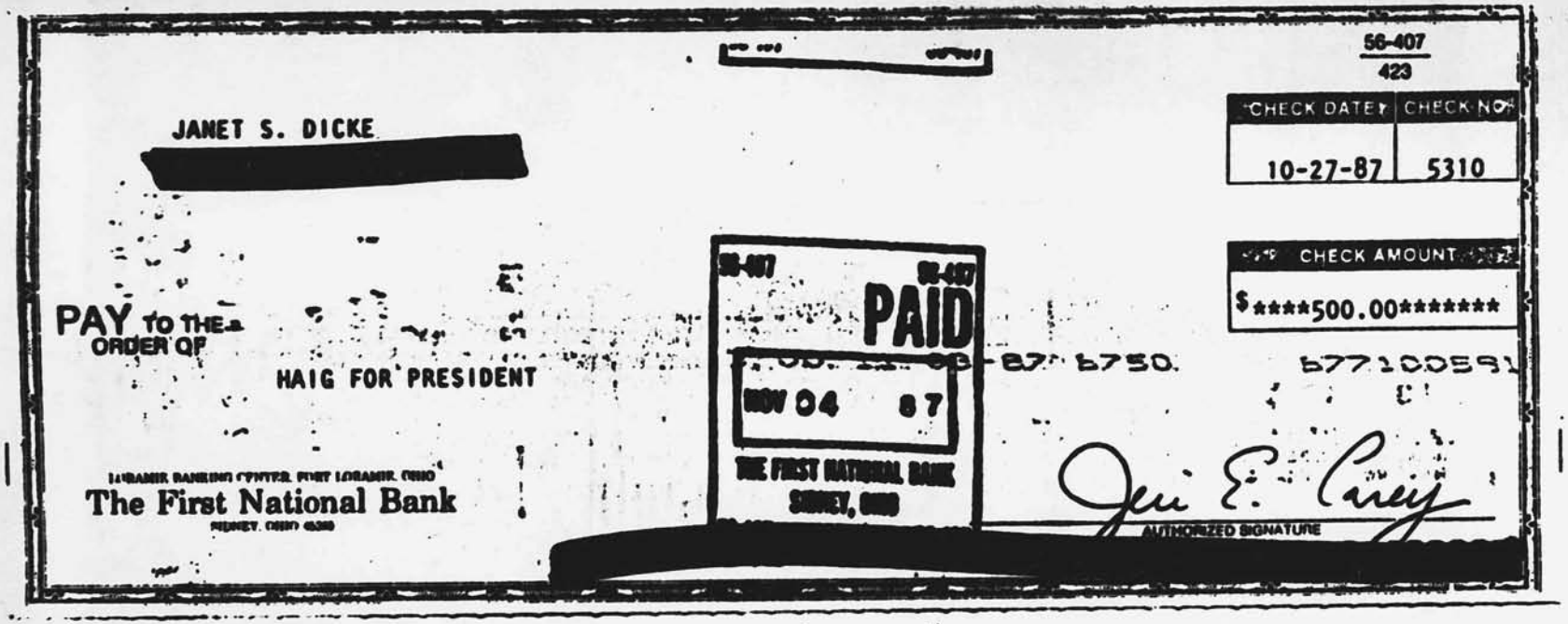
5. All copies attached. Original documents at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

2504305074

JANET S. DICKE
ATTACHMENT TO SUBPOENA

Copies of Dicke Consolidated checks written to Haig for President, (10-27-87 & 6-26-87); check listing showing these checks; personal cancelled checks (10-30-87 & 6-30-87) written to Dicke Consolidated to cover the Haig checks; copies of Dicke Consolidated deposit slips; bank statements from personal account and Dicke Consolidated account showing the transactions. All copies attached. Original documents at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

9504360507 05



56-407
423

CHECK DATE	CHECK NO.
10-27-87	5310

JANET S. DICKE
[redacted]

CHECK AMOUNT
$****500.00*******

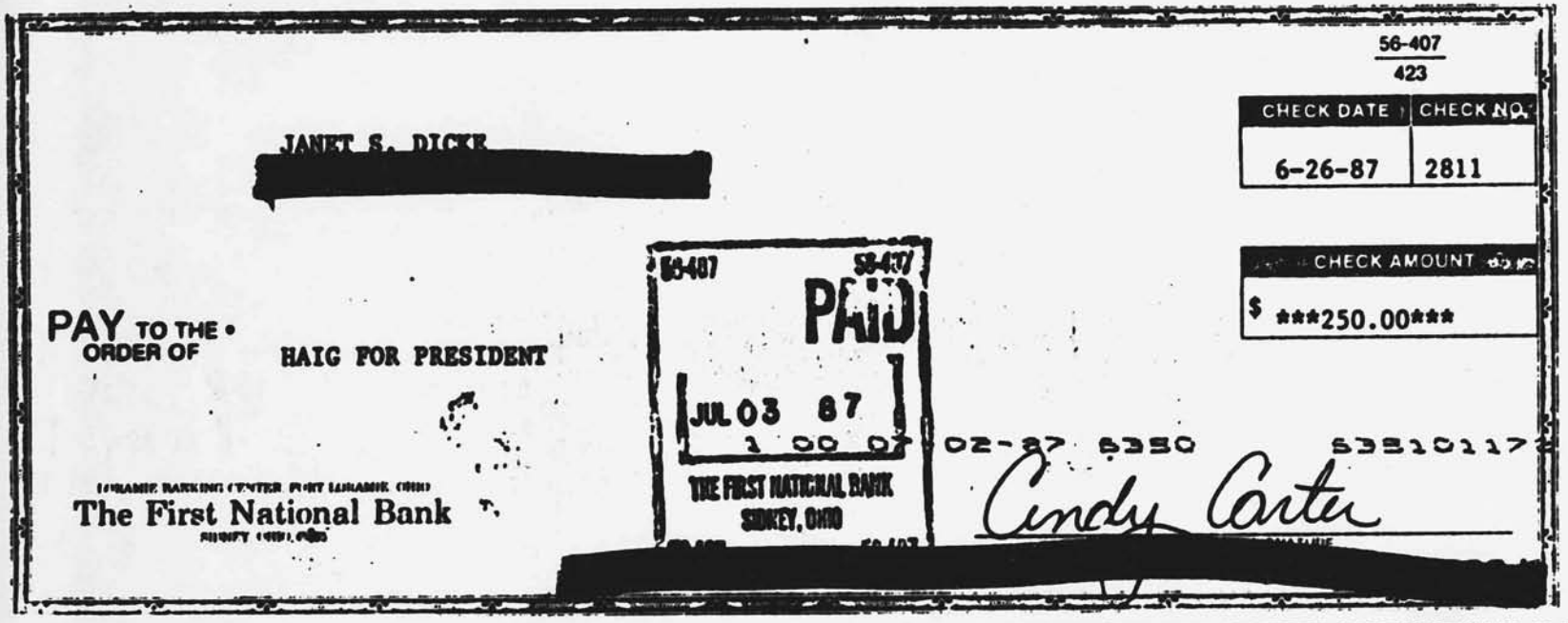
PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 56-407
PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

[illegible]-87 6750 677100591

LORAMIE BANKING CENTER, FORT LORAMIE, OHIO
The First National Bank
SIDNEY, OHIO 45365

Jeri E. Carey
AUTHORIZED SIGNATURE



[redacted]

56-407
423

CHECK DATE	CHECK NO.
6-26-87	2811

JANET S. DICKE
[redacted]

CHECK AMOUNT
$ ***250.00***

PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 56-407
PAID
JUL 03 87
1 00 07 02-87 6350 63510117

THE FIRST NATIONAL BANK
SIDNEY, OHIO

LORAMIE BANKING CENTER, FORT LORAMIE, OHIO
The First National Bank
SIDNEY, OHIO 45365

Cindy Carter
[redacted]

9 5 0 4 3 6 5 0 7 6

Name Janet S. Dicke

Address 422 Easthaven Drive
New Bremen Ohio 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

* Enclosed is my personal contribution of $250.

9 5 0 4 3 6 5 0 7 7

VERIFICATION

JANET S. DICKE, being duly sworn, says that all the statements set forth in the foregoing Answers to Interrogatories, and all information, documents and materials provided in response to the foregoing Request for Production of Documents are true and accurate to the best of her knowledge, information and belief.

Janet S. Dicke

STATE OF OHIO)
) S.S.:
COUNTY OF AUGLAIZE)

Before me, a Notary Public in and for the said County and State, appeared Janet S. Dicke, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 25th day of October, 1989.

Carol A. Jones
Notary Public

CAROL A. JONES, Notary Public
State of Ohio
My Commission Expires January 24, 1990

9504305078

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Janet S. Dicke's Answers and objections to Plaintiffs' First Set of Request for Production of Documents to Janet S. Dicke, was served upon Kenneth E. Kellner, Esquire, Federal Election Commission on this 29th day of October, 1989, by regular U.S. mail, or by hand-delivery, or overnight delivery service.

Gordon M. Strauss
Counsel to Janet S. Dicke

9304305077

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

In the Matter of:	:	
	:	**MUR 2717**
Dane W. Dicke	:	
127 Southland Road	:	
New Bremen, OH 45869	:	
. . . . .	:	

RECEIVED
FEDERAL ELECTION COMMISSION
89 OCT 30 AM 12:36
OFFICE OF GENERAL COUNSEL

RESPONDENT'S FIRST RESPONSES
TO
REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW Dane W. Dicke, Respondent in the above-captioned Matter Under Review, being first duly cautioned and sworn, and for her Responses to the Commission's Request For Production of Documents, states as follows:

STATEMENT OF GENERAL OBJECTIONS

1. Respondent Dane W. Dicke objects to the Commission's statement that each of the interrogatories "is continuing" and may require her to furnish different and unspecified additional information up through and including the conclusion of this MUR. Respondent agrees to supplement its responses in all manners specifically required by Fed. R. Civ. P. 26(e).

2. Respondent objects to the definitions, to the extent that they require Respondent to divulge information which is protected from discovery by the attorney-client privilege or the work product doctrine, or to gather information from third persons.

3. Respondent objects to providing information in response to the interrogatories which is not in his possession, custody or control.

4. Respondent objects generally to providing information which is not or would not be subject to discovery by virtue of the attorney-client privilege, the work product doctrine, or Fed. R. Civ. P. 26(b)(3). By answering these interrogatories, Respondent waives no privilege or objection which might be available to it.

9504350770

STATEMENT OF GENERAL OBJECTIONS (CONTINUED)

5. Respondent objects to disclosure of any information requested herein at this time, to the extent that any such information is subject to protection from disclosure at the conclusion of this MUR under the exemption provisions of 5 U.S.C. §552(b)(6) and §552(b)(7)(C), and as such would be subject to a Protective Order pursuant to Fed. R. Civ. P. 26(c)(7) if this MUR were in litigation.

Respondent therefore objects to providing such information (particular items and documents being specifically cited and subject to specific objections as noted herein), or producing any such documents requested herein until Dane W. Dicke and the Commission have entered into an Agreement of Confidentiality and a proposed Stipulated Protective Order which would be applied in the event of any subsequent litigation concerning this MUR, or until an appropriate protective order is entered pursuant to Fed. R. Civ. P. 26(c)(7), by a Court of competent jurisdiction.

REPSONSES

1. Copies of Dicke Consolidated checks written to Haig for President, (10-27-87 & 6-26-87) for James F. Dicke, Eilleen W. Dicke, James F. Dicke, II, Janet S. Dicke, Dane W. Dicke, Kerry S. Dicke and copy of personal check written (9-8-87) by Eilleen W. Dicke.

2. Check listings showing the checks in 3; personal cancelled checks (6-30-87 & 10-30-87) written to Dicke Consolidated to cover the Haig checks.

3. Copies of Dicke Consolidated deposit slips.

4. Bank statements from personal accounts of James F. & Eilleen W. Dicke, James F. & Janet S. Dicke, Dane W. & Kerry S. Dicke and Dicke Consolidated account showing the transactions.

5. All copies attached. Original documents at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

DANE W. DICKE
ATTACHMENT TO SUBPOENA

Copies of Dicke Consolidated (10-27-87 & 6-26-87) checks written to Haig for President; check listing showing these checks; personal cancelled checks (10-30-87 & 6-30-87) written to Dicke Consolidated to cover the Haig checks; copies of Dicke Consolidated deposit slips; bank statements from personal account and Dicke Consolidated account showing the transactions. All copies attached. Original documents located at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

2504350772

56-407
423

DANE W. DICKE
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5311

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

3 00 -87 6750 67710059

PAID
NOV 04 87

The First National Bank

Jen E. Carey

[redacted]

56-407
423

DANE W. DICKE
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2807

CHECK AMOUNT
$***250.00***

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

56-407 56-407
PAID
JUL 03 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

1 00 07-02-87 6350 63510117

The First National Bank

Cindy Carter

[redacted]

9 5 0 4 3 6 5 0 7 7 3

Name Dane W. Dicke

Address 127 Southland Road
New Bremen, Ohio 45869

Telephone Number [redacted]

Occupation V. Pres. - Crown Controls Corporation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* Enclosed is my personal contribution of $250.

9 5 0 4 3 0 5 0 7 4

VERIFICATION

DANE W. DICKE, being duly sworn, says that all the statements set forth in the foregoing Answers to Interrogatories, and all information, documents and materials provided in response to the foregoing Request for Production of Documents are true and accurate to the best of his knowledge, information and belief.

Dane W. Dicke

STATE OF OHIO)
) S.S.:
COUNTY OF AUGLAIZE)

Before me, a Notary Public in and for the said County and State, appeared Dane W. Dicke, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 25th day of October, 1989.

Notary Public

CAROL A. JONES, Notary Public
State of Ohio
My Commission Expires January 24 1990

2504350775

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Dane W. Dicke's Answers and objections to Plaintiffs' First Set of Request for Production of Documents to Dane W. Dicke, was served upon Kenneth E. Kellner, Esquire, Federal Election Commission on this 29th day of October, 1989, by regular U.S. mail, or by hand-delivery, or overnight delivery service.

Gordon M. Strauss
Counsel to Dane W. Dicke

9 5 0 4 3 6 5 0 7 7 6

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

In the Matter of:	:	
	:	**MUR 2717**
Cindy C. Carter, Witness	:	
415 East South Street	:	
New Bremen, OH 45869	:	
. . . . .	:	

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 12:35

RESPONDENT'S FIRST RESPONSES
TO
REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW Cindy C. Carter, Witness in the above-captioned Matter Under Review, being first duly cautioned and sworn, and for her Responses to the Commission's Request For Production of Documents, states as follows:

STATEMENT OF GENERAL OBJECTIONS

1. Respondent Cindy C. Carter objects to the Commission's statement that each of the interrogatories "is continuing" and may require her to furnish different and unspecified additional information up through and including the conclusion of this MUR. Cindy C. Carter agrees to supplement its responses in all manners specifically required by Fed. R. Civ. P. 26(e).

2. Respondent objects to the definitions, to the extent that they require Respondent to divulge information which is protected from discovery by the attorney-client privilege or the work product doctrine, or to gather information from third persons.

3. Respondent objects to providing information in response to the interrogatories which is not in its possession, custody or control.

4. Respondent objects generally to providing information which is not or would not be subject to discovery by virtue of the attorney-client privilege, the work product doctrine, or Fed. R. Civ. P. 26(b)(3). By answering these interrogatories, Respondent waives no privilege or objection which might be available to it.

2504350777

STATEMENT OF GENERAL OBJECTIONS (CONTINUED)

5. Respondent objects to disclosure of any information requested herein at this time, to the extent that any such information is subject to protection from disclosure at the conclusion of this MUR under the exemption provisions of 5 U.S.C. §552(b)(6) and §552(b)(7)(C), and as such would be subject to a Protective Order pursuant to Fed. R. Civ. P. 26(c)(7) if this MUR were in litigation.

Respondent therefore objects to providing such information (particular items and documents being specifically cited and subject to specific objections as noted herein), or producing any such documents requested herein until Crown Equipment Corporation, Respondent's employer, and the Commission have entered into an Agreement of Confidentiality and a proposed Stipulated Protective Order which would be applied in the event of any subsequent litigation concerning this MUR, or until an appropriate protective order is entered pursuant to Fed. R. Civ. P. 26(c)(7), by a Court of competent jurisdiction.

2504365078

RESPONSES

1. Copy: letter from Pat Roberts, Haig for President, Inc. campaign manager, addressed to James F. Dicke (4-24-87)

2. Contemporaneous notes taken by Bradley Smith, accounting manager at Crown Equipment Corp., regarding contributions from the Dicke Family members to Haig for President. Prepared approximately 10/26/87.

3. Copies of Dicke Consolidated checks written to Haig for President, (10-27-87 & 6-26-87) for James F. Dicke, Eilleen W. Dicke, James F. Dicke, II, Janet S. Dicke, Dane W. Dicke, Kerry S. Dicke and copy of personal check written (9-8-87) by Eilleen W. Dicke.

4. Check listings showing the checks in 3; personal cancelled checks (6-30-87 & 10-30-87) written to Dicke Consolidated to cover the Haig checks.

5. Copies of Dicke Consolidated deposit slips.

6. Bank statements from personal accounts of James F. & Eilleen W. Dicke, James F. & Janet S. Dicke, Dane W. & Kerry S. Dicke and Dicke Consolidated account showing the transactions.

7. All copies attached. Original documents at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

CINDY C. CARTER
ATTACHMENT TO SUBPOENA

1. Copy of letter from Pat Roberts, Haig for President, Inc. campaign manager, addressed to James F. Dicke (4-24-87)

2. Contemporaneous notes taken by Bradley Smith, accounting manger at Crown Equipment Corp., regarding contributions from the Dicke Family members to Haig for President. Prepared approximately 10/26/87.

3. Copies of Dicke Consolidated checks written to Haig for President, (10-27-87 & 6-26-87) for James F. Dicke, Eilleen W. Dicke James F. Dicke, II, Janet S. Dicke, Dane W. Dicke, Kerry S. Dicke and copy of personal check written (9-8-87) by Eilleen W. Dicke.

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7. All copies attached. Original documents at Crown Equipment Corporation, 40 S. Washington Street, New Bremen, Ohio.

9504350779

CINDY 1

HAIG

LEADERSHIP FOR AMERICA

April 24, 1987

Mr. James F. Dicke
415 East South Street
NEw Brenen, Ohio 45869

Dear Jim:

It was great to talk to you last week and to learn of your interest in our campaign. Bebe has been a great friend to the campaign.

Enclosed is a contributions guideline as prepared by our legal counsel and a donor card which outlines the type of information required under Federal election laws.

I just want you to know how very much the General personally appreciates your interest and support.

Sincerely,

Pat Roberts
Campaign Manager

P.S. Please call if I can answer any questions.... I look forward to seeing you again soon.

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

HAIG

LEADERSHIP FOR AMERICA

Alexander M. Haig, Jr.

- Over four decades of distinguished public service to the Nation as statesman and leader
- The 59th Secretary of State
- White House Chief of Staff for two Presidents
- Supreme Allied Commander of NATO
- Service to seven Presidents
- Coordinator of President's initial trip to the Peoples Republic of China
- Participant in five U.S.-Soviet summit conferences
- Organizer of first Western Alliance Economic Summit
- Student of Notre Dame; graduate of the United States Military Academy; graduate studies at Columbia University; M.A. (International Relations) from Georgetown University
- President and Chief Operating Officer, United Technologies Corporation
- Currently, founder and President, Worldwide Associates, providing consulting services on domestic and international political, economic, and security issues
- Husband (Patricia Fox Haig, wife of 37 years); father (sons Alex and Brian; daughter Barbara); grandfather (Alex and Wendy's four sons: Alex, Christopher, and twins William and Peter)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988

CINDY 2.

CROWN

Date _____ By _____

Subject _____

			ADDITIONAL
JIM I	$ 500.00		$ 500.00 = $ 1000
EILEEN	$ 500.00	+ 250.00	$ 250.00 = 1000
JIM II	$ 250.00		500.00 = 750
JANET	$ 250.00		500.00 = 750
DANE	$ 250.00		500.00 = 750
KERRY	$ 250.00		500.00 = 750

AL HAIG FOR PRESIDENT

AUDREY S HAY

(703)

TAYLOR

Cindy 3

JAMES F. DICKE
[redacted]

56-407
423

CHECK DATE	CHECK NO.
10-27-87	5307

CHECK AMOUNT
$ ***500.00********

PAY TO THE ORDER OF HAIG FOR PRESIDENT

The First National Bank

PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

[redacted]

JAMES F. DICKE
[redacted]

56-407
423

CHECK DATE	CHECK NO.
6-26-87	2809

CHECK AMOUNT
$***500.00***

PAY TO THE ORDER OF HAIG FOR PRESIDENT

The First National Bank

PAID
JUL 13 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

Cindy Carter
AUTHORIZED SIGNATURE

[redacted]

9504350732

Name James F. Dicke

Address 415 E. South St.

New Bremen, Ohio 45869

Telephone Number [redacted]

Occupation Chairman - Crown Controls Corporation

Name of Employer (if any)

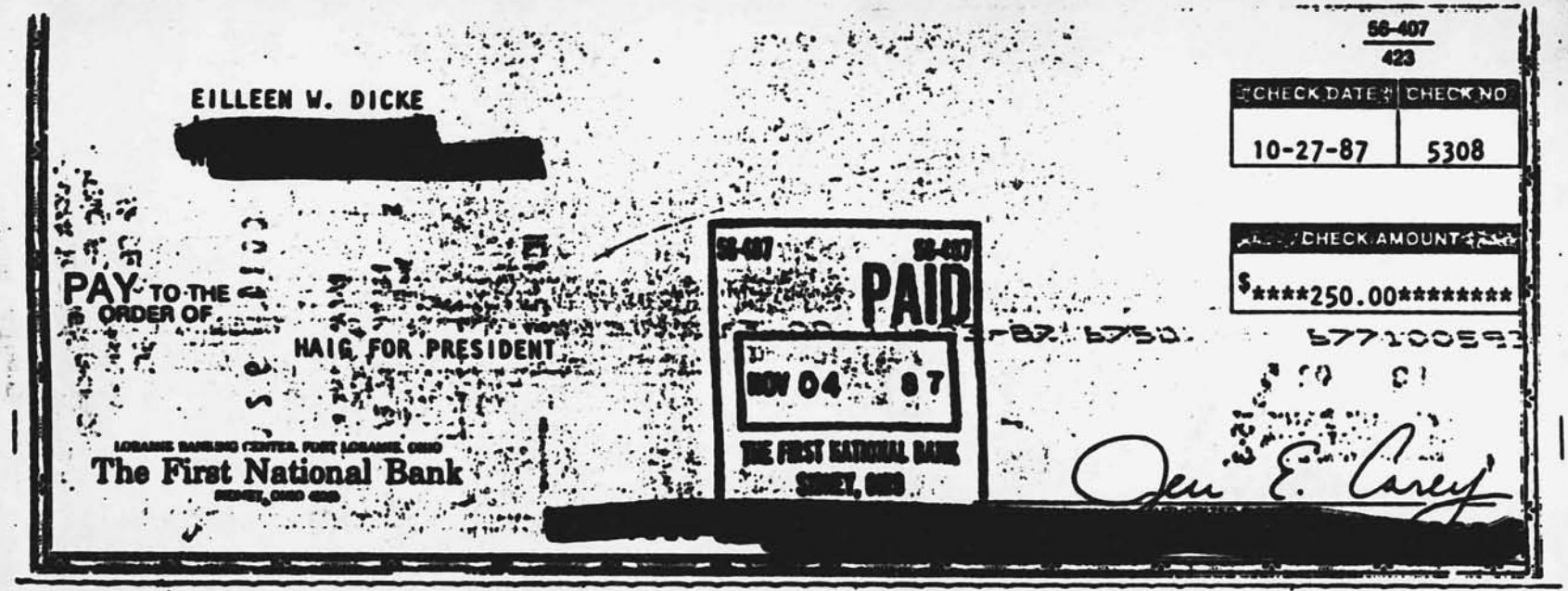
HAIG FOR PRESIDENT

1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

9 5 0 4 3 3 5 0 7 8 4

CINDY 2



EILLEEN W. DICKE
[redacted]

56-407
423

CHECK DATE	CHECK NO
10-27-87	5308

CHECK AMOUNT
$****250.00********

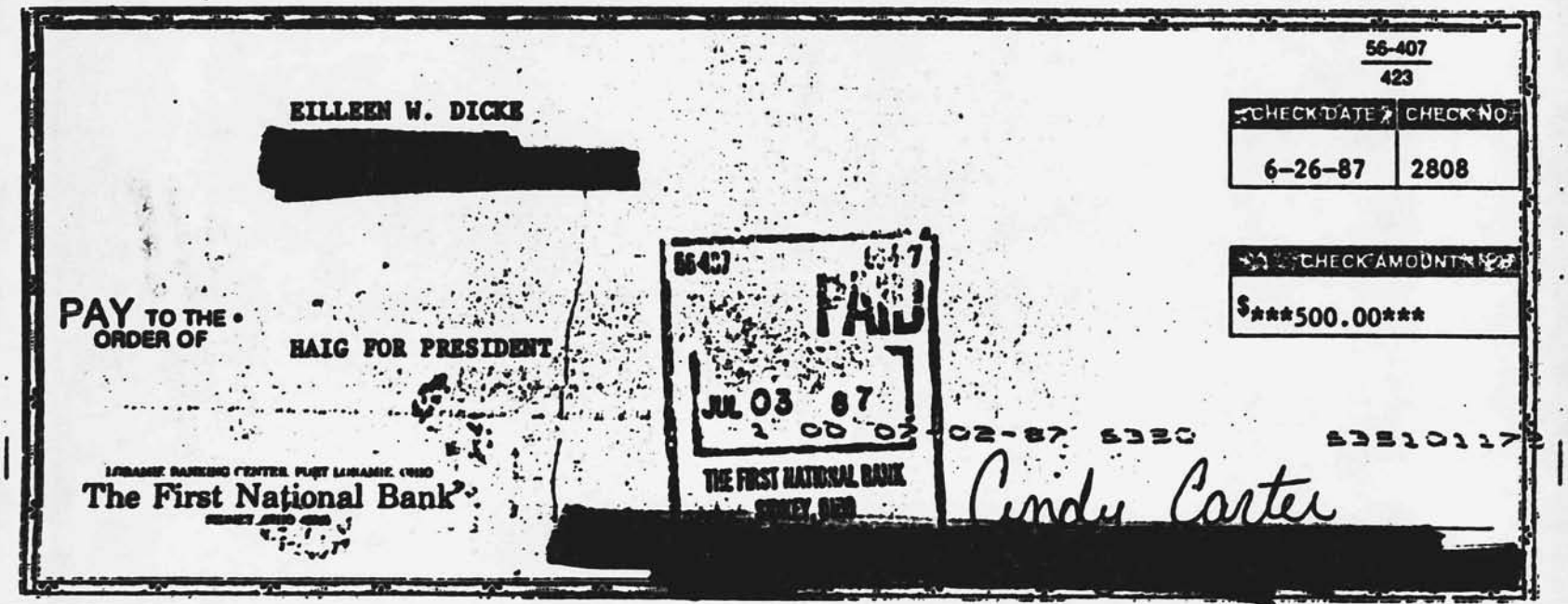
PAY TO THE ORDER OF
HAIG FOR PRESIDENT

56-407 56-407
PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

10-87 5750 577100593

LORAINE BANKING CENTER, PORT LORAINE, OHIO
The First National Bank
SIDNEY, OHIO 45365

Jen E. Carey
[redacted]



EILLEEN W. DICKE
[redacted]

56-407
423

CHECK DATE	CHECK NO
6-26-87	2808

CHECK AMOUNT
$***500.00***

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

56-407 56-407
PAID
JUL 03 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

02-87 5320 533210117

LORAINE BANKING CENTER, PORT LORAINE, OHIO
The First National Bank
SIDNEY, OHIO 45365

Cindy Carter
[redacted]

9504350715

Name EILLEEN W. DICKE

Address 415 EAST SOUTH ST.
NEW BREMEN OHIO 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

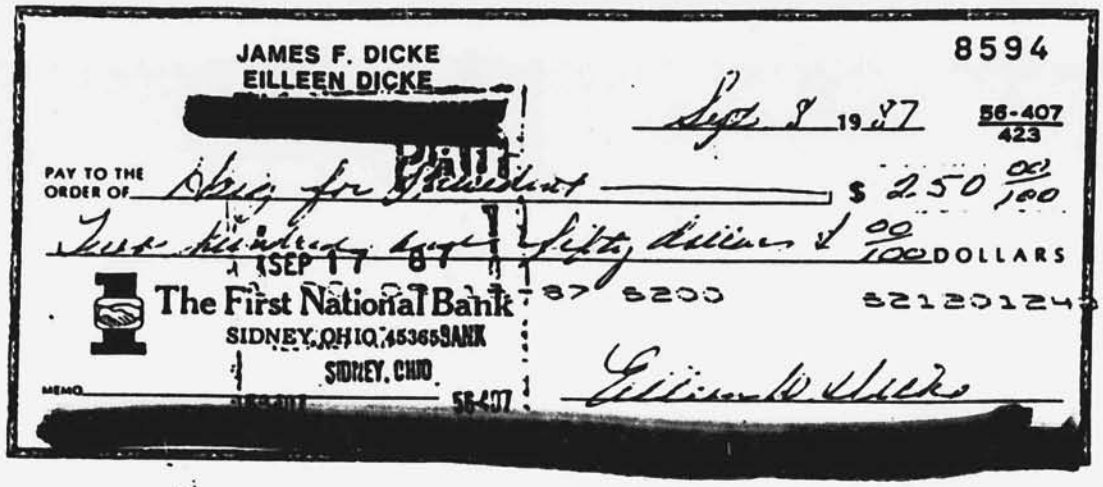
Paid for by Haig for President

V-1540
6150-00.0

* ENCLOSED IS my personal contribution of: $500.

9 5 0 4 3 6 5 0 7 8 6

CINDY 3



JAMES F. DICKE
EILLEEN DICKE
[redacted]

8594

Sept 8 1987

56-407
423

PAY TO THE ORDER OF Haig for President $ 250 00/100

Two hundred and fifty dollars & 00/100 DOLLARS

SEP 17 87

The First National Bank
SIDNEY, OHIO 45365 BANK
SIDNEY, OHIO

MEMO

56-407

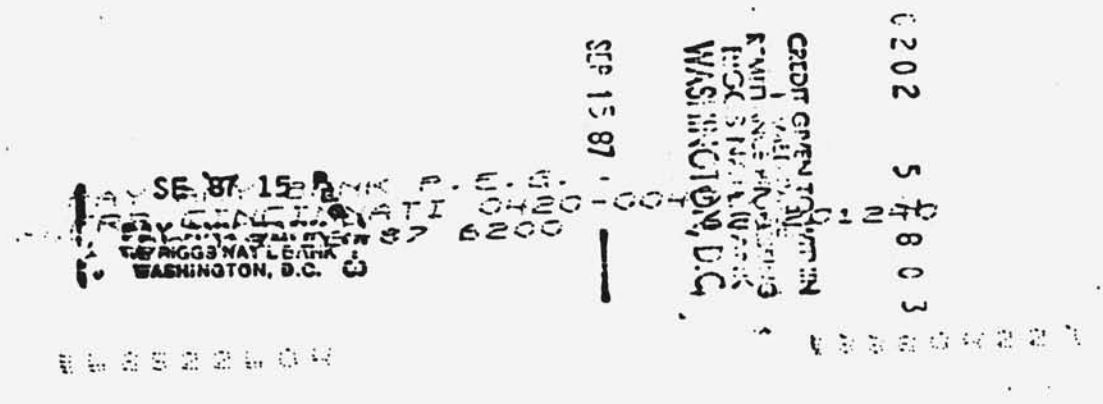
87 6200

82120124

Eilleen W. Dicke

[redacted]

95043650787



SE 87 15 P
PAY TO THE BANK P.E.G.
FRB CINCINNATI 0420-0040 201240
87 6200
RIGGS NAT'L BANK
WASHINGTON, D.C.

SEP 15 87

CREDIT GIVEN TO MAIL IN
RIGGS NAT'L BANK
WASHINGTON, D.C.

0202 5 4803

CINDY 3.

56-407
423

JAMES F. DICKE II [redacted]

CHECK DATE	CHECK NO.
10-27-87	5309

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 PAID NOV 04 87 THE FIRST NATIONAL BANK SIDNEY, OHIO

The First National Bank

Jim E. Carey [redacted]

56-407
423

JAMES F. DICKE, II [redacted]

CHECK DATE	CHECK NO.
6-26-87	2810

CHECK AMOUNT
$***250.00***

PAY TO THE ORDER OF HAIG FOR PRESIDENT

JUL 03 87

The First National Bank

Cindy Carter [redacted]

95043507 8

Name James F. Dicke, II

Address 422 Easthaven Dr.
New Bremen, Ohio 45869

Telephone Number [redacted]

Occupation President - Crown Controls Corporation

Name of Employer (if any)

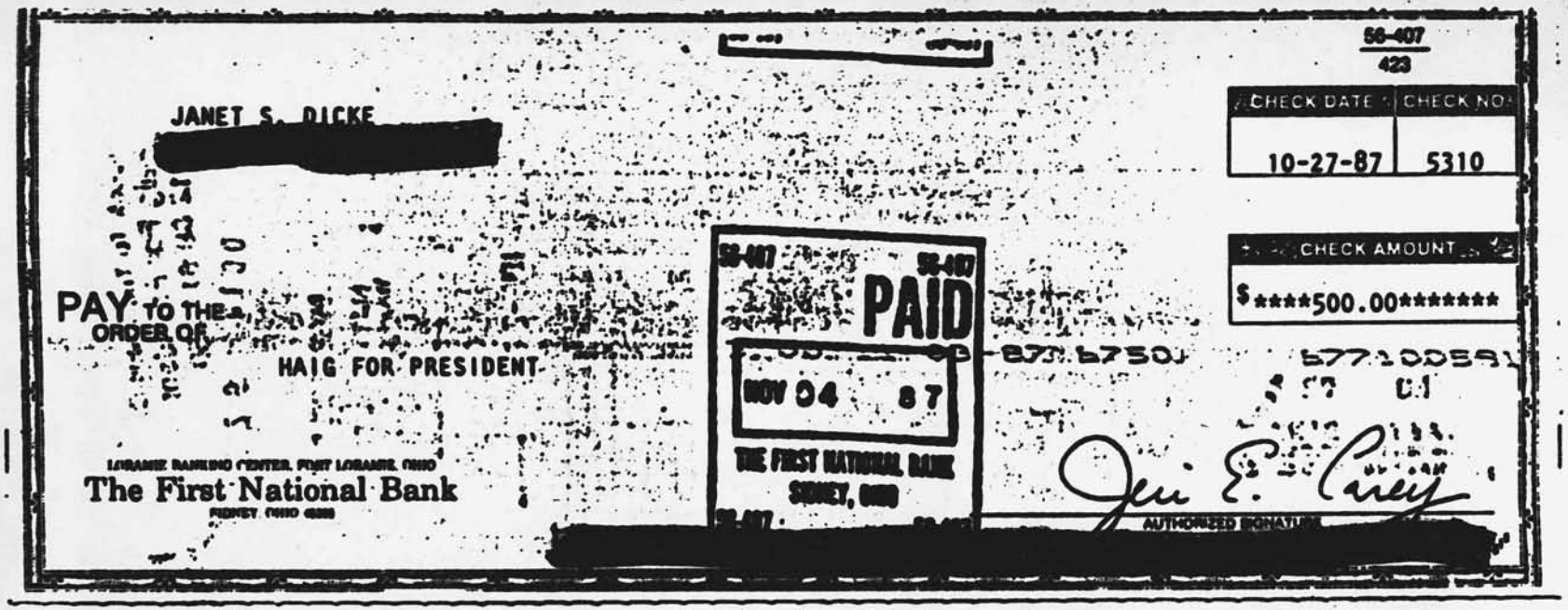
HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

* Enclosed is my personal contribution of: $250

9 5 0 4 3 6 5 0 7 9

Cindy 3



JANET S. DICKE [redacted]

56-407
423

CHECK DATE	CHECK NO.
10-27-87	5310

CHECK AMOUNT
$****500.00*******

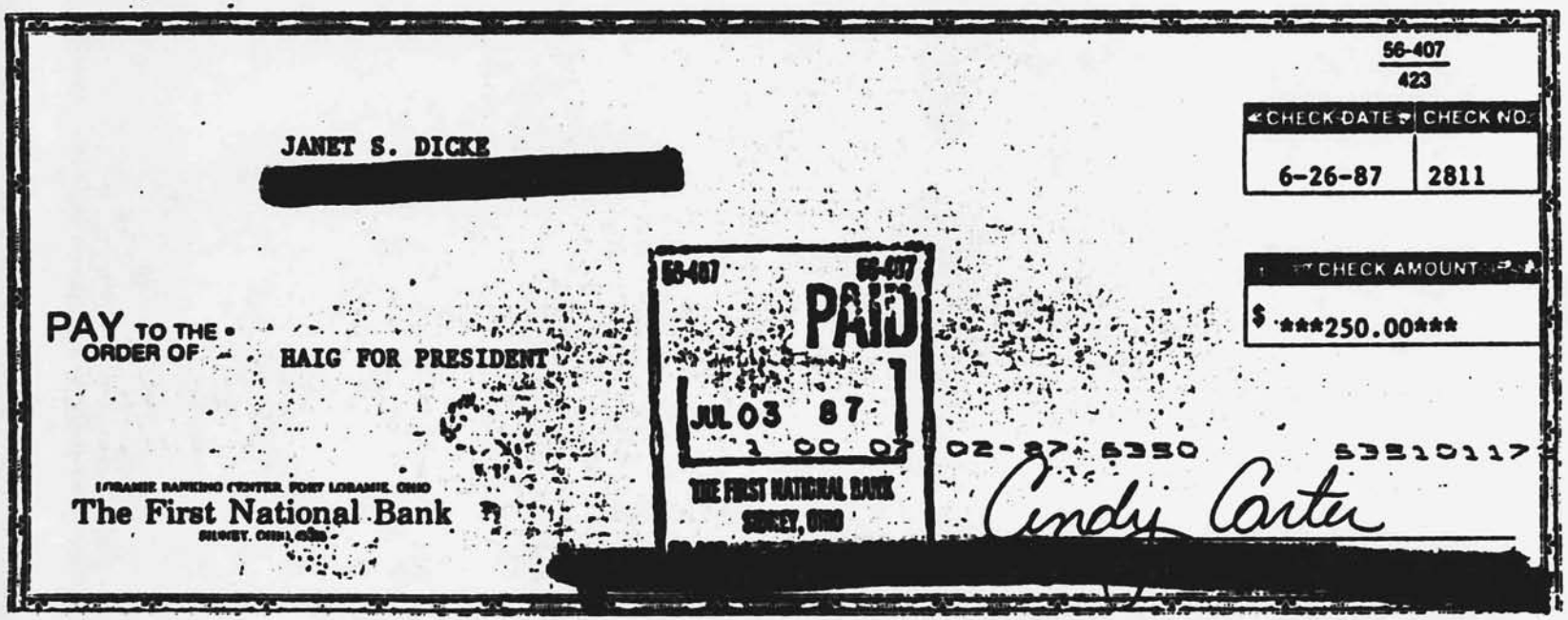
PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 56-407 PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

LORAINE BANKING CENTER, FORT LORAINE, OHIO
The First National Bank
SIDNEY, OHIO 45365

[redacted]

AUTHORIZED SIGNATURE



JANET S. DICKE [redacted]

56-407
423

CHECK DATE	CHECK NO.
6-26-87	2811

CHECK AMOUNT
$ ***250.00***

PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 56-407 PAID
JUL 03 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

LORAINE BANKING CENTER, FORT LORAINE, OHIO
The First National Bank
SIDNEY, OHIO 45365

[redacted]

AUTHORIZED SIGNATURE

Name Janet S. Dicke

Address 422 Easthaven Drive
New Bremen Ohio 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988
Paid for by Haig for President

* Enclosed is my personal contribution of $250.

1 0 7 0 5 0 4 3 5 0 9 6

CINDY 3

56-407
423

DANE W. DICKE
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5311

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF HAIG FOR PRESIDENT

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Jen E. Carey
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DANE W. DICKE
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SIDNEY, OHIO 45365

Cindy Carter

[redacted]

9 5 0 4 3 6 5 0 7 9 2

Name Dane W. Dicke

Address 127 Southland Road
New Bremen, Ohio 45869

Telephone Number [redacted]

Occupation V. Pres. - Crown Controls Corporation

Name of Employer (if any)

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* Enclosed is my personal contribution of $250.

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KERRY DICKE
[redacted]

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SIDNEY, OHIO 45365

Cindy Carter
AUTHORIZED SIGNATURE
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KERRY S. DICKE
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The First National Bank
SIDNEY, OHIO 45365

Jon E. Carey
AUTHORIZED SIGNATURE
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Name Kerry Dicke

Address 127 Southland Road
New Bremen Ohio 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

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* ENCLOSED IS MY PERSONAL CONTRIBUTION OF $250

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VERIFICATION

CINDY C. CARTER, being duly sworn, says that all the statements set forth in the foregoing Answers to Interrogatories, and all information, documents and materials provided in response to the foregoing Request for Production of Documents are true and accurate to the best of her knowledge, information and belief.

Cindy C. Carter

Cindy C. Carter

STATE OF OHIO)
) S.S.:
COUNTY OF AUGLAIZE)

Before me, a Notary Public in and for the said County and State, appeared Cindy C. Carter, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 25th day of October, 1989.

JEFFREY DEAN BAILEY, Notary Public
In and for the State of Ohio
My Commission Expires September 3, 1992

Jeffrey Dean Bailey

Notary Public

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Cindy Carter's Answers and objections to Plaintiffs' First Set of Request for Production of Documents to Cindy Carter, was served upon Kenneth E. Kellner, Esquire, Federal Election Commission on this 29th day of October, 1989, by regular U.S. mail, or by hand-delivery, or overnight delivery service.

Gordon M. Strauss
Counsel to Cindy C. Carter

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OFFICE OF GENERAL COUNSEL

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

In the Matter of:	:	
	:	MUR 2717
Crown Equipment Corporation	:	
40 S. Washington Street	:	
New Bremen, OH 45869	:	
. . . . .	:	

RESPONDENT'S FIRST RESPONSES TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW James F. Dicke, Chairman of Crown Equipment Corporation, formerly Crown Controls Corporation, Respondent in the above-captioned Matter Under Review (hereafter referred to as "Crown" or "Respondent"), being first duly cautioned and sworn, and for Crown's First Responses to Interrogatories and Request For Production of Documents, states as follows:

STATEMENT OF GENERAL OBJECTIONS

1. Respondent objects to the Commission's statement that each of the interrogatories "is continuing" and may require it to furnish different and unspecified additional information up through and including the conclusion of this MUR. Respondent agrees to supplement its responses in all manners specifically required by Fed. R. Civ. P. 26(e).

2. Respondent objects to the definitions, to the extent that they require it to divulge information which is protected from discovery by the attorney-client privilege or the work product doctrine, or to gather information from third persons.

3. Respondent objects to providing information in response to the interrogatories which is not in its possession, custody or control.

4. Respondent objects generally to providing information which is not or would not be subject to discovery by virtue of the attorney-client privilege, the work product doctrine, or Fed. R. Civ. P. 26(b)(3). By answering these

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interrogatories, Respondent waives no privilege or objection which might be available to it.

5. Respondent objects to disclosure of any information requested herein at this time, to the extent that any such information is subject to protection from disclosure at the conclusion of this MUR under the exemption provisions of 5 U.S.C. §552(b)(6) and §552(b)(7)(C), and as such would be subject to a Protective Order pursuant to Fed. R. Civ. P. 26(c)(7) if this MUR were in litigation.

Respondent therefore objects to providing this information (particular items and documents being specifically cited and subject to specific objections as noted herein), or producing any such documents requested herein until Respondent and the Commission have entered into an Agreement of Confidentiality and a proposed Stipulated Protective Order which would be applied in the event of any subsequent litigation concerning this MUR, or until an appropriate protective order is entered pursuant to Fed. R. Civ. P. 26(c)(7), by a Court of competent jurisdiction in an Agreement of Confidentiality.

9504355079

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

In the Matter of:	:	
	:	**MUR 2717**
Crown Equipment Corporation	:	
40 S. Washington Street	:	
New Bremen, OH 45869	:	
. . . . .	:	

RESPONDENT'S MEMORANDUM IN SUPPORT OF
OBJECIONS TO INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Respondent Crown Equipment Corporation (hereafter "Crown") submits the following Memorandum in Support of its objections to Questions 3.a. - 3.f. and 5 of the Commission's Interrogatories and Request For Production of Documents. On Respondent's information and belief, the Commission has no mechanism in place for the protection of this information from disclosure under the Freedom of Information Act, and does not intend to protect it. Respondent submits that the information requested in these questions is such that the Freedom of Information Act (hereafter "FOIA") in fact affords direct and specific protection for this information.

Respondent submits the within Memorandum in Support in order that it and the Commission may enter into an Agreement of Confidentiality in respect of this information. This Memorandum is submitted with the express expectation that it will be confidential and will not be disclosed to any person not involved in the investigation of the subject MUR, at any time, pursuant to the following provisions of the FOIA: 5 U.S.C. §§552(b)(6), 552(b)(7)(A), and 552(b)(7)(C).

I. ISSUES.

A. Whether the personal financial information of members of the Dicke family, requested in Questions 3.a -3.f and 5 of the Commission's Interrogatories and Request for Production of Documents falls within Section 552(b)(6) of the Freedom of

Information Act, which permits a government agency such as the FEC to withhold from disclosure "personal and medical files and similar files" where the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy?"

B. Whether the individual financial information of Dicke family members is exempt under Section 552(b)(7)(C) of the FOIA, which exempts law enforcement information that "could reasonably be expected to constitute an unwarranted invasion of personal privacy?"

C. What is the Effect of the Privacy Act (5 U.S.C. §§552a, et seq.) and the aforementioned exemptions under FOIA?

II. DISCUSSION.

A. 5 U.S.C. § 552(b)(6).

Section 552(b)(6) exempts from disclosure under the FOIA "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In order to be protected under this exemption, the information at issue must satisfy a two-tier test. First, the information must fall within the category of "personnel and medical files and similar files." Heights Community Congress v. Veteran's Administration, 732 F.2d 526, 528 (6th Cir. 1984), cert. denied, 469 U.S. 1034 (1984). In our situation, the financial information which is requested in the discovery materials can be found in personnel files. Thus, the threshold requirement of § 552(b)(6) is satisfied. Even if the information requested in the discovery materials had not come from or could not be found in the Dickes' personnel files, such information would still meet this threshold requirement as it would fall within the meaning of the term "similar files."

Congress intended the term "similar files" to be interpreted broadly. Department of State v. Washington Post Co., 456 U.S. 595, 599-603 (1982) (citing H.R. Rep. No. 1497, 89th Cong., 2d Sess. 11 (1966); S. Rep. No. 813, 89th Cong., 1st Sess. 9 (1965); S. Rep. No. 1219, 88th Cong., 2d Sess. 14 (1964)). The legislative history of § 552(b)(6) indicates that the terms "personnel and medical files" were used as illustrations of records incorporating the type of information - intimate details about an individual - which deserves protection. See, Simpson v. Vance, 648 F.2d 10, 13 (D.C. Cir. 1980).

Several courts have determined financial information, similar to that requested in the discovery materials, to be of the same magnitude as that at stake in personnel and medical

records. For example, in Rural Housing Alliance v. United States Department of Agriculture, 498 F.2d 73, 75 (D.C. Cir. 1974), the United States Department of Agriculture conducted an investigation which culminated in a 150-page report discussing governmental housing discrimination. The report included intimate details and information with respect to borrowers and applicants for loans such as, among other information: marital status, the number and the legitimacy of children and grandchildren, information as to medical condition and history, information as to occupations and work history, the amounts and sources of annual income (including the amount of welfare payments received), information as to ownership of property, and information as to reputation in the community. Id. at 75-76 n. 4. The court held that the report involved sufficiently intimate details to be a similar file under § 552(b)(6). Id. at 77. In another case, the First Circuit held that files containing such information as mortgagors' names, last known addresses and the amounts owed to them by the Department of Housing and Urban Development clearly fall within the category of files similar to personnel and medical records. Aronson v. U.S. Department of Housing and Urban Development, 822 F.2d 182, 185 (1st Cir. 1987).

The second tier of the test which must be satisfied for information to be protected from disclosure pursuant to § 552(b)(6) requires a determination of whether disclosure of the material at issue constitutes a "clearly unwarranted invasion of personal privacy." Heights Community Congress, 732 F.2d at 528. This determination requires a balancing of the public's right to disclosure against the individual's right to privacy. Department of the Air Force v. Rose, 425 U.S. 352, 372 (1976). In performing this balancing test, the clear majority of circuits have employed a two-prong approach: (1) identification of the privacy interest at stake; and (2) specification of the public interest in disclosure. Heights Community Congress, 732 F.2d at 529; See, Madeira Nursing Center, Inc. v. N.L.R.B., 615 F.2d 728, 730 (6th Cir. 1980).

With respect to the first prong of the approach, the exact scope of the privacy interest protected under § 552(b)(6) is not clearly delineated in the statue, legislative history or case law. Ripskis v. Department of Housing and Urban Development, 746 F.2d 1, 3 (D.C. Cir. 1984). Nonetheless, the exemption is generally thought to protect intimate personal details the disclosure of which would be likely to subject a person to embarrassment, harassment, physical damage, disgrace, or loss of employment or friends. Id. at 3; Kilroy v. NLRB, 633 F. Supp. 136, 143 (S.D. Ohio 1985), aff'd without opinion 823 F.2d 553 (6th Cir. 1987).

Several courts have suggested that there are privacy interests in certain financial information the disclosure of which may be personally embarrassing and highly intrusive. Fraternal Order of Police, Lodge No. 5 v. City of Philadelphia, 812 F.2d 105, 115 (3rd Cir. 1987); See, Barry v. City of New York, 712 F.2d 1554, 1559 (2d Cir. 1983), cert. denied 464 U.S. 1017 (1983); Plank v. Gonzalez, 575 F.2d 1119, 1132-33 (5th Cir. 1978), cert. denied; E.A. Gregory v. FDIC, 470 F. Supp. 1329, 1335 (D.D.C. 1979) ("the release of personal information such as the size of one's loan, his assets, or the collateral put up for a loan would constitute a clearly unwarranted invasion of an individual's privacy"); Aronson, 822 F.2d at 186 ("When it becomes a matter of public knowledge that someone is owed a substantial sum of money, that individual may become a target for those who would like to secure a share of that sum by means scrupulous or otherwise" . . . thus private interests could be harmed by disclosure.); but see, O'Brien v. DiGrazia, 544 F.2d 543, 545-56 (1st Cir. 1976), cert. denied, 431 U.S. 914 ("Privacy in the sense of freedom to withhold personal financial information from the government or the public has little constitutional protection."). According to one court, the disclosure of even favorable information may well embarrass an individual or incite jealousy, thus threatening privacy interests. Ripskis v. Department of Housing and Urban Development, 746 F.2d 1, 3 (D.C. Cir. 1984). Similarly, in the instant case, the financial information requested in the interrogatories is highly personal in nature and public disclosure could very well subject the respondents to embarrassment or harassment.

Moreover, an additional factor which has been considered by courts in assessing the privacy interest is whether the information was given to the agency with the expectation of confidentiality. Columbia Packing Company, Inc. v. United States Department of Agriculture, 417 F. Supp. 651, 654 (D. Mass. 1976) aff'd 563 F.2d 495 (1st Cir. 1977); see, Roles v. Environmental Protection Agency, 484 F.2d 843, 846 (4th Cir. 1973).

With respect to the second prong of the two-prong approach, the measure of the possible public interest in disclosure of this financial information has traditionally been "the public benefit gained from making information freely available". Board of Trade v. Commodity Futures Trading Commission, 627 F.2d 392, 398 (D.C. Cir. 1980). In the general situation, the public benefits from the availability of information pertaining to violators and their alleged violations of the Federal Election Campaign Act ("FECA"). However, in our situation, the respondents have made personal contributions to an election campaign and this is not a violation of the FECA. To the extent that financial transactions have to be detailed in

order to disclose the chain of events which caused this MUR to commence, that information is already available and has been disclosed to the Commission with the understanding that it may become public. The disclosure of their personal financial matters offers no benefit to society.

Given this, once both the privacy interest at stake and the public interest in disclosure have been ascertained, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: harm to personal privacy or the benefit to the public. Rose, 425 U.S. at 372; Ripskis, 746 F.2d at 3. The threat to privacy need not be obvious; it need only outweigh the public interest. See, Public Citizen Health Research Group v. Department of Labor, 591 F.2d 808, 809 (D.C. Cir. 1978). The "clearly unwarranted" language of § 552(b)(6) indicates, however, that there is a presumption in favor of public disclosure. Nonetheless, courts have vigorously protected the personal, intimate details of an individual's life, including financial information, the release of which is likely to cause distress or embarrassment. Rural Housing Alliance, 498 F.2d at 77; Aronson, 822 F.2d at 187; Florida Medical Ass'n v. Dept. of Health, Education and Welfare, 479 F. Supp. 1291, 1305 (M.D. Fl. 1979).

In light of these precedents and the other factors discussed above, the balance in our situation weighs very clearly against disclosure. Despite the public interest which might be achieved by disclosing information gathered pursuant to a FEC Matter Under Review, disclosure of the Dickes' personal financial matters constitutes a "clearly unwarranted invasion of personal privacy," since in advancing the public interest involved there can be no justifiable reason for exposing such intimate details to public view. See, Florida Medical Ass'n, 479 F. Supp. at 1305.

B. 5 U.S.C. § 552(b)(7)(C).

Section 552(b)(7)(C) provides protection for personal information in law enforcement records. It closely parallels § 552(b)(6), as it requires an identification and balancing of the relevant privacy and public interest to determine whether the disclosure of an item of law enforcement information "could reasonably be expected to constitute an unwarranted invasion of personal privacy." See, Kilroy v. NLRB, 633 F. Supp. at 143. By contrast with § 552(b)(6), however, the language of § 552(b)(7)(C) establishes a lesser burden of proof which must be satisfied to justify withholding.

First, the omission of the word "clearly" from the language of § 552(b)(7)(C) lessens the burden of the government

agency and stems from a recognition of the fact that law enforcement records are inherently more invasive of privacy than "personnel and medical files and similar files". See, Congressional News Syndicate v. Department of Justice, 438 F. Supp. 538, 541 (D.D.C. 1977); see also, Iglesias v. CIA, 525 F. Supp. 547, 562 (D.D.C. 1981). Second, the recent Freedom of Information Reform Act further broadened the protection afforded by § 552(b)(7)(C), by lowering the risk of harm standard from "would" to "could reasonably be expected to." See, Attorney General's Memorandum on the 1986 Amendments to the Freedom of Information Act 9-12, (Dec. 1987).

Again, the two-prong test to determine whether disclosure of the financial information requested in the discovery materials would be an unwarranted invasion of personal privacy first requires a determination of whether public access to the financial information of the respondents constitutes an invasion of privacy. Then, the privacy interest must be balanced against the public interest, if any, that would be served by disclosure. Although many courts discuss the public interest factor in the context of § 552(b)(7)(C) with language implying that it exclusively and invariably favors disclosure, several courts have implicitly recognized a public interest favoring the non-disclosure of personal privacy information. See, e.g., Lesar v. Department of Justice, 636 F.2d 472, 486 (D.C. Cir. 1980); Miller v. Bell, 661 F.2d 623, 631 (7th Cir. 1981); Church of Scientology v. Department of State, 493 F. Supp. 418, 421 (D.D.C. 1980); Flower v. FBI, 448 F. Supp. 567, 571-72 (W.D. Tex. 1978), Fund for Constitutional Gov't v. National Archives and Records Serv., 656 F.2d 856, 865 n. 22 (D.C. Cir. 1981) (recognizing that the public interest properly factors into both sides of the balance).

Since the financial material at issue in this situation would meet the rigorous requirements of a § 552(b)(6) balancing test, the material would necessarily be exempted from disclosure under § 552(b)(7)(C), which is a significantly broader exemption.

C. Interplay between § 552(b)(6) and the Privacy Act (5 U.S.C. § 552a).

Once the balancing test has been done under § 552(b)(6) or § 552(b)(7)(C) and the balance has been found to favor exemption from disclosure, the information at issue becomes protected from disclosure by the Privacy Act. 5 U.S.C. § 552a(b)(2); see, Florida Medical Association v. Department of Health, Education and Welfare, 479 F. Supp. 1291, 1305 (M.D. Fl. 1979). The Privacy Act expressly defers to the mandatory disclosure provisions of the FOIA. See, 5 U.S.C. § 552a(b)(2). Thus, information which is not exempt from disclosure under

§ 552(b)(6) or § 552(b)(7)(C) would receive no Privacy Act protection, whereas information entitled to the benefit of these exemptions cannot be disclosed without the prior written consent of the individual to whom the record pertains. 5 U.S.C. § 552a(b); see, Florida Medical Ass'n, 479 F. Supp. at 1305-06. In fact, not only do the § 552(b) exemptions relieve the information from obligatory disclosure, the Privacy Act forbids its disclosure without the affected individual's "prior written consent." Id. at 1306.

Conclusion

The information sought to be protected here is clearly subject to protection under the FOIA. It is entirely appropriate for the parties to agree to this and to proceed accordingly. The information is of the sort which numerous courts have determined to be protected under the very stringent standards of 5 U.S.C. §552(b)(6), as it has been culled from personnel records, and would, if disclosed, constitute an unwarranted invasion of privacy. The information is not necessary for the public to learn what transpired in this MUR; and, as there is no violation of the Act, it would be entirely unfair to the individuals for their personal finances to be aired solely because of a misunderstanding.

To this end, Respondent requests that the Commission modify its position in respect of the subject information, whereupon Respondent shall withdraw its objections.

Respectfully submitted,



Gordon M. Strauss
THOMPSON,HINE & FLORY
2900 DuBois Tower
Cincinnati, OH 45202
(513) 352-6635

Counsel For Respondent

Of Counsel:

John E. Tate, Esquire
Stacey L. Murphy, Esquire
THOMPSON,HINE & FLORY
2900 DuBois Tower
Cincinnati, OH 45202
(513) 352-6600

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JAMES F. DICKE
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Jim E. Carey
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Cindy Carter
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HAIG
LEADERSHIP FOR AMERICA

April 24, 1987

Mr. James F. Dicke
415 East South Street
NEw Brenen, Ohio 45869

Dear Jim:

It was great to talk to you last week and to learn of your interest in our campaign. Bebe has been a great friend to the campaign.

Enclosed is a contributions guideline as prepared by our legal counsel and a donor card which outlines the type of information required under Federal election laws.

I just want you to know how very much the General personally appreciates your interest and support.

Sincerely,

Pat Roberts
Campaign Manager

P.S. Please call if I can answer any questions....
I look forward to seeing you again soon.

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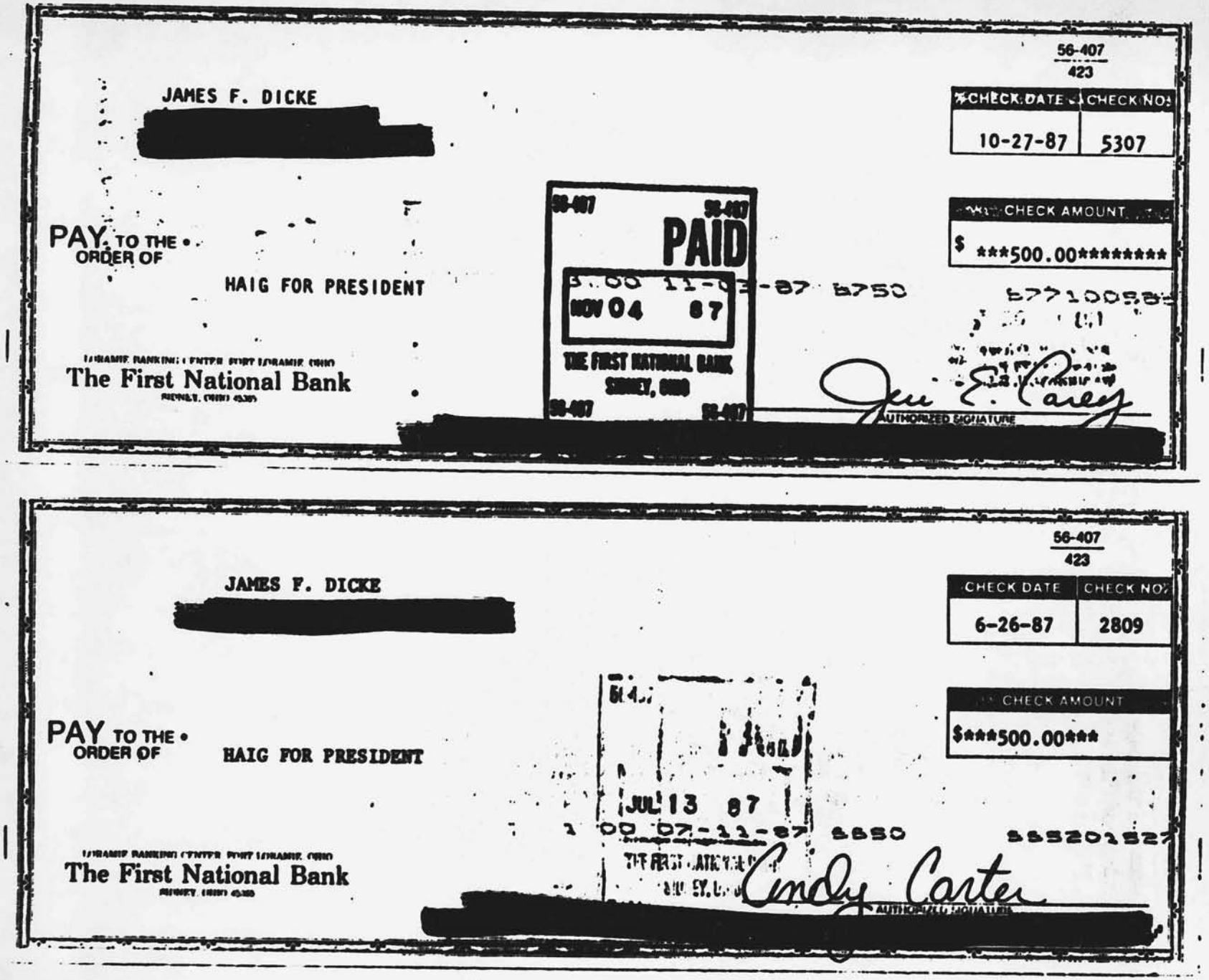
Alexander M. Haig, Jr.

- Over four decades of distinguished public service to the Nation as statesman and leader
- The 59th Secretary of State
- White House Chief of Staff for two Presidents
- Supreme Allied Commander of NATO
- Service to seven Presidents
- Coordinator of President's initial trip to the Peoples Republic of China
- Participant in five U.S.-Soviet summit conferences
- Organizer of first Western Alliance Economic Summit
- Student of Notre Dame; graduate of the United States Military Academy; graduate studies at Columbia University; M.A. (International Relations) from Georgetown University
- President and Chief Operating Officer, United Technologies Corporation
- Currently, founder and President, Worldwide Associates, providing consulting services on domestic and international political, economic, and security issues
- Husband (Patricia Fox Haig, wife of 37 years); father (sons Alex and Brian; daughter Barbara); grandfather (Alex and Wendy's four sons: Alex, Christopher, and twins William and Peter)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988



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JAMES F. DICKE
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SIDNEY, OHIO 45365

Cindy Carter
AUTHORIZED SIGNATURE
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9 5 0 4 3 6 5 0 8 1 0

Name James F. Dicke

Address 415 E. South St.

New Bremen, Ohio 45869

Telephone Number [redacted]

Occupation Chairman - Crown Controls Corporation

Name of Employer (if any)

HAIG FOR PRESIDENT

1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

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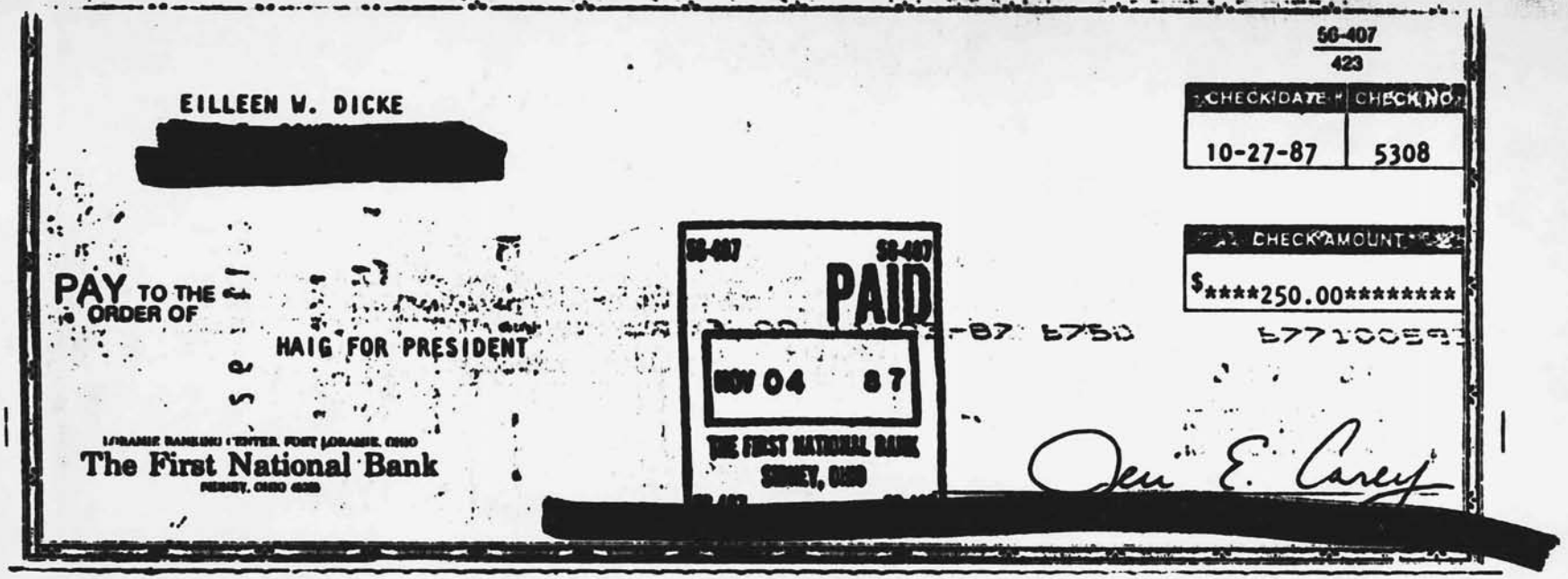

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EILLEEN W. DICKE
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SIDNEY, OHIO 45365

Jen E. Carey
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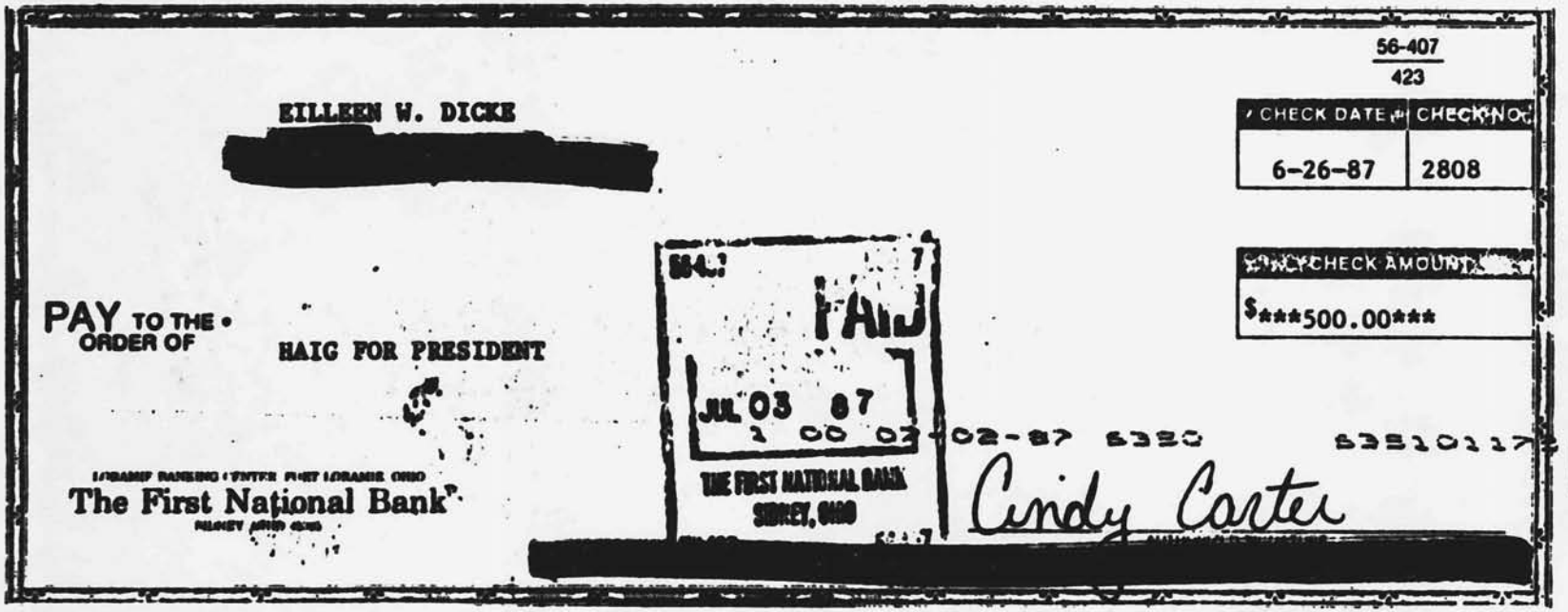

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EILLEEN W. DICKE
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The First National Bank
SIDNEY, OHIO 45365

THE FIRST NATIONAL BANK
SIDNEY, OHIO

Cindy Carter
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JAMES F. DICKE
EILLEEN DICKE
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Two hundred and fifty dollars & 00/100 DOLLARS

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The First National Bank
SIDNEY, OHIO 45365 BANK
SIDNEY, OHIO

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MEMO [redacted]

Eilleen Dicke

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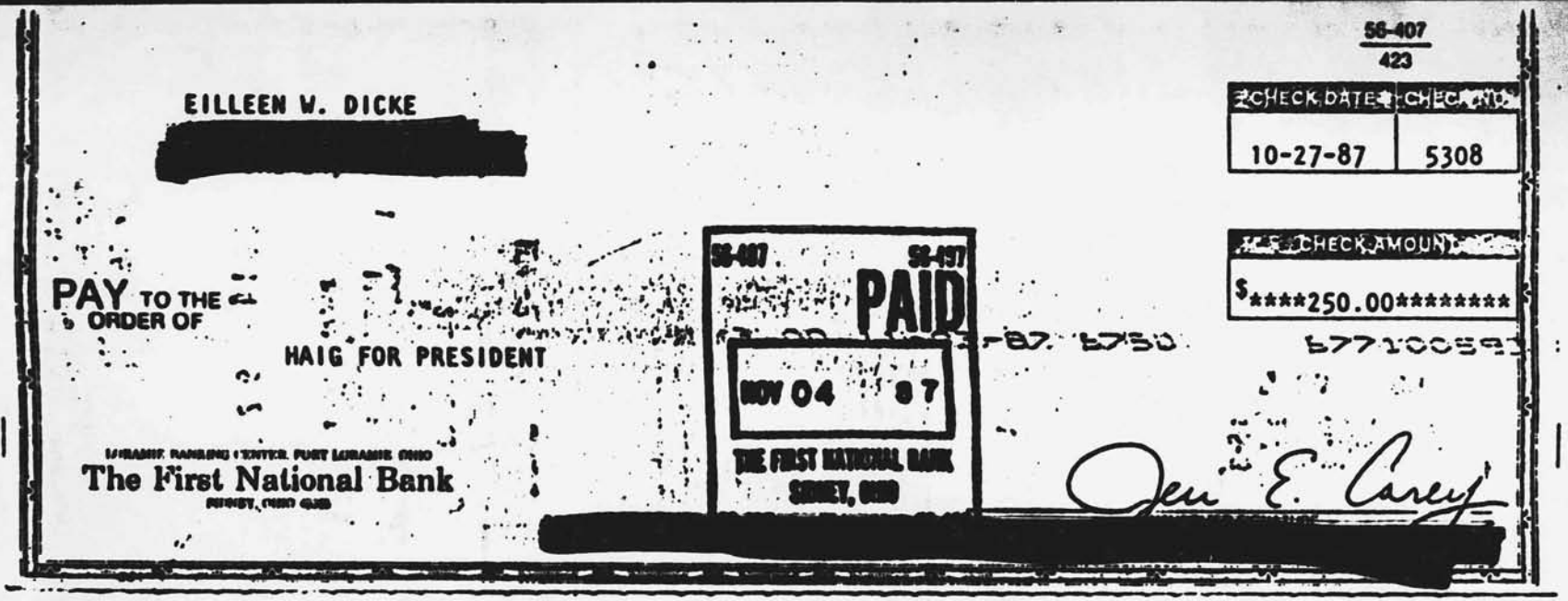


56-407
423

EILLEEN W. DICKE
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5308

CHECK AMOUNT
$****250.00********

PAY TO THE ORDER OF HAIG FOR PRESIDENT

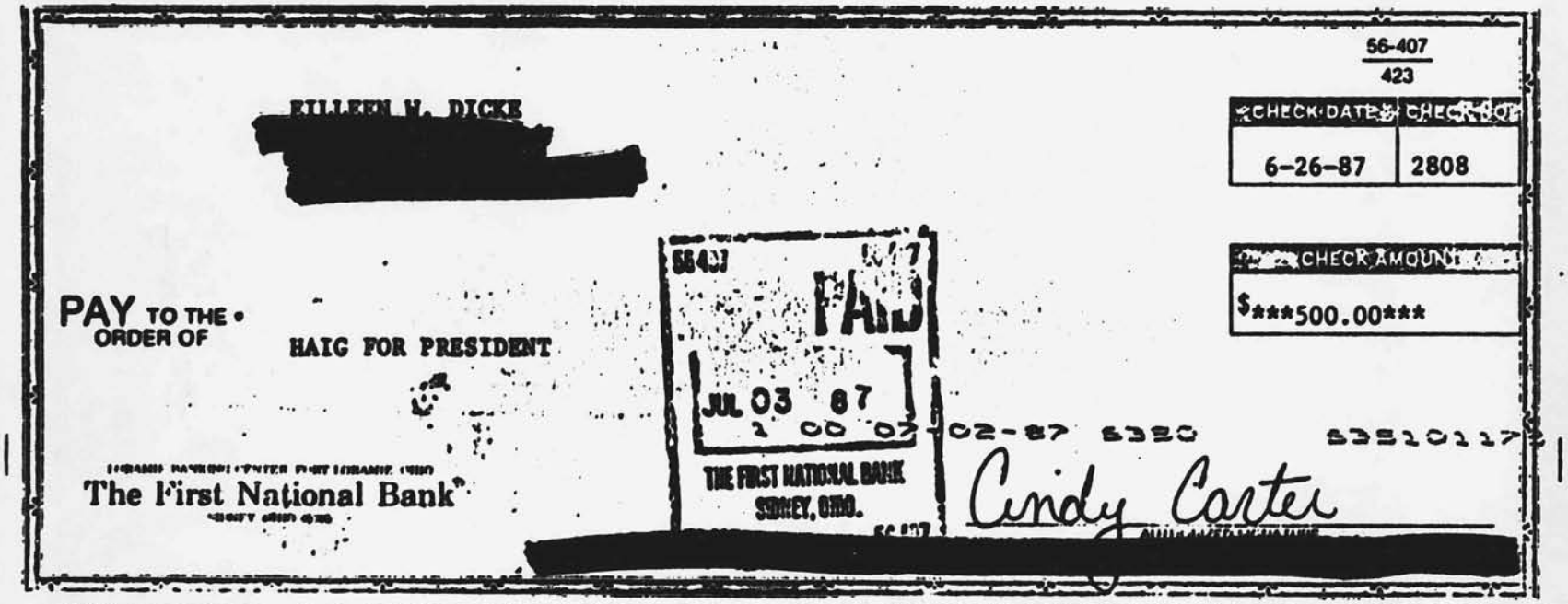
56-407 56-157
PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

-87 6750 677100591

The First National Bank

Jen E. Carey

[redacted]



56-407
423

EILLEEN W. DICKE
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2808

CHECK AMOUNT
$***500.00***

PAY TO THE ORDER OF HAIG FOR PRESIDENT

56-407 56-157
PAID
JUL 03 87
1 00 02
THE FIRST NATIONAL BANK
SIDNEY, OHIO.

02-87 6320 633210117

The First National Bank

Cindy Carter

[redacted]

9504350814

JAMES F. DICKE
EILLEEN DICKE
[redacted]

8594

Sept 7 1987 56-407 423

PAY TO THE ORDER OF Cong for President $ 250 00/100

Two hundred fifty dollars & 00/100 DOLLARS

SEP 17 87

The First National Bank
SIDNEY, OHIO 45365 BANK
SIDNEY, OHIO

87 5200 521301211

MEMO

Eilleen Dicke

SE 87 15 P

PAY EXACTLY [illegible] DOLLARS AND [illegible] CENTS
[illegible]
[illegible]
[illegible]

Name EILLEEN W. DICKE

Address 415 EAST SOUTH ST.
NEW BREMEN, OHIO 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

V-1510
6150-00.0

* ENCLOSED IS my personal contribution of: $500.

9 5 0 4 3 5 0 8 1 6

im II (3b)

56-407
423

JAMES F. DICKE 11
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5309

CHECK AMOUNT
$****500.00*******

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

56 407 56 407
PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO

-87 6750 67710

The First National Bank

Jim E. Carey

[redacted]

56-407
423

JAMES F. DICKE, II
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2810

CHECK AMOUNT
$***250.00***

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

JUL 03 87
1 00 07-02-87 6350 63510117

The First National Bank

Cindy Carter

[redacted]

9 5 0 4 3 6 5 0 8 1 7

56-407
423

JAMES F. DICKE 11
[redacted]

CHECK DATE	CHECK NO.
10-27-87	5309

CHECK AMOUNT
$****500.00*******

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

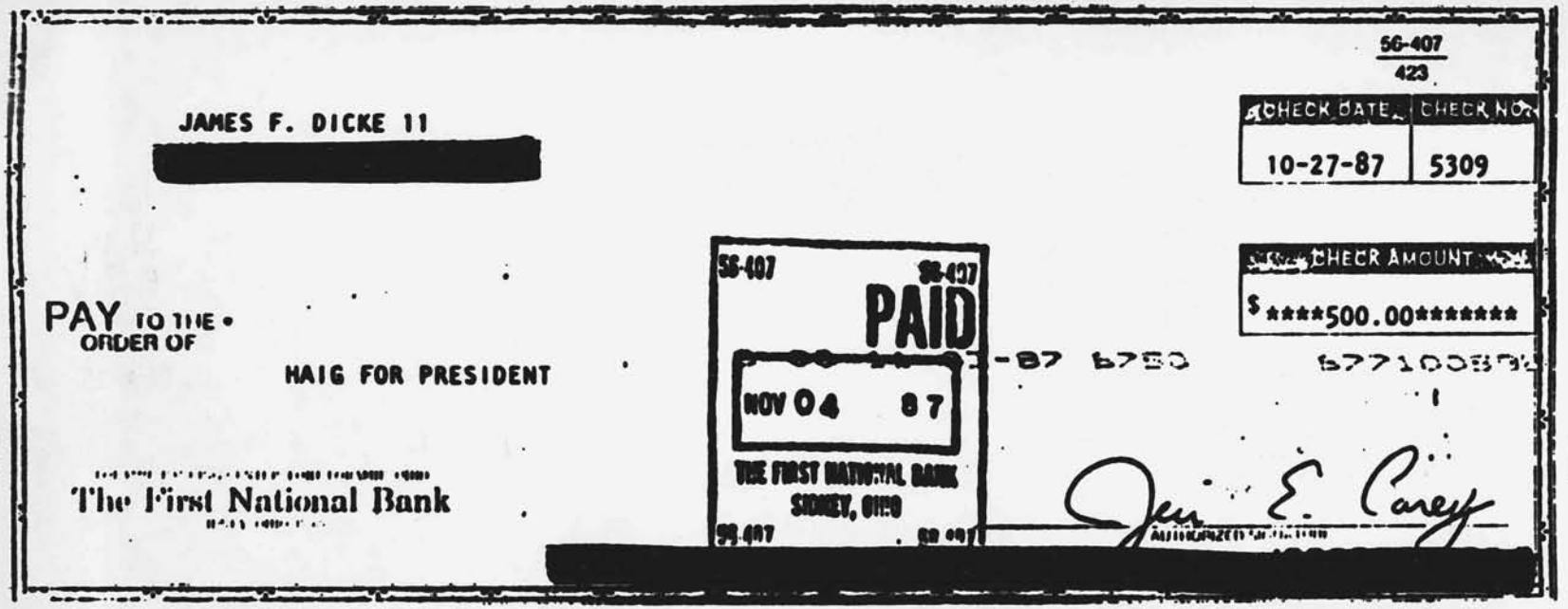
56-407 56-407
PAID
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO
56-407 56-407

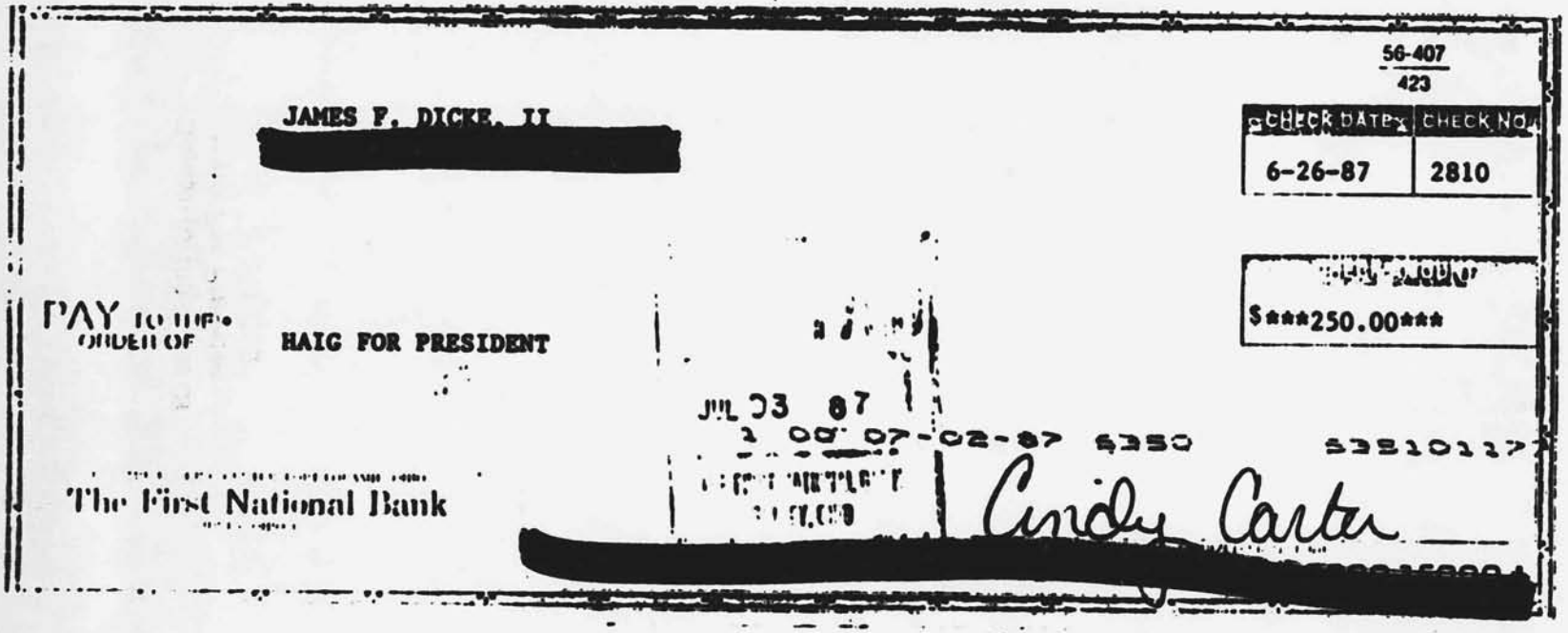
-87 6750 677100

The First National Bank

Jim E. Carey
AUTHORIZED SIGNATURE

[redacted]





56-407
423

JAMES F. DICKE, II
[redacted]

CHECK DATE	CHECK NO.
6-26-87	2810

CHECK AMOUNT
$***250.00***

PAY TO THE ORDER OF
HAIG FOR PRESIDENT

JUL 03 87
1 00 07-02-87 6350 53510117

The First National Bank

Cindy Carter

[redacted]

9 5 0 4 3 6 5 0 8 1 8

Name James F. Dicke, II

Address 422 Easthaven Dr.
New Bremen Ohio 45869

Telephone Number [redacted]

Occupation President - Crown Controls Corporation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

* Enclosed is my personal contribution of: $250

9 5 0 4 3 5 5 0 8 1 9

Item 3(b)

KERRY DICKE

[redacted]

56-407
423

CHECK DATE	CHECK NO.
6-26-87	2806

PAY TO THE ORDER OF

HAIG FOR PRESIDENT
1154 15th STREET, N.W.
WASHINGTON, D.C. 20005

CHECK AMOUNT
$***250.00***

JUL 13 87

1 00 07 11-87 5650 66520152

TORAMIE BANKING CENTER FORT TORAMIE OHIO
The First National Bank
SIDNEY OHIO

Cindy Carter
AUTHORIZED SIGNATURE

[redacted]

KERRY S. DICKE

[redacted]

56-407
423

CHECK DATE	CHECK NO.
10-27-87	5312

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

CHECK AMOUNT
$ ****500.00*******

56-407 56-407
PAID
3 00 11-[illegible]-87 5750 57710058
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO
56-407 56-407

TORAMIE BANKING CENTER FORT TORAMIE OHIO
The First National Bank
SIDNEY OHIO

Jen E. Carey
AUTHORIZED SIGNATURE

[redacted]

9 5 0 4 3 6 5 0 8 0

KERRY DICKE

[redacted]

56-407
423

CHECK DATE	CHECK NO.
6-26-87	2806

CHECK AMOUNT
$***250.00***

PAY TO THE ORDER OF

HAIG FOR PRESIDENT
1154 15th STREET, N.W.
WASHINGTON, D.C. 20005

JUL 13 87

1 00 07 11-87 6650 66520152

TORAMIE BANKING CENTER FORT TORAMIE OHIO
The First National Bank
SIDNEY OHIO 45365

Cindy Carter
AUTHORIZED SIGNATURE

[redacted]

KERRY S. DICKE

[redacted]

56-407
423

CHECK DATE	CHECK NO.
10-27-87	5312

CHECK AMOUNT
$ ****500.00*******

PAY TO THE ORDER OF

HAIG FOR PRESIDENT

56-407 56-407
PAID
3 00 11-03-87 6750 67710058
NOV 04 87
THE FIRST NATIONAL BANK
SIDNEY, OHIO
56-407 56-407

TORAMIE BANKING CENTER FORT TORAMIE OHIO
The First National Bank
SIDNEY OHIO 45365

Jeri E. Carey

[redacted]

9 5 0 4 3 6 5 0 8 2 1

Name Kerry Dicke

Address 127 Southland Road
New Bremen Ohio 45869

Telephone Number [redacted]

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT

1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

* ENCLOSED IS MY PERSONAL CONTRIBUTION OF $250

9 5 0 4 3 5 0 8 2

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Kerry S. Dicke's Answers and Objections to Plaintiffs' First Set of Interrogatories and Request for Production of Documents to Kerry S. Dicke, was served upon Kenneth E. Kellner, Esquire, Federal Election Commission _____ on this 28th day of October, 1989, by regular U.S. mail, or by hand-delivery, or overnight delivery service.

Gordon M. Strauss
Counsel to Kerry S. Dicke

9504305083

OGC 4423

MUR 2717

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 30 AM 9:16

1. Maureen White
20 Beal St
Canton MA 02021

Employed by:
Trade Winds Systems

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 12:30

2. Employed by Trade Winds Systems 1984 - 1989
Secretary 1984 - 1989
Prepare payroll - 1986 - 1989
Billing for Account Receivable 1986 - 1989

3. I wrote one check out to Haig for President in September of 1987. It was for $250.

4. None

Albert J Norton
ALBERT J. NORTON, NOTARY PUBLIC
MY COMMISSION EXPIRES
FEBRUARY 6, 1992

Maureen A White

Oct. 27, 1987

(over)

5 I have misplaced this check. I cannot find it. I went to my bank and asked them for a copy. For three days they worked on it but coued not come up with it. I coued only give them the amount of $250. and Haig for President and date. I did not know the check #. They said they needed the micro # in order to locate it. I am sorry that I cannot produce a copy of the check. My bank is the Canton Co-operative Bank

Washington St

Canton, MA 02021

9504356508 25

OGC 443

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
95 OCT 30 AM 8:12

MUR 2717

RICHARD M CLEGG
39 CHURCH ST.
BERKLEY MASS. 02779

CURRENT EMPLOYMENT: TRADEWINDS SYSTEMS.
79 CEDAR ST.
CANTON MASS. 02021

POSITIONS & TITLES HELD: SERVICE TECHNICIAN MAY 81 ~ NOV 82
SERVICE MANAGER NOV 82 ~ JAN 88
PROJECT MANAGER JAN 88 ~ PRESENT

DUTIES AND RESPONSABILITIES: ESTIMATING, CO-ORDINATION, PROJECT MANAGING

IT'S A CONTRIBUTION WAS MADE BY MYSELF TO HAIG FOR PRESIDENT
IN THE AMOUNT OF 250.00 BY MEANS OF A CHECK IN SEPT OF 87

I HAVE NO COPIES OF RECORDS OR A CHECK

Richard M. Clegg

Dina M. Marrazzi
November 25, 1994

OGC 4420

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 OCT 30 AM 9:07

SALMON & NOSTRAND
CENTENNIAL ARCADE, SUITE 300, BELLOWS FALLS, VERMONT 05101
(802) 463-4507

THOMAS P. SALMON
GEORGE W. NOSTRAND
LAWRENCE G. SLASON

RICHARD H. COUTANT

FACSIMILE
(802) 463-9713

October 26, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 30 AM 12:31

Kenneth Kellner, Esq.
Federal Elections Commission
99 E. Street, N.W.
Washington, D. C. 20463

In the Matter of: MUR 2717 - Henry and Nora Swierczynski; Carl and Linda Johnson; Erich and Jean Tlaker; and Donald and June Chabot

Dear Mr. Kellner:

Apropos our telephone conversation today, I am enclosing herewith the following:

1. Answers to Interrogatories and Request for Production of Documents duly executed by the parties.

2. Statement of Designation of Counsel.

Please accept this letter as a request on the part of each of the parties to pursue pre-probable cause conciliation as prescribed by the applicable statute.

Mr. Tlaker's deposition is scheduled for November 21 in Burlington, and I look forward to seeing you at that time.

Very truly yours,

SALMON & NOSTRAND

Thomas P. Salmon

TPS/mb

Enclosures

P. S. As respects your inquiry as to Jeffrey Allen, my information is that he is somewhere in Florida. I have requested more specific information from my clients and will communicate any additional information on receipt.

2504305837

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, Vermont 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

Nora Swierczynski
Signature

RESPONDENT'S NAME: Nora Swierczynski

ADDRESS: Park Ridge Rd.
Springfield, Vt. 05156

HOME PHONE: [redacted]

BUSINESS PHONE:

9504365098

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

Nora Swierczynski
Park Ridge Road
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Nora Swierczynski, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Nora Swierczynski, Park Ridge Road, Springfield, Vermont, 05156. I am a housewife.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. My husband was employed at the Fellows Corporation as a Design Engineer in July of 1957; promoted to Advanced Design Engineer in June of 1960; to Chief Hobbing Engineer in January of 1980; to Manager of Hobbing Engineers in February of 1983; to Manager of Mechanical Engineering in August of 1985; to Vice President of Engineering in February of 1987; and to Manager of Mechanical Engineering in September of 1989, a position he currently holds.

b. My husband's duties and responsibilities involved

9504365039

managing the engineering department with responsibility for the design and development of gear cutting machinery measurements and peripheral equipment.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: I have very limited knowledge of this situation. All I know about it I have learned from my husband. I know at the urging of Joseph Smith, President of Fellows Corporation, that we transferred money from our savings account and made a $2,000.00 contribution to the Haig for President Committee. I also know that this check was returned to us.

I seem to recall signing some form from the Haig for President Committee some months after this, but cannot recall clearly what the content of that form was.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Documents filed by my husband.

Dated at Bellows Falls, Vermont, this 26th day of October,

9504356370

1989.

Nora Swierczynski

Nora Swierczynski

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Nora Swierczynski and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bousquet

Notary Public

9 5 0 4 3 6 5 0 8 1

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

Signature

RESPONDENT'S NAME: Henry A. Swierczynski

ADDRESS: Park Ridge Rd.
Springfield, VT.05156

HOME PHONE: [redacted]

BUSINESS PHONE: 802-886-8333 - X 405

9504350502

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

Henry Swierczynski
Park Ridge Road
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Henry Swierczynski, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Henry Swierczynski, Park Ridge Road, Springfield, Vermont, 05156. Employed by Fellows Corporation.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. I was employed at the Fellows Corporation as a Design Engineer in July of 1957; promoted to Advanced Design Engineer in June of 1960; to Chief Hobbing Engineer in January of 1980; to Manager of Hobbing Engineers in February of 1983; to Manager of Mechanical Engineering in August of 1985; to Vice President of Engineering in February of 1987; and to Manager of Mechanical Engineering in September of 1989, a position I currently hold.

b. My duties and responsibilities involved managing the engineering department with responsibility for the design and

development of gear cutting machinery measurements and peripheral equipment.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: My memory is that Joseph Smith contacted me some time around early August of 1987, and actively solicited a contribution of $1,000.00 apiece from my wife and myself to the Haig for President Committee. On August 6, 1987, after making a deposit from our savings account, I drew a check to Haig for President in the amount of $2,000.00 and delivered it to Joseph Smith. Within a day or two after that he returned the check to me saying something like there would be some different way to handle the Haig contribution. He really didn't explain what he meant. In any event I struck out the entry in my checkbook and redeposited the money.

Some months later I received some correspondence from the Haig for President Committee. I am simply not sure exactly what the correspondence involved, but it had something to do with contributions to the Haig campaign. I recall filing the signature and returning it to the Haig Committee.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

9504365038 74

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Attached. Check itself could not be located.

Dated at Bellows Falls, Vermont, this 26th day of October, 1989.

Henry Swierczynski

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Henry Swierczynski and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary K. Bousquet
Notary Public

9504350875

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

Linda Johnson
Signature

RESPONDENT'S NAME: Linda Johnson

ADDRESS: 768 Breezy Hill Rd.
Springfield, VT. 05156

HOME PHONE: [redacted]

BUSINESS PHONE: 802-886-8333

7504336503876

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

Linda Johnson
768 Breezy Hill
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Linda Johnson, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Linda Johnson, 768 Breezy Hill, Springfield, Vermont 05156. I am presently employed by Fellows Corporation.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. My husband has been employed by Fellows Corporation in various capacities since 1962. He is currently Group Vice President of Manufacturing.

I have been employed at Fellows Corporation since January of 1977, beginning as an Executive Assistant until October of 1983. I then served as a telephone operator and receptionist until March of 1987. At that time I became a Marketing Services Assistant and since March of 1987 to the present time have served as a Marketing Services Executive

2504365037

Assistant.

b. As Vice President of Group Manufacturing my husband has overall responsibility for manufacturing.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: I have very little knowledge of this situation. All I know about it I have learned from my husband. I know from my husband that at the urging of Joseph Smith, President of Fellows Corporation, that we transferred money from our savings account and made a $2,000.00 contribution to the Haig for President Committee. I also know that this check was returned to us by Mr. Smith.

I seem to recall signing some form from the Haig for President Committee some months after this, but cannot recall clearly what the content of that form was.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Documents filed by my husband.

Dated at Bellows Falls, Vermont, this 26th day October, 1989.

Linda Johnson

Linda Johnson

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Linda Johnson and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bousquet

Notary Public

9 5 0 4 3 6 5 0 3 3 9

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon, Esq.

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

Carl D Johnson Jr.
Signature

RESPONDENT'S NAME: Carl Johnson

ADDRESS: 768 Breezy Hill Rd-
Springfield, VT. 05156

HOME PHONE: [redacted]

BUSINESS PHONE: 802-886-8333

9504365038 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)

Carl Johnson
768 Breezy Hill
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Carl Johnson, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Carl Johnson, 768 Breezy Hill, Springfield, Vermont 05156. Fellows Corporation.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. I have been employed by the Fellows Corporation since July of 1962. I started as an Electrical Draftsman and Hydraulic Designer and worked in that capacity until January of 1967. From then until May of 1971 I served as a Machine Electrical Designer. From May of 1971 until June of 1972 I served as a Research and Development Electrical Engineer. From June of 1972 to June of 1975 I was appointed as Electrical Engineering Chief. Thereafter until January of 1976 I was Manager of Machine Repair and Electrical Maintenance. From January 1976 to January 1979 I was

2504365084 1

Manager of Machining. From 1979 to 1982 I was Manager of Manufacturing. From 1982 to 1987 I was Director and Vice President of Manufacturing. From June of 1987 to September 1987 I was Vice President of Cutter Products. In September, 1987 until March of 1988 I was Vice President and General Manager of J & L Metrology and Vice President Cutter Products. From March of 1988 to October of 1989 I was Vice President of Manufacturing--Fellows. On October 6, 1989, I was appointed Group Vice President of Manufacturing of the Fellows, Bryant, and J & L Plants within the Goldman Group in Springfield.

My wife, Linda, has been employed at Fellows Corporation since January of 1977, beginning as an Executive Assistant until October of 1983. She then served as a telephone operator and receptionist until March of 1987. At that time she became a Marketing Services Assistant and since March of 1987 to the present time has served as a Marketing Services Executive Assistant.

b. My present responsibilities are overall manufacturing responsibility of the three Springfield locations controlled by the Goldman interests.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: In early August of 1987, I became aware that Mr. Goldman, was very interested in the Haig for President campaign. Myself and fellow senior officers at the Company

received invitations to a campaign event at his home in Bristol, Rhode Island. I was approached by Joseph Smith, President of the Company, to make a contribution of $2,000.00 representing $1,000.00 from myself and $1,000.00 from my wife. On August 7, 1987, a deposit from my savings account was made to our checking account and a check in the amount of $2,000.00, namely check number 2082, was drawn payable to Haig for President which was delivered to Mr. Smith who within a day or so returned the check to me. The moneys were redeposited and the bookkeeping entries changed to reflect the money being restored to my account.

Many weeks after the Haig dinner I did receive some correspondence from the Haig Committee that had something to do with contributions to the campaign. I do not remember exactly what the correspondence was, but in any event both myself and my wife, as I recall, signed a form and returned it to the Haig Committee. We did not maintain records of what those forms were.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Attached.

Dated at Bellows Falls, Vermont, this 26th day October, 1989.

Carl R. Johnson Jr.
Carl Johnson

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Carl Johnson and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bousquet
Notary Public

9504350941

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

E. Tlaker
Signature

RESPONDENT'S NAME: Erich Tlaker

ADDRESS: 15 Orchard St.
Springfield, VT. 05156

HOME PHONE: [redacted]

BUSINESS PHONE:

9504365085

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)

Erich Tlaker
15 Orchard St.
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Erich Tlaker, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Erich Tlaker, 15 Orchard Street, Springfield, Vermont 05156.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. I was employed by Fellows Corporation from July 1957 until my departure in September of 1989. I started in various supervisory and management positions in Engineering and Research and Development. From 1970 to 1984 I was Manager of Research and Development. From 1984 until February of 1987 I was Director of Engineering and Research and Development and responsible for all engineering activities. From 1987 until my recent departure, I was Vice President of Technology and Development.

b. My responsibilities were overall responsibility for

9504365038276

research and development and special assignments of senior management.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

In early August of 1987 I was approached by Joseph Smith, President of Fellows Corporation, to make a contribution of $1,000.00 for myself and $1,000.00 for my wife, Jean. On August 6, 1987, I drew check number 7766 in the amount of $2,000.00 to Haig for President. The check was drawn on a joint account of myself and my wife at the First National Bank of Vermont, as reflected by the enclosed documents. The $2,000.00 had been withdrawn from our savings account number [redacted] I delivered check number 7766 to Mr. Smith. Shortly after that, and possibly even the same day, he returned the check to me, and as I recall said that the check was not required at this time. I had an impression that some payment might be required at some future date. The moneys were redeposited in my savings account by drawing check number 7769 payable to Cash in the amount of $2,050.00. Of this sum the original $2,000.00 was redeposited in my savings account on August 13, 1987.

I did attend the Haig for President dinner sponsored by Fellows Corporation Chairman, David Goldman, at his Bristol, Rhode Island, home on August 15, 1987. My wife also attended and we stayed overnight in the area. Some months after this I

9504365038447

received some correspondence from Haig for President Committee. I, frankly, can't recall exactly what that correspondence was, but it had something to do with a campaign contribution. I filled out what I believed was a signature card. I believe my wife also signed a signature card which cards were returned to the Haig Committee.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Attached.

Dated at Bellows Falls, Vermont, this 26th day of October, 1989.

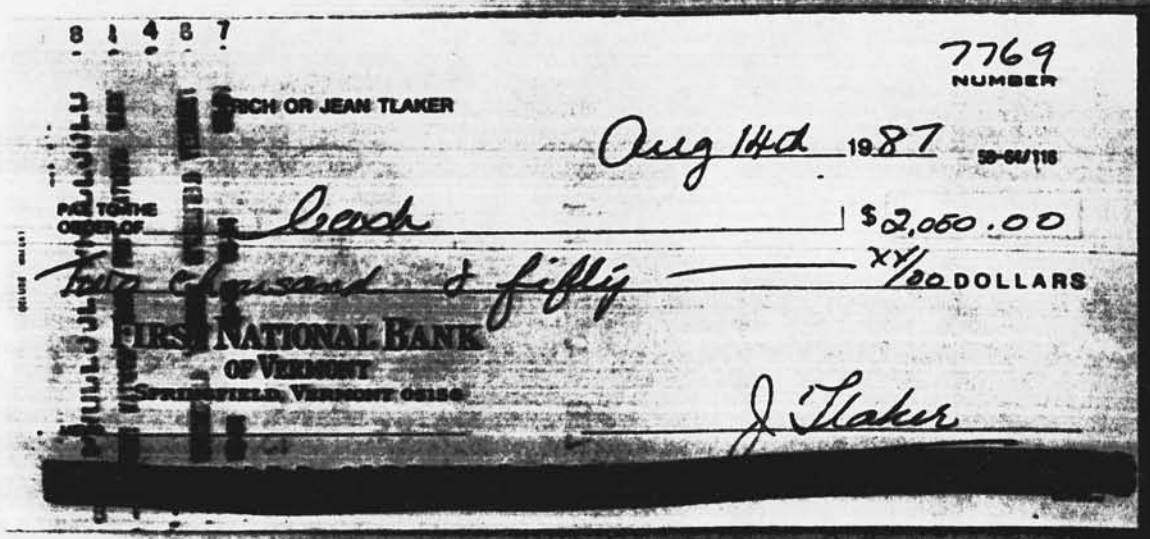
Erich Tlaker

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Erich Tlaker and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bourquet
Notary Public

9504365083



8 1 4 8 7

7769
NUMBER

RICH OR JEAN TLAKER

Aug 14th 1987

59-64/116

PAY TO THE ORDER OF Cash $2,050.00

Two thousand & fifty xx/00 DOLLARS

FIRST NATIONAL BANK
OF VERMONT
SPRINGFIELD, VERMONT 05156

J Tlaker

9 5 0 4 3 6 5 0 8 7 9

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon, Esq.

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

J. Tlaker
Signature

RESPONDENT'S NAME: Jean Tlaker

ADDRESS: 15 Orchard St.
Springfield, Vt. 05156

HOME PHONE: [redacted]

BUSINESS PHONE:

9504356503

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

Jean Tlaker
15 Orchard St.
Springfield, VT. 05156

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Jean Tlaker, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Jean Tlaker, 15 Orchard Street, Springfield, Vermont 05156. I am a housewife.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. My husband was employed by Fellows Corporation from July of 1957 until his departure from the company in September of 1989. He held various positions and responsibilities concluding with his appointment as Vice President of Technology and Development in February of 1987.

b. My husband's responsibilities were largely for research and development.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such

9504365051

contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: I know very little about this situation. What I know about it comes from my husband. I know we had been solicited to make a contribution to Al Haig for President and that we were going to do this. I know we transferred money from our savings account and made a $2,000.00 contribution to the Haig for President Committee. I know my husband took the check and shortly afterwards brought the check back home and said to cancel it. The $2,000.00 was then put back in our savings account.

I seem to recall signing some form from the Haig for President Committee some months after this, but really cannot say what was in that form.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Documents filed by my husband.

Dated at Bellows Falls, Vermont, this 26th day of October, 1989.

J. Tlaker

Jean Tlaker

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October, 1989, before me personally appeared Jean Tlaker and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bourque
Notary Public

9504365032

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

October 26, 1989
Date

June A. Chabot
Signature

RESPONDENT'S NAME: June Chabot

ADDRESS: P. O. Box 470
Quechee, VT. 05059

HOME PHONE: [redacted]

BUSINESS PHONE:

9504355034

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

June A. Chabot
P. O. Box 470
Quechee, VT 05059

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, June A. Chabot, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: June A. Chabot, P. O. Box 470, Quechee, Vermont, 05059. I am a housewife.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. My husband was employed by Fellows Corporation from June of 1983 as Director of Marketing until about April of 1987, when he was appointed Vice President of Marketing. He served in this position until his recent departure from the company.

b. My husband's responsibilities were the marketing and sales of products of Fellows Corporation.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Answer: I frankly don't know much about this situation. All I know is what I have learned from my husband. I know at the urging of Joseph Smith, President of Fellows Corporation, that check number 2703 for $2,000.00 from our joint account was drawn payable to the Haig for President Committee. I also know that this check was returned to us by Mr. Smith.

I seem to recall signing some kind of a card from the Haig for President Committee some months after this, but cannot recall clearly what the content of that card was.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Documents filed by my husband.

Dated at Bellows Falls, Vermont, this 26th day of October, 1989.

June A. Chabot

June A. Chabot

9504350356

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October 1989, before me personally appeared June A. Chabot and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Brusquet
Notary Public

95043650857

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Thomas P. Salmon

ADDRESS: Salmon & Nostrand
P. O. Box 535
Bellows Falls, VT. 05101

TELEPHONE: 802-463-4507

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.

10/26/89
Date

Donald G. Chabot
Signature

RESPONDENT'S NAME: Donald G. Chabot

ADDRESS: P. O. Box 470
Quechee, VT. 05059

HOME PHONE: [redacted]

BUSINESS PHONE:

2504365083

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

Donald Chabot
P. O. Box 470
Quechee, VT 05059

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

NOW COMES the Respondent, Donald Chabot, in the above-captioned matter and under oath avers as follows:

1. State your name, address and current employment.

Answer: Donald G. Chabot, P. O. Box 470, Quechee, Vermont, 05059. I am currently unemployed.

2. State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

a. I was employed as Director of Marketing from June of 1983 until about April of 1987, when I was appointed Vice President of Marketing. I served in this position until my departure from the company in October of 1989.

b. My responsibilities were the marketing and sales of products of Fellows Corporation.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

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a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Following an active solicitation by Joseph Smith, President of Fellows Corporation, in early August of 1987, on August 6, 1987, I drew check number 2703 from the joint account of myself and my wife, June A. Chabot, to the order of Haig for President in the amount of $2,000.00 and delivered this check to Joseph Smith intending to make a $1,000.00 contribution from myself and a $1,000.00 contribution from my wife. A copy of the front and back of this check is attached.

A day or two after delivery of the check, Mr. Smith returned the check to me and stated something to the effect that "we would not be needing this." Subsequent to this date I made no further contributions to the Haig for President Committee. At this time I believed that the requested contribution had some relationship to a dinner party being sponsored by David L. Goldman, Chairman of Fellows Corporation, at his Bristol, Rhode Island, home in honor of General Haig on Saturday, August 15, 1987 (copy of invitation attached).

After the check was returned to me I voided it and adjusted my checkbook balance to record this fact. Some months after the social event in Bristol, Rhode Island, which I attended with my wife and other officers of the Fellows Corporation and their wives, I recall receiving correspondence from the Haig for President Committee. I did not retain copies of this correspondence, but believe to the best of my recollection that the committee requested me to fill out a signature card in

9504350380

conjunction with contributions to the Haig for President Committee. I recall signing this signature card and returning it to the Haig for President Committee. I have no knowledge of either the persons or the source of funds of any moneys that may have been contributed to General Haig's campaign.

4. Identify any persons (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

Answer: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Answer: Attached.

Dated at Bellows Falls, Vermont, this 26th day of October, 1989.

Donald Chabot

Donald Chabot

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 26th day of October 1989, before me personally appeared Donald Chabot and made oath to the truth of the foregoing Answers to Interrogatories and Request for Production of Documents.

Before me: Mary M. Bonsignet

Notary Public

ALEXANDER M. HAIG, JR. has a distinguished record of public service, including positions as the 59th Secretary of State, White House Chief of Staff for two Presidents, and Supreme Allied Commander of NATO. After serving as President and Chief Operating Officer of United Technologies Corporation, Al Haig founded and now manages Worldwide Associates, a consulting firm dealing with domestic and international political, economic, and security issues. Al Haig announced his candidacy for President of the United States in March 1987.

POINT PLEASANT FARM, a magnificent 1937 English Manor-style residence overlooking Bristol Harbor, is the home of Mr. & Mrs. Goldman. The estate, which contains twelve acres of beautifully landscaped grounds in a secluded setting, is about an hour from Boston, and twenty minutes from Providence. Directions will be sent upon receipt of reservations.

Please join us for a very special evening honoring a great American.

Mr. and Mrs. David L. Goldman

request the pleasure of your company for

An Evening with Al Haig

on Saturday, the Fifteenth of August
Nineteen hundred and eighty seven
at
Point Pleasant Farm
Bristol, Rhode Island

SPEAKER: The Honorable Alexander M. Haig, Jr.

Reception : Five until Seven o'clock
Dinner : Seven fifteen o'clock

Please respond by August 7th to Mrs. Kane
(617) 338-4369 (401) 849-8886

9504355038 2

OGC 4441

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT 31 AM 10:50

MUR 2717 - Subpoena and Order
Peter S. Donadio
Page 5

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 OCT 31 PM 11:31

ANSWERS TO QUESTIONS ON PAGE 5

1. Peter S. Donadio
280 Lyman Road
Milton, Massachusetts 02186

Chartered Financial Consultant - Insurance Broker

2. A. Incorporator - Director since the inception of Olympic Bank to the present.

B. Director - Meet 3 times a month-Thursdays 8:30 to 9:30 a.m. approximately.

3. A. $1,000 Date: April 20, 1987

B. Check Enclosed (photo)

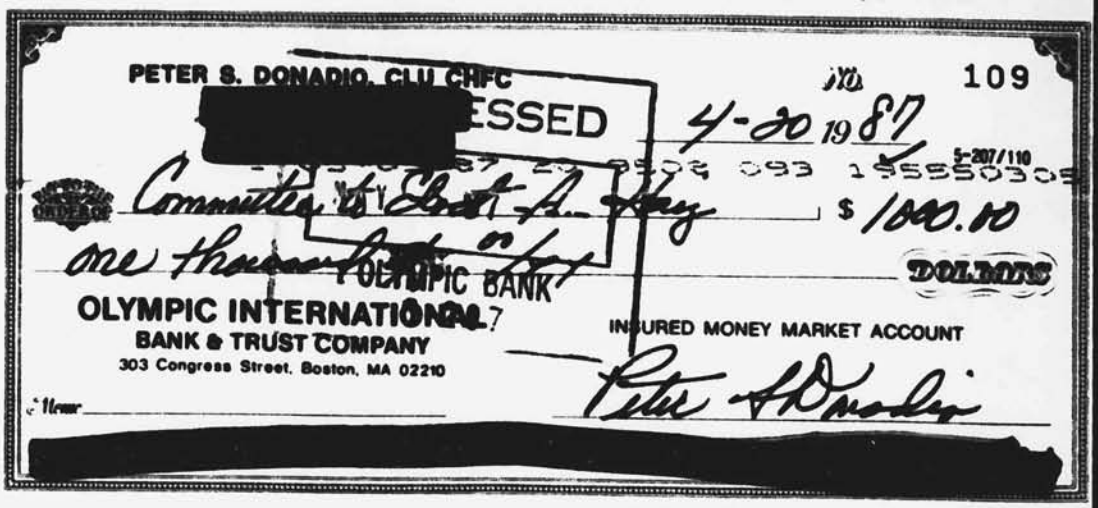
4. No one

5. Photos of Check Enclosed

Peter S. Donadio
October 27, 1989

2504365083

Subpoena + Order
MUR 2717
Peter S. Donadio
P5



PETER S. DONADIO, CLU CHFC

109

[redacted]ESSED

4-20 1987

5-207/110

Committee to Elect A. Hay

$ 1000.00

one thousand 00/100

DOLLARS

OLYMPIC BANK

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

Peter S Donadio

Memo

[redacted]

9 5 0 4 3 6 5 0 8 6 4

OGC 4479

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 NOV -6 AM 11:22

BRADLEY, BARRY & TARLOW, P. C.

101 ARCH STREET
BOSTON, MASSACHUSETTS 02110
AREA CODE 617 951-2900
FAX 617 951-2456

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -6 PM 2:33

October 31, 1989

Kenneth Kellner, Esq.
Federal Elections Commission
General Counsel Office, Rm. 657
999 E. Street N.W.
Washington, D.C. 20463

Re: MUR 2717

Dear Sir:

Pursuant to our conversation this morning, an extension of thirty days is requested so that we may have the time to find the particular check in question. My client has various business records that she must go through to produce same. Hopefully we will not take all of the time requested.

Thank you for your courtesy and cooperation.

Very truly yours,

John E. Bradley

JEB:mbg
/41

9 5 0 4 3 5 0 8 1 5

OGC 4449

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 NOV 32 AM 7:24

FROM: David Spiegel
600 Mountain Street
Sharon, Ma. 02067

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

ANSWERS TO INTERROGATORIES

1. David Spiegel
600 Mountain Street
Sharon, Ma. 02067
Employer: Automotive Galleries Inc.

2. Director
   a. Current Director
   b. Attend Board Meetings and help in building the Bank.

3. Yes, Haig for President.
   a. $1,000.00 donation made 4/21/87.
   b. Check

4. No one else.

5. Document attached. check dated 4/21/87 made out to Haig for President in the amount of $1000.00.

95043650806

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -1 PM 12:14

David Spiegel

ATTEST: 5/11/89

370

DAVID SPIEGEL

PROCESSED

4/21 1987

5-207
110

PAY TO THE ORDER OF Hairs for President $ 1000 w/w

One thousand dollars w/w DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO Donation

[illegible signature]

9 5 0 4 3 6 5 0 8 4 7

GC# 4465

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

November 3, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -3 PM 4:16

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

Re: MUR 2717 - Jeffrey W. Allen, Allison Allen

Dear Mr. Kellner:

Pursuant to our conversation this afternoon, please find enclosed designations of counsel from Jeffrey W. and Lynn A. Allen in connection with the above-referenced Matter Under Review.

As we discussed, I will be back to you shortly regarding a request for an extension of time and regarding the location of the deposition for Mr. Allen.

If you have any questions or need additional information, please contact one of the undersigned at 202/887-9030.

Very truly yours

Robert F. Bauer
Judith L. Corley
Counsel for Respondents

0345b

TELEX: 44-0277 PCSO UI • FACSIMILE (202) 223-2088
ANCHORAGE • BELLEVUE • LOS ANGELES • PORTLAND • SEATTLE

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Robert F. Bauer
Judith L. Corley

ADDRESS: Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

TELEPHONE: (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -3 PM 4:15

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.

November 3, 1989
Date

Jeffrey W. Allen
Signature

RESPONDENT'S NAME: JEFFREY W. ALLEN

ADDRESS: 604 TORTOISE WAY
SATELLITE BEACH FL 32937

HOME PHONE: 407 773-1142

BUSINESS PHONE: 407 268-0713

2504365039

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Robert F. Bauer
Judith L. Corley

ADDRESS: Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

TELEPHONE: (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -3 PM 4:16

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.

November 3, 1989
Date

Lynn A Allen
Signature

RESPONDENT'S NAME: LYNN A. ALLEN

ADDRESS: 604 TORTOISE WAY
SATELLITE BEACH FL 32937

HOME PHONE: 407 773 1142

BUSINESS PHONE: 407 268 0713

9504300508 70

OGC 4469

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

11-1-89

89 NOV -6 PM 1:14

OFFICE OF the General Counsel
Federal Election Commission
999 E Street NW
WASHINGTON DC 20463

RE: HAIG FOR PRESIDENT
issue

ENCLOSED PLEASE
FIND a COPY OF
the check in referenced
to the Above.
Also I will ATTEND
the deposition on
November 16, 1989 @
9AM in Boston.

Maureen Becker
[redacted]

MUR 2717

9 5 0 4 3 6 5 0 8 7 1

OGC 4469

MAUREEN E. BECKER 122

[redacted]

9-24 1987 53-7124 2113

PAY TO THE ORDER OF Via President $ 250.00

Two Hundred Fifty Dollars 00/100 DOLLARS

PROCESSED OCT 01 87 RANDOLPH SAVINGS BANK RANDOLPH, MASS. 02368

FOR

Maureen Becker

[redacted]

9 5 0 4 3 0 5 0 8 7 2

Deposit To The Credit Of
Haig For President
12 08 611 850

31703

SE 87 30

PAY ANY BANK

OGC 4477

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV -6 PM 2:33

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 NOV -6 AM 11:21

Responses to Interogatories - Federal Election Commission.

1.) My name is Anthony P. DiBona
My address is 22 Twilight Drive Foxboro, Mass 02035
My current employer is Commercial Air Control
19 Fortune St. So Weymouth Ma 02190.

2.) I have been employed at Trade Winds Systems

3.) My position was that of Senior Project Manager with I left from October 1986 to November 1988.

4.) My duties were to design, estimate, purchase bid, and supervise the installation of heating ventilating and air conditioning systems for commercial projects. I was responsible for the labor volumes so as to insure a profit as well as insuring that the project is installed to the plans and specifications.

5.) I did make a contribution to the Bais for Senate committee.

a. The amount was $250.00 (two hundred fifty dollars.)

b. The contribution was made by personal check drawn on my account with Easybanks the Norfolk County. I do not have a copy of the check at this time but I am attempting to get a copy which I will mail to you

4. No one else was consulted or otherwise assisted in the preparation of these answers.

5.) As mentioned, I do not have a copy of the check which I will try to get, this would represent the only instrument included in my transaction.

95043650873

THE ABOVE ANSWERS TO THE SUBPOENA AND ORDER ARE THE TRUE ACT INDEED OF Anthony P. DiBona

Anthony P. DiBona

I hereby attest that on November 1, 1989 the above Anthony P. DiBona did sign and answer the above.

Jean W. Jones

Jean W. Jones Notary Public

My commission expires June 22, 1995.

9504365037 4

DSC 4550

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 NOV 13 PM 2:20

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 14 AM 11:46

2504365038/5

November 8, 1989

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717 - Ingeborg E. Saraceno

Dear Mr. MC Donald:

In response to your letter of October 3, 1989, I submit the following answers to the interrogatories:

1. Ingeborg E. Saraceno, 15 Surrey Road, Newton, MA 02159. At home.

2. My husband, Dominic J. Saraceno, has been a Director of Olympic Bank since its inception in 1985.

3. Yes, I made a contribution to Alexander Haig per two checks which totalled $1,000.00. One check was made payable to Alexander Haig-Exploratory and it was dated March 28, 1987. I have been unable to locate this cancelled check #1532 written on Shawmut Community Bank, but I have enclosed a copy of my Transaction Register showing the notation to that fact. The second check dated April 27, 1987 was in the amount of $750.00, and a copy of both sides of that check is enclosed.

4. My husband, Dominic J. Saraceno.

5. I have enclosed evidence as noted above.

Sincerely,

Ingeborg E. Saraceno

Ingeborg E. Saraceno

IES/rjr
CC: Kenneth E. Kellner, Attorney

Ingeborg E. Saraceno
Ingeborg E. Saraceno

Nov. 9, 1989
Date

On November 9, 1989, the above-named Ingeborg E. Saraceno appeared before me and declared under oath that the enclosed written responses to the interrogatories posed by the Federal Election Commission are true and correct.

Carleton G. Tarpinian
Notary Public

My commission expires April 29, 1994

CARLETON G. TARPINIAN, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 29, 1994

9 5 0 4 3 6 5 0 8 7 6

RECORD OF CHECKS DRAWN	AMOUNT OF CHECK	AMOUNT OF DEPOSIT	DEPOSIT DETAIL	
Mar 28 to 87 1532				
TO Al Kaj Expl.				
FOR	250. –			
Cannot find cancelled check for this!				

9504356503777

NO 1556

INGEBORG E. SARACENO

April 27 19 87

53-341/113

PAY TO THE ORDER OF Haig for President $ 750.-

Seven hundred and fifty and DOLLARS no CENTS

Shawmut
Community Bank, N.A.
Framingham, Massachusetts 01701

MEMO

Ingeborg E. Saraceno

[redacted]

95043650878

DGC 4549

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 NOV 13 PM 5:20

BRADLEY, BARRY & TARLOW, P. C.

101 ARCH STREET
BOSTON, MASSACHUSETTS 02110
AREA CODE 617 951-2900
FAX 617 951-2456

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 14 AM 11:46

November 8, 1989

Certified Mail
Return Receipt Requested

Daniel L. MacDonald
Chairman
Federal Elections Commission
Washington, D.C. 20463

Attn: Mr. Kenneth Kellner, Esq.

Re: MUR 2717 - Nora F. Moran

Dear Sir:

Enclosed herewith please find the Answers to Interrogatories of Nora F. Moran in the above-entitled matter.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

John E. Bradley

JEB:mbg
Enclosure

/052

9504365083

FEDERAL ELECTIONS COMMISSION
ANSWERS TO INTEROGATORIES

MUR 2717

1. Nora Moran
   147 Grampian Way, Dorchester, Massachusetts 02125
   Self-employed: The Moran Company,
   Realtors
   129 Newbury St.
   Boston, MA 02116

2. I have never been employed by the Olympic International Bank and Trust Company, but my husband is a member of the Board of Directors and has performed legal services on behalf of the Bank.

3. Yes

A. April 28, 1987 in the sum of $1,000.00
B. Was made by check, a copy of which is attached hereto and made a part hereof.

4. None

5. The question is ambiguous but I have answered question 3 as to my contribution.

Signed under the pains and penalties of perjury, this 7th day of November, 1989.

Nora Moran

By: Nora Moran

9 5 0 4 3 6 5 0 3 8 0

9 5 0 4 3 6 5 0 8 1

EXHIBIT A

THE MORAN COMPANY, REALTORS ← NORA F. MORAN d/b/a

349

[redacted] This is not a corporation

4-28 1987

5-207/110

PAY TO THE ORDER OF Haig for President $ 1,000.00

one thousand and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

FOR

Nora F. Moran

[redacted]

THE DEPOSITION TRANSCRIPTS OF MAUREEN BECKER-TAYLOR, NANCY STOCKUS, DENNIS MICHAEL COOKE, ERIC TLAKER, JOANN O'BRIEN, JUDITH S. CURTIN, MATHEW L. CURTIN, JOSEPH G. MALONEY, JEFFREY W. ALLEN, RABBI MILTON BALKANY AND DONALD A. COOKE CAN BE FOUND AT THE END OF THIS CASE FILE.

9504365030 2

06C4633

GAFFNEY, PEASE & DIFABIO
ATTORNEYS AT LAW

ONE LIBERTY SQUARE
NEW BRITAIN, CONNECTICUT 06051
TELEPHONE (203) 229-0301
FACSIMILE (203) 826-1997

GENERAL PRACTICE GROUP
J. BRIAN GAFFNEY
ANTHONY F. DIFABIO
MICHAEL K. PATENAUDE
JAY F. MALCYNSKY
E. TIMOTHY SULLIVAN JR.
LAWRENCE J. HALLORAN

52 CHAMBERLAIN HIGHWAY
KENSINGTON, CONNECTICUT 06037
TELEPHONE (203) 828-4879
FACSIMILE (203) 828-9432

TAXATION AND ESTATE PLANNING GROUP
ALLEN H. PEASE
ROBERT F. SCHULZ
FREDERICK M. SHORTZ

REPLY TO: NEW BRITAIN

RECEIVED
FEDERAL ELECTION COMMISSION
89 NOV 22 PM 12:40

November 10, 1989

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20436

RE: MUR 2717

To the Commission:

This office represents the Haig for President Committee ("HFP" or "the Committee") and its treasurer, Dominic Saraceno in the above referenced matter. Enclosed find Mr. Saraceno's response, under oath, to the Commission subpoena dated September 29, 1989.

In response to the Commission's reason to believe finding, the Committee wishes the Commission to consider the following:

The Committee asserts that the conclusions used as the basis for reason to believe finding are wholly circumstantial and without basis in fact. Particularly with regard to the allegations regarding contributions from individuals associated with the Olympic Bank (Item "B", Factual and Legal Analysis) and the Haig for President Committee (Item "F"),

the General Counsel uses one circumstantial conclusion to bolster yet another, without a single factual allegation of an actual violation to support either.

The Committee is aware that the Commission has launched a broad investigation into these matters. HFP remains confident that the General Counsel's various questions and suspicions, particularly the web of circumstance employed to conclude that HFP knew of corporate contributions or gifts in the name of another, will remain unsubstantiated after its inquiry.

The Committee is aware of no responsibility on its part to question or investigate contributions from family members, contributions with identical dates or even sequential check numbers - if the necessary donor identification information is provided and all other standard procedures were employed to verify the source and amount of the contribution as permissible. HFP fund raising was conducted primarily through a network of finance committee members using personal appeals. Therefore, a groups of checks from a number of family members or small business employees would not normally arouse suspicion on the part of the Committee. On the contrary, such checks only confirmed to the Committee that its fund raising strategy had been successful.

Please note that in response to the order to produce documents, the Committee has made every effort to identify relevant documents already provided to the Commission in the course of regular compliance or in the audit procedure. The failure to reproduce these documents again should not be interpreted by the Commission as unresponsive or an unwillingness to comply. However, the time and expense of reproducing all the documents requested (which are already a matter of public record and often referenced in the General Counsel's Analysis) are beyond both the staff and financial means of the Committee at this time. To the very limited extent a search of the Committee's files did yield additional documentation or information requested, this has been produced in response to the subpoena.

Taking these matters into consideration, as well as the enclosed response from the HFP treasurer, the Committee urges the Commission to take no further action on these matters as against the Committee or its treasurer.

Very truly yours,

Lawrence D. Halloran
Attorney for the Haig for
President Committee

MUR2717.HFP
Enclosure

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OGC 4579

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 NOV 14 AM 10:03

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

) MUR 2717

RESPONSE OF THE HAIG FOR PRESIDENT COMMITTEE TO THE SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS

The undersigned, Dominic Saraceno, in his capacity as treasurer of the Haig for President Committee, does hereby respond to the Subpoena to Produce Documents and Order to Submit Written Answers from the Federal Election Commission, dated September 29, 1989, as follows:

RECEIVED
FEDERAL ELECTION COMMISSION
89 NOV 14 PM 12:29

1. The Olympic International Bank and Trust agreed, pursuant to the terms of a written agreement, to establish a line of credit up to $375,000.00 against which the Committee could borrow. A copy of the loan agreement was provided to the Commission audit staff. This is the only service Olympic Bank provided to the Committee.

2. In the course of the campaign, the Committee had a variety of people and procedures in place with regard to the processing of contribution receipts. In each of these phases, staff was directed to take the following steps:

a. Checks or lock box (BRE) receipts opened and delivered to finance staff.
b. Each receipt checked for proper backup and for confirmation of individual donor. Checks copied.
c. Return corporate checks. Deposit receipts.
d. Send request letter(s) for backup if necessary.
e. Check computer for aggregate contributions per donor.
f. Input into computer by batch #.
g. File in batch envelope, enclosing copies of checks, backup, deposit slips.
h. Generate thank you letters to donors.

Individuals involved in this process are identified below, with an indication of the approximate dates during which each participated in the contribution processing or matching fund submission effort:

Donna Lee
10421 Blue Spruce Rd.
Oklahoma City OK 73132
May 87 - December 87

Wanda Reitdorf
8604 Sandhurst Drive
Knoxville TN 37923
August 87 - September 87

Russ McReynolds
2123 Saddlebrook Blvd.
Norman, OK 73072
May 87 - September 87

Kathy McKenzie
2216 Nobehar Drive
Vienna VA 22181
December 87 - Present

Russell Primavera
1200 S. Washington St.
#804 E
Alexandria, VA
August 87 - April 88

Leslie Milstein
1600 S. Eads #12375
Arlington VA 22202
May 87 - November 88

James Giganti
1021 Cooperstone Court
Rockville, MD 20852
December 87 - February 88

3. An organizational chart and staff list are provided as Exhibits A and B to this response.

4. Provided as Exhibits C and D are two lists of fund raising events. The first is reproduced from the Committee's December 28, 1987 submission to the Commission in connection with its threshold matching submission. The second is a list derived from an analysis of schedule records, receipts records and personal recollection on the part of the treasurer and others. Where possible, an approximation of the total funds raised has been provided. However, it was not the Committee's practice to calculate or record per-event totals since event receipts were immediately merged into the receipts processing stream with all other fund sources.

5. Copies of memoranda to staff regarding contribution processing and fund raising are attached as Exhibit E.

6. References to public record submissions containing the documents requested are provided as Exhibit F. A search of the Committee's records and files produced no additional documentation with regard to the matters discussed in the Factual and Legal Analysis.

However, it further response to the issues raised in the Factual and Legal Analysis, the affiant offers the following

observations and recollections with regard to item:

A. Fellows Corporation - If anything improper took place in connection with these contributions, I am sure it was inadvertent. Mr. Goldman is a friend of mine and I recall his seeking advice on this question after the contributions had been received. I instructed the campaign staff (I do not recall to whom I had this conversation) that if the contributions did not meet the requirements, they should be returned.

B. Contributions from Individuals Associated with Olympic Bank - It is worth noting that most of these contributions were made before I took over from Mr. Steve Jernigan as HFP treasurer. However, many of those associated with the bank are friends and associates of mine. Therefore, it is only logical that my fund raising efforts on behalf of the Committee would have reached these individuals. At no time did bank officials, either directly or indirectly, use bank funds to make contributions. Finally, it is noted that the Olympic Bank has seventeen directors, only a few of whom made personal contributions to General Haig's campaign.

C. Tradewinds Systems - These contributions were solicited in connection with a fund raising event and rally held in Boston, September 26, 1987 (See, Exhibit C). Many of those invited to the event were employees of Tradewind Systems but to my knowledge, no corporate funds were used to make contributions and no individual was asked to make a contribution in the name of another. As noted by the Commission staff, all checks were on personal accounts and accompanied by donor identification information.

D. Crowns Controls/Dicke Consolidated - The Commission staff concedes that Crowns Controls does not appear to be a corporate entity of any kind. Nothing in the Committee's records indicates that these contributions were not from the account or accounts of individuals who use that designation for convenience.

E. Bay Ridge Federal Savings Money Orders - Committee records indicate that these contributions were solicited by Rabbi Balkany from friends and associates whose names were provided to the Committee. Any failure on the part of the Committee to obtain additional documentation was inadvertent.

F. HFP - As treasurer, I was not aware of corporate

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contributions or other improper receipts. I categorically deny that any report or submission was made to the Commission which was knowingly in violation of the Act or Commission regulations. I favored using Olympic Bank for the line of credit because I could monitor it more closely there. However, the application was treated normally and all other applicable procedures were followed with regard to this transaction.

7. In addition to counsel, the following individuals assisted in the preparation of this response:

Alexander P. Haig
c/o Worldwide Associates
1154 15th Street, N.W.
Wasington, D.C.

Kathy McKenzie
(See #2)

8. All documents, and references to documents previously submitted to the Commission, are attached hereto has exhibits.

Witness

Dominic J. Saraceno

COUNTY OF Middlesex)
) ss:
STATE OF MASSACHUSETTS)

November 10, 1989

Personally appeared Dominic J. Saraceno and made oath before me to the truth of the matters contained herein.

Carleton G. Tarpinian
Notary Public

My Commission Expires:

CARLETON G. TARPINIAN, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 29, 1994

9504365038

INDEX OF EXHIBITS

Exhibit A - Campaign Organization Chart

Exhibit B - List of Campaign Employees/Consultants

Exhibit C - List of Fundraising Events (copy of list previously submitted to the F.E.C. in a matching funds submission.

Exhibit D - List of additional fundraising events.

Exhibit E - Original documents representing guidance and instructions relating to fundraising activity.

Exhibit F - List of references to matching funds reports for documents relating to individuals cited in the factual and legal analysis.

Exhibit G - Original documents supplied in response to the request for production of documents.

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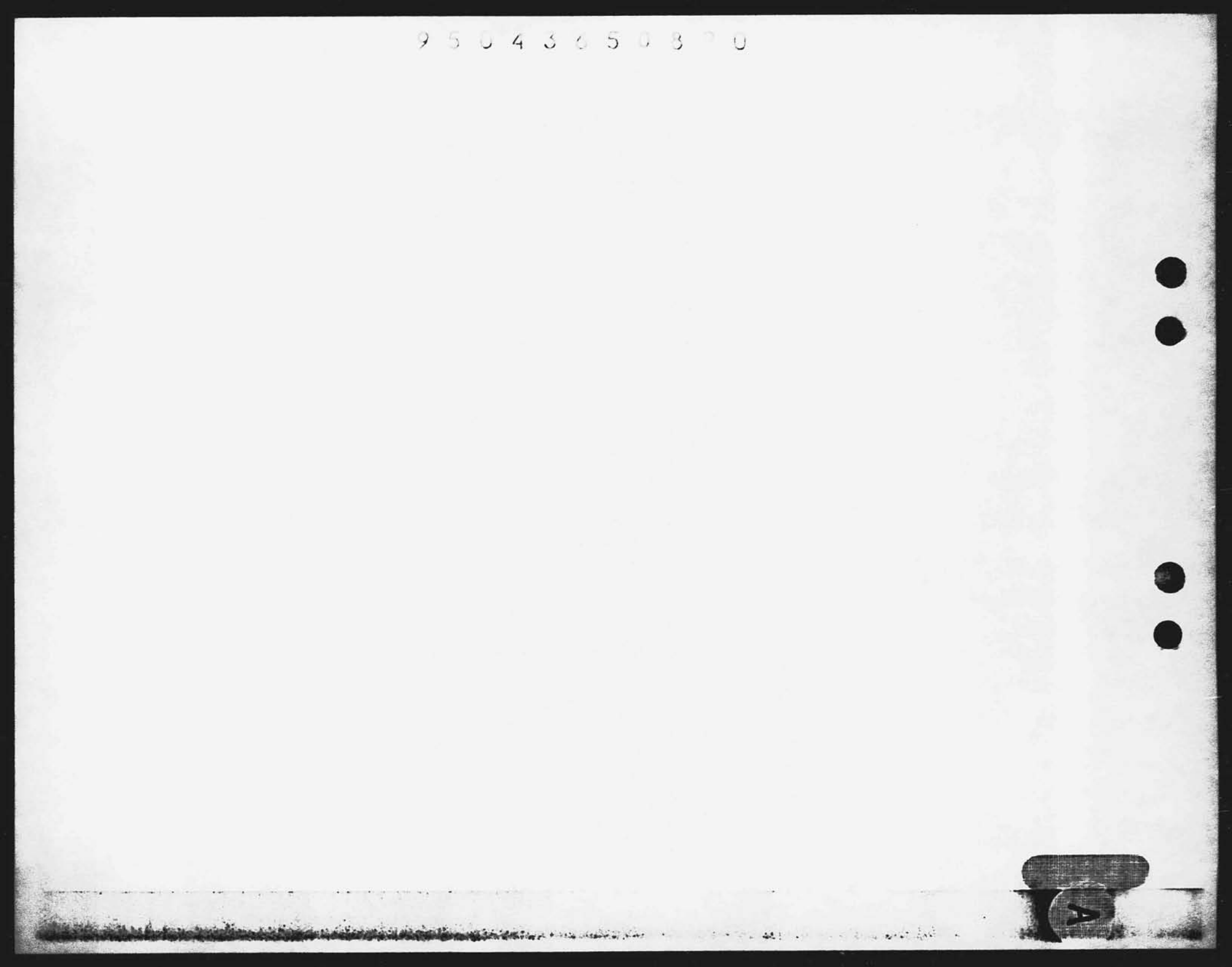
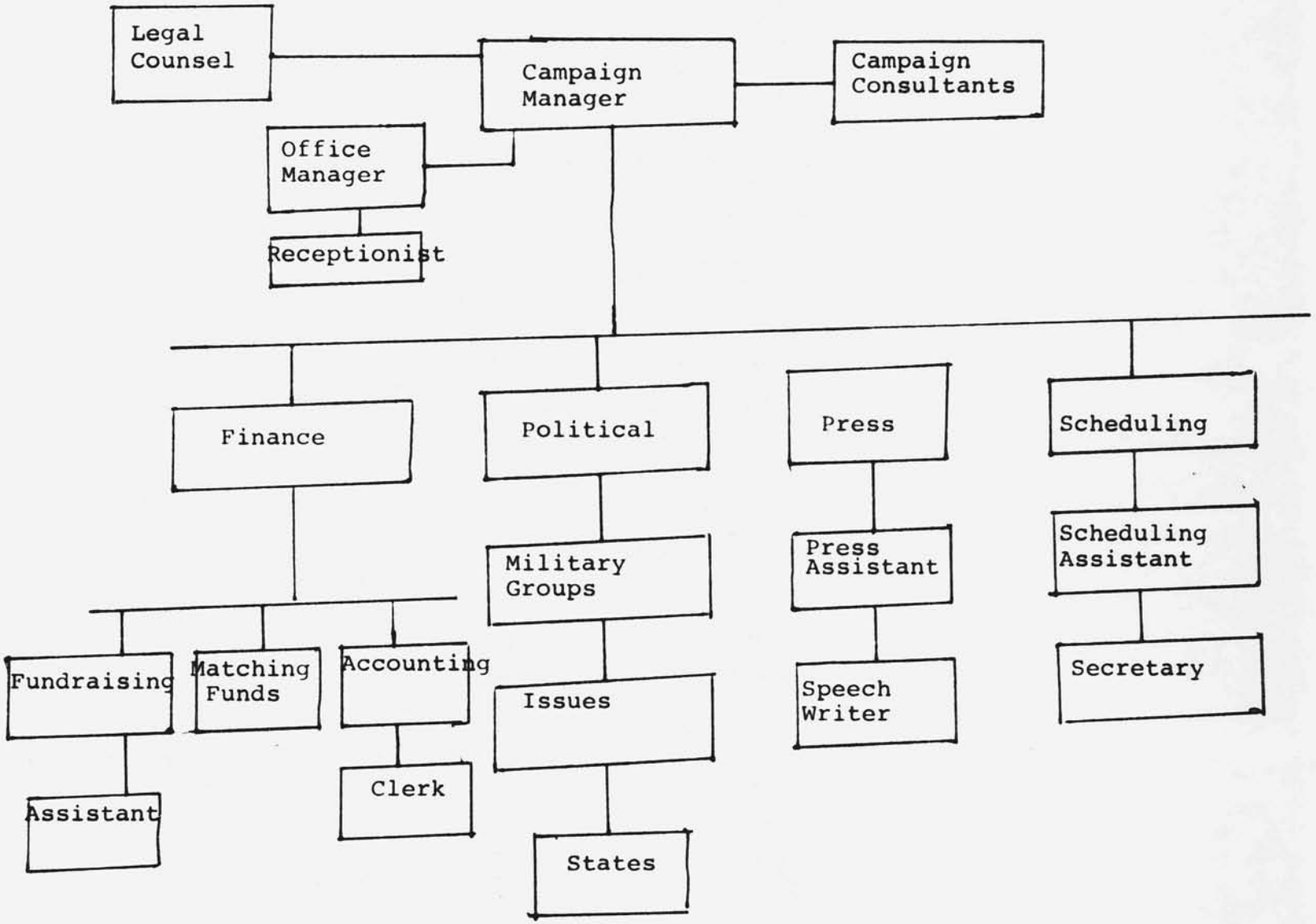


9 5 0 4 3 6 5 0 8 9 1

CAMPAIGN ORGANIZATION CHART



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#3 EMPLOYEES/CONSULTANTS OF HAIG FOR PRESIDENT (61)

Nancy Runge
Timothy McCook
Teresa McManimon
Leslie Milton
Linda Snow
Nancy Warren
Mark Serrano
Virginia Shore
Russell Primivera
Daniel Mariaschin
Darlene Blake
James Giganti
H.L. Bahr
Alexander P. Haig
Harvey Sicherman
Michael McCue
Betty Priola
Kathy MacKenzie
Laurence Halloran
Paul Langerman
Nelson Amos
David Young
Sean Riga
William Gamsjaeger
Martha Hall
Curtis Matthews
William Pleasant
Donna Lee
Russ McReynolds
Carl Driggers
Ron Rietdorf

Trent Ulrich
Laura Johnson
Shannon Lejeune
Margaret Treanor
Jay Semerad
Pauli Kirby
Audrey Shay
Joe Peres
Randi Lynne Joseph
Pamela Mattox
Terry Dempsey
Cheryl Grosso
Wendy Haig
Edward Priola
Brian Sweeney
Shawn Monty
William Lorrick
Garland McCoy
Donald Jeffrey
Steve Albrooks
William Webb
Daniel Zerfas
Eleanor Williams
Patrick Roberts
Debra Herndon
Marcia Butler
Wanda Rietdorf
Harry Goldsborough
Debra Celano
Mary Rolen

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HAIG FOR PRESIDENT

JOINT FUNDRAISING AND PROMOTIONAL MATERIAL

Date	Event
3/23/87	PAC Invitation - Waldorf-Astoria Hotel, New York City, New York
5/28/87	Joint Fundraising Event - Hermening for Congress and Haig for President, Wausau, Wisconsin
6/10/87	Leadership for America Reception - Chrystal Ballroom, Willard Hotel, Washington, D.C.
6/11/87	Dinner Cruise - Mr. and Mrs. George Barbar, Boca Raton, Florida
6/18/87	Dinner Reception - Nancy and Bob Meyerson, Bath, Ohio
6/25/87	Dinner Reception - The Cummings, Nashville, Tennessee
8/09/87	Brunch - Hyatt Regency Scottsdale, Scottsdale, Arizona
8/15/87	Point Pleasant Farm Reception - Mr. and Mrs. Donald Goldman, Bristol, Rhode Island
8/23/87	Billy Dee Williams Reception - Shelly Berger, Beverly Hills, California
8/24/87	Breakfast Reception - The Regency Club, Mr. and Mrs. Charles K. Snodgrass, Mr. and Mrs. Lawrence Irwin and Mr. and Mrs. Frank B. Cross III, Los Angeles, California
8/24/87	Fundraising Dinner - Dick Dillon, Newport Beach, California
8/28/87	Cocktail Reception - Mr. and Mrs. Dominic J. Saraceno Bayberry Way, Osterville, Massachusetts
8/29/87	Fundraising Event - M. Olivia Corrao, Hilton Hotel, Parsippany, New Jersey
9/15/87	Gala Dinner - Residence of Mr. and Mrs. Gerald F. Jones, Jr., New Vernon, New Jersey
9/26/87	Salute to Al Haig Reception - Mr. and Mrs. Dominic J. Saraceno, Boston, Massachusetts

Date	Event
9/29/87	Fundraising Reception - Mr. and Mrs. Marlin Trust, Palm Beach, Florida
10/12/87	Fundraising Dinner - Guerin's, Landisville, Pennsylvania

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HAIG FOR PRESIDENT FUNDRAISERS

Date	Event
4/28/87	Fundraiser hosted by Dom Saraceno - Newton, Massachusetts.
7/21/87	Fundraiser hosted by Bill McCann - Arcadia Restaurant, Portsmouth, New Hampshire.
7/28/87	Fundraiser hosted by Kidder Meade and Ed Hennessy - 21 Club, New York, New York.
7/29/87	Fundraiser hosted by Ed Jernigan and Bill McCann - World Trade Center, New York, New York.
8/11/87	Fundraiser hosted by Robert Parker - Concord Resort, Kaimesha Lake, New York.
8/26/87	Fundraiser hosted by Bill and John Brennan, The Hamptons, New York.
12/12/87	Fundraiser at Waldorf Astoria Hotel in New York. Gross revenues - $125,000.
1/18/88	Fundraiser in Philadelphia. Gross revenues - $25,000.
2/5/88	Fundraiser in Phoenix, Arizona. Gross revenues - $6,000.
2/6/88	Fundraiser in Los Angeles. Gross revenues- $13,000.

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HAIG

LEADERSHIP FOR AMERICA

MEMORANDUM

To: Treasurer, HAIG FOR PRESIDENT

From: Lawrence J. Halloran, Esq.

Re: Contribution Guidelines

Date: April 1, 1987

Contributions to The Haig for President Committee are subject to the prohibitions and limitations of the Federal Election Campaign Act, 2 U.S.C. 431 et. seq., as amended, and Federal Election Commission regulations, 11 CFR 100 et. seq. Individual contributions to the Haig Committee can be matched by federal funds. See, 2 U.S.C. 9001 et. seq. and 11 CFR 9031.1 et. seq.

A contribution is made when anything of value is given to the Haig for President Committee, or its agent(s) for the purpose of influencing a federal election. The term "anything of value" includes, but is not limited to, checks, cash, and the market value of goods and services.

Under the FECA, the Haig campaign committee must disclose the name, address, occupation and name of employer of all donors whose annual contribution(s) exceed $200. The first such disclosure will include any contributions to the Exploratory effort as well.

Limitations:

Individuals and separate segregated funds (political action committees, or PAC(s) established by corporations, labor organizations and national banks may contribute a maximum of $1000 to the Haig for President Committee for the primary campaign. 2 U.S.C. 441a(a)(C); 11 CFR 110.1(c) Multi-candidate PACs may contribute up to $5000. The limit applies to the total of direct (checks, cash) and in-kind (i.e. use of facilities, office equipment) contributions.

Prohibitions:

Federal law prohibits certain contributions made in connection with or for the purpose of influencing federal elections. Contributions made from the treasuries of corporations, labor organizations and national banks are prohibited. 2 U.S.C. 441b; 11 CFR 114.2

Contributions from government contractors; contributions from foreign national; and cash (currency) contributions greater than $100 are also prohibited. 11 CFR 110.4(a)-(c)

Contributions made by one person in the name of another are prohibited. 11 CFR 110.4(b)

Volunteer Exemptions:

Certain expenditures made primarily in connection with volunteer activity by individuals are exempt from the FECA definition of contribution and therefore do not count against the $1000 limit:

1. An individual may volunteer any personal services provided that he or she is not compensated for the service by any other committee, individual or organization. 11 CFR 100.7(b)(3)

2. For campaign-related activities, an individual may provide the use of his or her home or the recreation room of his or her residential complex provided that the room is available without regard to political affiliation. Any nominal fee normally charged for the room is not considered a contribution. 11 CFR 100.7(b)(4)

3. An individual volunteer may obtain the use of a church or community room for campaign-related activity provided that the room is generally used by all members of the community, without regard to political affiliation, for noncommercial purposes. Any nominal fee paid for the room is not considered a contribution. 11 CFR 100.7(b)(5)

4. An individual may spend up to $1000 per candidate, per election, for food, beverages and invitations in connection with campaign-related activity conducted in his or her home or in a church or community room. 11 CFR 100.7(b)(6) Again, exempt expenditures do not count against the $1000 contribution limit.

5. An individual may spend up to $1000 per candidate, per election, for his or her own travel expenses related to the campaign. 11 CFR 100.7(b)(8)

6. An individual may spend any amount for his or her normal living expenses incurred while engaging in volunteer activity. 11 CFR 100.7(b)(8)

7. A vendor, whether or not incorporated, may sell to a candidate's campaign, at cost, food and beverages to be used in connection with the campaign, as long as the cumulative value of the discounts does not exceed $1000 per candidate, per election. 100.7(b)(7)

Eligibility for Federal Matching Funds:

Partial public funding is available to Presidential primary candidates in the form of matching payments. The federal government will match up to $250 of an individual's contribution to an eligible candidate.

In order to be eligible for public funding, a candidate must raise in excess of $5000 in each of at least 20 states. Although an individual may contribute more than $250 to a candidate, only a maximum of $250 from an individual applies toward the $5000 threshold in each state. In-kind contributions are not matchable nor do they apply toward the eligibility threshold.

How to make a contribution:

1. Make checks payable to HAIG FOR PRESIDENT.
2. The maximum direct contribution is $1000 per person, per election. Every voting age member of the family may contribute.
3. All checks should be drawn on personal bank accounts. Checks should not be drawn on corporate partnerships or trust accounts, even if drawn on personal funds.
4. If a husband and wife both contribute it is preferable that they send separate checks. If they have a joint account, both husband and wife should sign.
5. A contribution card should be properly filled-out for each contribution.
6. Checks should be sent to: HAIG FOR PRESIDENT, 1154 15th Street, NW, Washington, D.C. 20005.
7. If an individual makes exempt payments in connection with volunteer activity, receipts should be kept.
8. Contributions made in the form of a cashier's check or money order must be accompanied by a separate statment, signed by the donor, which certifies that personal funds were used to purchase the instrument. The statement must include the date, amount and reference number of the contribution instrument.
9. Corporate contributions are prohibited. Partnership contributions must be accompanied by a statement allocating the contribution to individual partners.
10. The use of corporate facilities, staff and credit cards for campaign activity constitutes a prohibited in-kind contribution.

CONTRIBUTION GUIDELI[redacted]:

1. Make checks payable to HAIG FOR PRESIDENT.

2. The maximum direct contribution is $1000 per person, per election. Every voting age member of the family may contribute.

3. All checks should be drawn on personal bank accounts. Checks should not be drawn on corporate partnerships or trust accounts, even if drawn on personal funds.

4. If a husband and wife both contribute it is preferable that they send separate checks. If they have a joint account, both husband and wife should sign.

5. A contribution card should be properly filled-out for each contribution.

6. Checks should be sent to: HAIG FOR PRESIDENT, 1154 15th Street, NW, Washington, D.C. 20005.

7. If an individual makes exempt payments in connection with volunteer activity, receipts should be kept.

8. Contributions made in the form of a cashier's check or money order must be accompanied by a separate statment, signed by the donor, which certifies that personal funds were used to the purchase the instrument. The statement must include the date, amount and reference number of the contribution instrument.

9. Corporate contributions are prohibited. The use of corporate facilities, staff and credit cards for campaign activity constitutes a prohibited in-kind contribution. Contributions from foreign nationals are also prohibited.

10. Partnership contributions must be accompanied by a statement allocating the contribution to individual partners.

11. Cash contributions are not eligible for matching funds and may not exceed $100.

12. Contributions by minors must be accompanied by a written statement that the contribution was made voluntarily, from the minor's personal funds and that the contribution was not made from the proceeds of a gift made in order to facilitate the contribution.

TO: All Staff

FROM: Harry

The following system is a recommendation based on the following assumptions:

1. Financial Contributions are directed to the Comptroller (at HFP).

2. Financial Contributions are recorded by the name imprinted on the check, or as stated on accompanying written documentation (reply envelope, letter, personal note). The information is maintained in a database by the Comptroller's office.

3. There is a GENERIC thank you note to be used to express appreciation for the contribution. NOTE: There may be more than one GENERIC letter (eg: for contributions under or over $500).

ACTION:

Mail is received at HFP. A completed routing slip is attached to the correspondence. Letters, reply envelopes or other correspondence containing contributions are taken directly to the Comptroller recording.

The name, address, and required FEC information is taken directly from the check, or from the accompanying documentation, and entered into the accounting computer at HFP as it is received. Each week a contribution list is printed for the prior week's activity. A copy of each report is provided to the Finance director and Operations director. Both Finance and Operations will review list for Name/Salutation accuracy, and will return the revised listing to accounting for data entry revision the following day.

At the close of business each Wednesday, thank you letters are printed for the prior week's activities, signed, and mailed. Contributors are coded as being sent letters. A master thank you letter report is printed following the letter printing every Wednesday.

The master computer database is updated every Thursday morning with the previous day's information.

Volunteer's, or letters which require a seperate reply, in addition to the thank you note, are routed to the appropriate department for processing and follow up.

Once the thank you letter and other follow up has been completed, the correspondence unit is filed in the master STATE files.

9504360924

9504365090 5

INDIVIDUAL'S NAME		REFERENCE IN REPORTS		

FELLOWS CORPORATION - VERMONT

1.	Jeffrey W. Allen	Threshold	Page 88	Seq. #677
2.	Allison Allen	"	88	#676
3.	Donald Chabot	"	88	#680
4.	June Chabot	"	88	#681
5.	Henry Swierczynski	"	90	#695
6.	Nora Swierczynski	"	90	#696
7.	Carl Johnson	"	89	#685
8.	Linda Johnson	"	89	#686
9.	Erich Tlaker	"	90	#697
10.	Jean Tlaker	"	90	#698

OLYMPIC BANK

1.	Frank N. Cardullo	Non-Threshold #1	Page 20	Seq. #232
2.	Victor Nicolazzo	"	110	#1319
3.	Dominic Saraceno	"	132	#1573
4.	Judith S. Curtin	"	31	#361
5.	Mathew L. Curtin -	Not located		
6.	Peter S. Donadio	Non-Threshold #2	16	#183
7.	Susan M. Fraser	Non-Threshold #1	45	#536
8.	Jon A. Lichter	Non-Threshold #2	39	#463
9.	Joseph G. Maloney	Threshold	45	#353
10.	Nora F. Moran	Non-Threshold #1	106	#1272
11.	Joann O'Brien	"	112	#1337
12.	William J. O'Brien	"	112	#1341
13.	Heidi Saraceno	Mass. Threshold	47	#362
14.	Ingeborg Saraceno	Non-Threshold #1	132	#1575
15.	Kurt Saraceno	"	132	#1576
16.	Pauline Saraceno	Mass. Threshold	47	#363
17.	Cynthia Sneider	Non-Threshold #1	143	#1707
18.	Joseph Sneider	"	143	#1708
19.	David Speigel	"	145	#1730
20.	Michael Tierney	"	152	#1821

TRADEWIND SYSTEMS

1.	Maureen Becker	Mass. Threshold	Page	44	Seq.	#340
2.	Richard Clegg	"		44		#342
3.	Mary E. Cooke	"		44		#343
4.	Dennis M. Cooke	Non-Threshold #2		11		#132
5.	Donald A. Cooke, Jr.	Mass. Threshold		44		#344
6.	Bobby Cowart	Not located				
7.	Anthony DiBona	Mass. Threshold		45		#348
8.	Arsene F. Frappier	Non-Threshold #1		45		#535
9.	Gregory Gagnon	"		48		#568
10.	Richard Knowlton	"		80		#958
11.	Dennis Morancy	Mass. Threshold		46		#356
12.	Daniel F. O'Hara	Non-Threshold #1		113		#1347
13.	Mary B. O'Hara	"		113		#1348
14.	Frederick H. Shea III	"		138		#1646
15.	Nancy Stockus	"		148		#1765
16.	Kimberly Stockus	"		147		#1764
17.	Maureen A. White	"		162		#1939

CROWNS CONTROLS/DICKE CONSOLIDATED

1.	Kerry Dicke	Non-Threshold #2	Page	15	Seq.	#177
2.	Dane W. Dicke	"		15		#174
3.	Eileen W. Dicke	Non-Threshold #1		34		#407
4.	James F. Dicke	Not located				
5.	James F. Dicke II	Non-Threshold #2		15		#175
6.	Janet S. Dicke	"		15		#176

BAY RIDGE FEDERAL SAVINGS

1.	Rabbi Balkany	Non-Threshold #2	Page	2	Seq.	# 21
2.	Other individuals -	there was no bank deposit on April 25, 1987 and the factual and legal analysis did not identify the other individuals by name.				

9504360507

9504365090

HAIG FOR PRESIDENT

SCHEDULED CAMPAIGN EVENTS
as of
July 17, 1987

DATE	EVENT	LOCATION
Tuesday July 21, 1987	Keene Lions Club Lunch & Speech	Keene, NH Winding Brook Rest
"	Fundraiser - Hosted by Bill McCann Dinner	Portsmouth, NH Arcadia Restaurant
Wednesday July 22, 1987	South Shore Chamber of Commerce Breakfast & Speech	Randolph, MA Lantana Restaurant
	The Boston Herald Lunch & Speech	Boston, MA Restaurant at World Trade Center
	Massachusetts Republican Party - Cocktail Reception	Boston, MA Hotel Meridian
Saturday July 25, 1987	Tennessee Republican Leadership Conference - AMH is breakfast speaker	Nashville, TN Opryland Hotel
	Sumner County GOP Dinner Dinner & Speech	Hendersonville, TN (near Nashville)
Tuesday July 28, 1987	Fundraiser - hosted by Kidder Meade & Ed Hennessy - dinner	New York, NY 21 Club
Wednesday July 29, 1987	Fundraiser - hosted by Ed Jernigan and Bill McCann - Commodities Exchange	New York, NY World Trade Center
Saturday August 8, 1987	Merrimack County BBQ	Andover, NH
Sunday August 9, 1987	Fundraiser - hosted by Duncan Edwards	Phoenix, AZ
Monday August 10, 1987	The Federation of Jewish Mens Clubs, Inc. - AMH to receive "Distinguished Service Award"	Kaimesha Lake, NY Concord Resort
Tuesday August 11, 1987	Fundraiser - breakfast hosted by Robert Parker	Kaimesha Lake, NY Concord Resort
Saturday August 15, 1987	Fundraiser - hosted by Dom Saraceno and David Goldman	Bristol, RI
Sunday August 16, 1987	Fundraiser - hosted by Dom Saraceno and Jerry O'Brien	Cape Cod, MA

DATE	EVENT	LOCATION
Monday August 17	Fundraiser - evening General Chavarrie/Tom Moore	St. Louis, MO.
Thursday August 20	VFW National Convention AMH Speech	New Orleans, LA.
Saturday August 22	Iowa State Fair	Des Moines, IA.
"	Fundraiser - hosted by Jack Wogan - Dinner	Denver, CO.
Sunday August 23	Fundraiser - hosted by Shelly Berger - Reception	Los Angeles, CA.
Monday August 24	Fundraiser - hosted by Charles Snodgrass & Frank Cross	Los Angeles, CA. Regency Club
"	Fundraiser - hosted by Dick Dillon - Reception	Newport Beach, CA.
Tuesday August 25	Fundraiser - hosted by George Konheim & Harvey Silbert	Beverly Hills, CA.
Wednesday August 26	Fundraiser - hosted by Bill Simon and John Brennan	The Hamptons, N. Y.
Friday August 28	Fundraiser - hosted by Dom Saraceno	Cape Code, ME
Sunday August 30	Fundraiser - hosted by Steve Leninski, Teri Goldman, J. Port Hume Polo Match and Reception	Woodstock, VT

9504365910

HAIG FOR PRESIDENT/Committee for America (Revised 4-20-87)
1154-15th Street, N.W.
Washington, D.C. 20005

(703)684-1988
(202)223-7590

STAFF	EXT.	POSITION
Reception	20	
Audrey Shay	24	Assistant to Dan Mariaschin
Bill Webb	31	Director of Operations
Dan Mariaschin	26	Director of Communications/ Press Secretary
Eleanor Williams	30	Finance Director/Events
Harry Goldsborough		Director of Field Operations
Larry Halloran	31	Legal Counsel
Laura Johnson	34	Word Processor
Leslie Milsten	22	Assistant to Harry Goldsborough
Margret Treanor	27	Executive Assistant to Pat Roberts (Campaign Manager)
Pat Roberts	33	Campaign Manager
Russ McReynolds (In office on Monday Tuesday & Wednesday)	23	Controller
Shannon LeJeune	21	Office Manager
Steve Jernigan	34	Treasurer
Teresa McManimon	28	Director of Scheduling for General Haig
Tim Jansen	31	Aid to General Haig
Tom Joseph	31	Coalition Development Director
Trent Ulrich	31	Assistant to Russ McReynolds

SPECIAL ADVISORS

Jack Cassidy, Finance
John Elkins, President, The Naisbitt Group
Roger Hamilton, Computer Programmer
Paul Jackson (accept collect calls)
Verne Kennedy, Ph.D., President Market Research Institute
General Key (Bill Webb)
Charlie Marshall (Eleanor Williams)
Curt Matthews, Communications
Bill McCann (accept collect calls)
Tom McGrevey (New Hampshire)
Loyd Williams, Vol. for Org. and Development

WORLD WIDE ASSOCIATES (Across the street)

1155-15th Street N.W.
Washington, D.C. 20005

(202)429-9788

Staff includes: Ann, Muriel, Woody, and Harvey--usually for Dan.

MEMORANDUM

TO: HFP STAFF AND WWA STAFF

FROM: Shannon

DATE: May 20, 1987

RE: STAFF LISTS

Attached are staff lists -- the first one lists the HFP staff by extension and title and the second lists the home addresses and phone numbers of the staff members. Under the telephone numbers, the first one listed is the home number, the second is the work number for those who have another office.

If you would like to make any additions, corrections, or deletions, please submit the information to me. Updated lists will be distributed as often as necessary.

Thank you.

9504365092 12

HAIG FOR PRESIDENT (Revised 5-21-87)
1154-15th Street, N.W.
Washington, D.C. 20005

(703) 684-19[redacted]
(202) 223-759[redacted]

STAFF	EXT.	
Audrey Shay	24	Assistant to Dan Mariaschin
Bill Webb	31	Director of Operations
Bob Bennett	35	DMI Consultant for Military Vets Coalition
Dan Mariaschin	26	Communications and Research Director
Eleanor Williams	30	Director of Finance/Events
Garland McCoy	35	DMI Consultant for Military Vets Coalition, Softball Coordinator
Harry Goldsborough	22	Director of Field Operations
Jack Cassidy	33	Campaign Advisor
Larry Halloran	35	Legal Counsel
Laura Johnson		Administrative Assistant
Leslie Milsten	21	Assistant to Harry Goldsborough
Margaret Treanor	27	Assistant to Pat Roberts
Nancy Runge	20	Receptionist
Pat Roberts	33	Campaign Manager
Russ McReynolds	23	Controller
Shannon LeJeune	34	Office Manager
Steve Jernigan	29	Treasurer
Teresa McManimon	28	Director of Scheduling
Tim Jansen	31	Special Assistant to General Haig
Trent Ulrich	23	Assistant to Russ McReynolds

STATE ORGANIZERS

NH # 603/627-1988
Tom Christo (New Hampshire)
Tom and Pat McGrevey (New Hamp.)

IA # 515/244-2424
Darlene Blake (Iowa)
Jay Semerad (Iowa)

WORLD WIDE ASSOCIATES
1155-15th Street N.W.
Washington, D.C. 20005
(202) 429-9788

Staff: Ann, Muriel, Woody and Harvey, Cathy

HAIG FOR PRESIDENT (Revised 5-21-87)
1155-15th Street, N.W.
Washington, D.C. 20005

(703) 684-19[redacted]
(202) 223-7590

KEYS

STAFF	EXT.	
Audrey Shay	24	Assistant to Dan Mariaschin
Bill Webb	31	Director of Operations
Bob Bennett	35	DMI Consultant for Military Vets Coalition
Dan Mariaschin	26	Communications and Research Director
Garland McCoy	35	DMI Consultant for Military Vets Coalition, Softball Coordinator
Harry Goldsborough	22	Director of Field Operations
Jack Cassidy	33	Campaign Advisor
Larry Halloran	35	Legal Counsel
Laura Johnson	24	Administrative Assistant
Leslie Milsten	21	Assistant to Harry Goldsborough
Margaret Treanor	27	Assistant to Pat Roberts
~~Mike Swirenatt~~ *	29	Campaign Consultant
Nancy Runge	20	Receptionist
Nancy Warren *	30	Director of Fund Raising
Russ McReynolds	23	Controller
Shannon LeJeune	34	Office Manager
Steve Jernigan	29	Treasurer
Teresa McManimon	28	Director of Scheduling
Tim Jansen	31	Special Assistant to General Haig
Trent Ulrich	23	Assistant to Russ McReynolds

STATE ORGANIZERS

NH # 603/627-1988
Tom Christo
Tom and Pat McGrevey

IA # 515/244-2424
Darlene Blake
Jay Semerad

WORLD WIDE ASSOCIATES
1155-15th Street N.W.
Washington, D.C. 20005
(202) 429-9788

Staff: Ann, Muriel, Woody and Harvey, Cathy

HAIG
LEADERSHIP FOR AMERICA

NTL HEADQUARTERS ROSTER
(Revised 6-18-87)

ADMINISTRATION

Margaret Treanor
Bill Webb

COMMUNICATIONS & RESEARCH

Daniel Mariaschin
Audrey Shay

FINANCES

Steve Jernigan
Russ McReynolds
Trent Ulrich
Nancy Warren

LEGAL COUNSEL

Larry Halloran

MANAGEMENT INFORMATION SYSTEMS,
FIELD & VOLUNTEER COORDINATION

William Gamsjaeger
Harry B. Goldsborough, III
Leslie Milsten
Russell G. Primavera

MILITARY/VETERANS COALITION

Bob Bennett
Garland McCoy

OFFICE OPERATIONS

Laura Johnson
Shannon LeJeune
Nancy Runge

SCHEDULING

Tim Jansen
Teresa McManimon

STATE OFFICES

IOWA

Darlene Blake
Jay Semerad

NEW HAMPSHIRE

Tom Christo
Tom McGrevey, Jr.
Tom & Pat McGrevey

WORLDWIDE ASSOCIATES

Ann Crowley
Woody Goldberg
Muriel Hartley
Cathy Padham
Harvey Sicherman

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988

9504365091 5

OGC 4510

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

JAN W. BARAN
(202) 429-7330

TELECOPIER
(202) 429-7049
TELEX 248349 WYRN UR

November 13, 1989

Mr. Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 13 AM 1:51

Re: MUR 2717
Fellows Corporation

ATTN: Kenneth E. Kellner

Dear Mr. Noble:

This letter is to inform you that Wiley, Rein & Fielding is withdrawing its representation of the Fellows Corporation in the above-captioned matter. Future correspondence in this matter should be addressed directly to its newly designated counsel in this matter, who I understand will be contacting your office directly.

Sincerely,

Jan W. Baran

9 5 0 4 3 6 5 0 9 1 6

06C4523

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 13 PM 4:33

PATTON, BOGGS & BLOW
2550 M STREET, N.W.
WASHINGTON, D.C. 20037-1350
(202) 457-6000
TELECOPIER 457-6315
TRT TELEX 197780

250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201
(301) 659-5800

700 RALEIGH FEDERAL SAVINGS
BANK BUILDING
RALEIGH, NORTH CAROLINA 27602
(919) 832-4111

104 NORTH ELM STREET
GREENSBORO, NORTH CAROLINA 27401
(919) 273-1733

101 EAST KENNEDY BOULEVARD
TAMPA, FLORIDA 33602
(813) 222-6666

November 13, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 NOV 13 PM 3:06

WRITER'S DIRECT DIAL

(202) 457-6094

The Honorable Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

BY HAND

Attention: Kenneth E. Kellner

Re: MUR 2717, Fellows Corporation

Dear Mr. Chairman:

This letter confirms my telephone conversation today with Jonathan Bernstein, Office of General Counsel, that Fellows Corporation has designated Patton, Boggs & Blow as counsel to the corporation in the above referenced Matter Under Review ("MUR"). Attached is a facsimile copy of the Statement of Designation of Counsel. An original form signed on behalf of the corporation will be submitted when we receive it.

In addition, this confirms my request for an extension of time to respond to the interrogatories submitted to Fellows Corporation. Although the Commission granted an extension to prior counsel, we as new counsel have only just received documents of the corporation and will not be able to determine their responsiveness by the extended response deadline of tomorrow, November 14. Furthermore, in the event that we may need to confer with the corporation's President in order to respond to the interrogatories, we will not be able to do so until after his return from overseas on November 24. Therefore, we request an extension until November 30 with the understanding that we will submit partial, if not complete, interrogatory responses at an earlier date if possible.

2004350917

Thank you for your consideration of this request. I would appreciate receiving notice of the Commission's approval as soon as possible. Any questions may be directed to me at 202-457-6094 or to Roger Ballentine at 202-457-5666.

Sincerely,

Kate Boyce

Katharine R. Boyce
Counsel to Fellows Corporation

KRB/tsp
Enclosure

cc: Roger Ballentine, Esq.

2504365092 13

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Katharine R. Boyce

ADDRESS: Patton, Boggs & Blow
2550 M Street, N.W.
Washington, D.C. 20037

TELEPHONE: 202-457-6094

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.

11/14/89
Date

V.P.
Signature
Carl W. Easler
Group Vice President -
Finance & Administration

RESPONDENT'S NAME: Fellows Corporation

ADDRESS: Precision Drive
Box 851
Springfield, VT 05156-0851

HOME PHONE:

BUSINESS PHONE: 802-886-2423

2504365092 19

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 20, 1989

Katharine R. Boyce, Esq.
Patton, Boggs & Blow
2550 M Street, N.W.
Washington, D.C. 20037

RE: MUR 2717
Fellows Corporation

Dear Ms. Boyce:

This is in response to your letter dated November 13, 1989, which we received that date, requesting an extension of sixteen (16) days to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted an extension of fourteen (14) days. Accordingly, your response is due by the close of business on November 28, 1989.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2504350900

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert W. Genzman
501 Federal Building
80 N. Hughey Building
Orlando, FL 32201

November 13, 1989

Dear Genzman:

This letter is to confirm your telephone conversation with Noriega James, of this office, on November 3, 1989, during which arrangements were made for the use by this office of a room located in the 501 Federal Building at 80 N. Hughey Building, Orlando, FL 32201, on January 19, 1990, for the purpose of conducting depositions.

Thank you for your cooperation in this matter. If you have any questions concerning these arrangements, please contact Kenneth Kellner, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

9504365091

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Margaret Elizalde
1107 John W. McCormack Federal Bldg
USPO & Courthouse
Boston, MA 02109

November 13, 1989

Dear Ms. Elizalde:

This letter is to confirm your telephone conversation with Noriega James, of this office, on November 6, 1989, during which arrangements were made for the use by this office of a room located in the 1107 John W. McCormack Federal Bldg, at USPO & Courthouse, Boston, MA 02109, on November 16, 17 and 20, 1989, and December 18 through 22, 1989, for the purpose of conducting depositions.

Thank you for your cooperation in this matter. If you have any questions concerning these arrangements, please contact Kenneth Kellner, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

9504365092

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Karen Parker
802 Federal Bldg & U.S. Courthouse
200 West Second Street
Dayton, OH 45402

November 13, 1989

Dear Ms. Parker:

This letter is to confirm your telephone conversation with Noriega James, of this office, on September 20, 1989, during which arrangements were made for the use by this office of room 602 of the 802 Federal Bldg & U.S. Courthouse located at 200 West Second Street, Dayton, OH 45402,on December 6 and 7, 1989, for the purpose of conducting depositions.

Thank you for your cooperation in this matter. If you have any questions concerning these arrangements, please contact Kenneth Kellner, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

9504365929

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Rita Della Rocco, Administrative Officer
Federal Building
11 Elmwood Avenue, 6th floor
Burlington, VT 05401

November 13, 1989

Dear Ms. Della Rocco:

This letter is to confirm your telephone conversation with Noriega James, of this office, on November 9, 1989, during which arrangements were made for the use by this office of room 610 of the Federal Building located at 11 Elmwood Avenue, Burlington, Vermont 05401, on November 21, 1989, for the purpose of conducting depositions.

Thank you for your cooperation in this matter. If you have any questions concerning these arrangements, please contact Kenneth Kellner, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

9504350974

OGC 4574

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 NOV 16 PM 2:54

SWIDLER & BERLIN
CHARTERED
3000 K STREET, N.W.
SUITE 300
WASHINGTON, D.C. 20007-5841
(202) 944-4300

BRUCE A. LEHMAN
ATTORNEY-AT-LAW

DIRECT DIAL
(202) 944-4360
TELEX 701131
TELECOPIER (202) 944-4296

November 16, 1989

Hand Delivered

Confidential

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W. Room 657
Washington, D.C. 20463

Re: MUR 2717 - Rabbi Milton Balkany

Dear Mr. Noble:

This letter is in response to the Federal Election Commission's (FEC) letter and subpoena of October 3, 1989. As an initial matter, we would like to respectfully request that this matter be resolved through pre-probable cause conciliation as provided for in 11 C.F.R. § 111.18(d). With regard to the FEC's subpoena, Rabbi Balkany has no documents in his possession or control which refer, relate or pertain to the making of the contributions to the Haig for President Committee (Haig Committee) at issue in this matter.

Enclosed with this letter are the sworn affidavits of Rabbi Milton Balkany, Simon Halpert, Jonas Halpert, Regina Halpert and Harry Friedman. These five individuals are the same individuals referred to in the FEC's October 3rd letter whose contributions were included in the Haig Committee's bank deposit of April 25, 1987. We have summarized the facts contained in the enclosed affidavits below.

Just prior to the date the contributions at issue in this matter were made, Rabbi Balkany received a telephone call from the Haig Committee urgently asking for help in raising money in the local Jewish Community. In this telephone conversation, Rabbi Balkany was told that the Haig Committee desperately needed money to pay for some immediate advertising expenditures. After talking with the Haig Committee, Rabbi Balkany made a few telephone calls to some friends of his to ask whether they would be interested in contributing to the Haig Committee. Specifically, Rabbi Balkany talked with Jonas and Regina Halpert and their 37 year old son, Simon Halpert. Rabbi Balkany explained to the Halperts the Haig Committee's predicament as it had been explained to him by the Haig Committee.

After talking with Rabbi Balkany, Jonas Halpert called a friend of his, Harry Friedman, to ask whether he would like to contribute to the Haig Committee. After talking with Jonas Halpert, Harry Friedman took $1,000 in cash over to Jonas Halpert's house in order that Mr. Halpert could take it to Rabbi Balkany who in turn could forward it to the Haig Committee. Upon receiving Harry Friedman's $1,000 contribution, Jonas Halpert and his wife, Regina, each took a $1,000 in cash to Rabbi Balkany's office. Independently from his parents, Simon Halpert also took $1,000 in cash to Rabbi Balkany's office.

It was the understanding of the three Halperts, as with Harry Friedman, that Rabbi Balkany would convert their cash to money orders and forward their separate contributions to the Haig Committee. After getting the cash contributions from the Halperts and Harry Friedman, Rabbi Balkany arranged for the purchase of ten $500 money orders and forwarded them to the Haig Committee in the names of those persons who had actually made the contributions: Simon Halpert; Jonas Halpert; Regina Halpert; Harry Friedman; and himself. The only reason the Halperts and Harry Friedman gave cash to Rabbi Balkany to be converted to money orders was because of the insistence of the Haig Committee that they needed money immediately. Thus, despite the appearances as described in the FEC's letter, the contributions represented by the ten money orders were not all made by Rabbi Balkany but were actually made by those individuals whose names appeared on the money orders.

We believe this matter falls within the purview of the FEC's "earmarked contributions" provisions as provided under 2 U.S.C. § 441(a)(8) and 11 C.F.R. § 110.6. Under the facts as described herein, Rabbi Balkany unknowingly acted as an "intermediary or conduit" for the contributions of the three Halperts and Harry Friedman to the Haig Committee. As provided for in 11 C.F.R. § 110.6(d)(1):

> A conduit or intermediary's contribution limits are not affected by passing on earmarked contributions, except where the conduit exercises any direction or control over the choice of the candidate.

We believe in this instance, although Rabbi Balkany may have acted as a conduit or intermediary, he did not exercise any direction or control over the choice of the candidate so as to affect his contribution limits. As stated in the enclosed affidavits, Rabbi Balkany asked the three Halperts whether they would like to contribute to the Haig Committee under the circumstances described to him by the Haig Committee. Consistent with FEC guidance on what constitutes direction or control, the fact that Rabbi Balkany was merely passing on a request made by

the Haig Committee, coupled with the fact that the Halperts were free to decide not to make a contribution to the Haig Committee, demonstrates Rabbi Balkany's lack of direction or control over the Halperts' contributions. See AO 1980-46 (June 25, 1980); MUR 1028 (April 25, 1980). With regard to Harry Friedman's contribution, there could have been no direction or control exercised by Rabbi Balkany because he never talked with Mr. Friedman.

In conclusion, although Rabbi Balkany may have unknowingly acted as a conduit or intermediary with regard to the contributions at issue, he did not violate the contributions limits under 2 U.S.C. § 441a(a)(1)(A) or § 441F, because he exercised no direction or control over the Halperts' or Mr. Friedman's contributions.

As stated, we respectfully request that this matter be resolved through the pre-probable cause conciliation process as provided for in 11 C.F.R. § 111.18(d). Additionally, we request that this matter remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A). If there is any additional information we can provide or if there are any questions, please contact us at your convenience.

Sincerely,

Bruce A. Lehman

Bruce A. Lehman
Brian W. Fitzgerald

Counsel for Rabbi Milton Balkany

Enclosures

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INDEX

AFFIDAVITS	Tabs
Rabbi M. Balkany.	1
Simon Halpert	2
Jonas Halpert	3
Regina Halpert	4
Harry Friedman	5

ALL-STATE LEGAL SUPPLY CO. ONE COMMERCE DRIVE CRANFORD NEW JERSEY 07016

ED 11

9504365070

AFFIDAVIT OF
RABBI MILTON BALKANY

State of New York,)
) ss:
County of Brooklyn.)

Rabbi Milton Balkany, being first duly sworn, deposes and state as follows:

1. Sometime in the Spring of 1987--I cannot recall the exact date as it was so long ago--I received a call from the Alexander Haig for President Campaign asking me for help in raising money in the Jewish Community.

2. I don't remember who called me from the Haig Campaign, but whoever it was told me the Campaign desperately needed some money in order to be able to pay for some immediate advertising expenditures.

3. After talking with the Haig Campaign, I made a few calls to some friends of mine in which I explained the situation and asked them if they would be interested in helping out the Haig Campaign.

4. It was so long ago, I didn't even remember which friends I had talked with until after my attorney's provided me with a copy of the Haig Campaign's Federal Election Commission filing, from which I was able to identify the friends I had talked with about making the campaign contributions.

5. After talking with the Haig Campaign, I called Jonas and Regina Halpert to ask them if they would be interested in contributing to Haig's Presidential campaign. I also asked Jonas if he knew of anyone else who might be interested in helping out Haig's campaign.

6. Jonas and Regina told me they would each contribute $1,000.

7. I explained the emergency situation to the Halpert's, as had been explained to me by the Haig Campaign, and, although I didn't like the idea, I asked that they each bring cash so that I could purchase money orders to forward to the Haig Campaign.

8. I also called the Halpert's son, Simon Halpert, to ask him if he wanted to contribute to the Haig Campaign and also explained to him the urgency of the situation.

9. I have been friends of the Halpert family for many years.

10. Regina, Jonas and Simon Halpert each came to my office and brought a $1,000 in cash each. Jonas also brought $1,000 in cash from a friend of his, Harry Friedman.

11. I explained to the Halpert's that I would purchase money orders with the cash they had brought and would forward their contributions to the Haig Campaign.

12. I arranged to purchase money orders from Bay Ridge Federal Savings Bank in Brooklyn, New York.

13. I had the money orders filled out in the names of Regina, Jonas, and Simon Halpert, and Harry Friedman and sent them to the Haig Campaign, along with my personal contribution of $1,000.

14. I wouldn't have asked anyone for cash contributions, but for the insistence of the Haig Campaign that the money was desperately needed for some last minute advertising expenses.

Subscribed and sworn to before me this 31 ^0CT day of

_____, 1989.

STEWART KOKOT
Notary Public, State of New York
No. 24-4915516
Qualified in Kings County
Commission Expires Dec. 28, 1990

Rabbi Milton Balkany

RABBI MILTON BALKANY

Stewart Kokot

Notary Public in and
for County of Brooklyn,
State of New York

My commission expires:

95043650274

ALL-STATE LEGAL SUPPLY CO. ONE COMMERCE DRIVE CRANFORD

ED 11

3504365097 5

AFFIDAVIT OF
SIMON HALPERT

State of New York,)
) ss:
County of Brooklyn.)

Simon Halpert, being first duly sworn, deposes and says as follows:

1. I reside at 232 Hewes Street, Brooklyn, New York 11211.

2. I am self-employed.

3. My work address is the Park Manor Adult Home, 570 Coney Island Avenue, Brooklyn, N.Y. 11218.

4. My work telephone number is (718) 633-5300.

5. I am the son of Jonas and Regina Halpert.

6. My date of birth is January 10, 1952.

7. My family has known Rabbi Balkany for many years.

8. A couple of years ago--I don't remember the date--I received a telephone call from Rabbi Balkany in which he asked me whether I would be interested in making a campaign contribution to the Haig for President Campaign.

9. Rabbi Balkany explained to me that he had received a telephone call from the Haig Campaign in which he was asked if he could solicit some desperately needed campaign contributions.

10. Rabbi Balkany also explained that if I was interested in contributing to the Haig Campaign that it would need to be in cash because the Campaign had told him that they needed the money immediately to pay for some advertising.

11. I took $1,000 in cash from my personal funds to Rabbi Balkany's office with the understanding that the Rabbi would convert the cash to money orders and forward them to the Haig Campaign.

12. Besides the $1,000, I made no other contributions to the Haig Campaign.

Subscribed and sworn to before me this 31st day of October 1989.

SIMON HALPERT

GERDA B. SCHAAP
Notary Public, State of New York
No. 4864150
Qualified in Nassau County
Commission Expires July 7, 1990

Notary Public in and
for County of Brooklyn,
State of New York

My commission expires:

ALL-STATE LEGAL SUPPLY CO. ONE COMMERCE DRIVE CRANFC JERSEY CI ED 11

2504336502 3

AFFIDAVIT OF
JONAS HALPERT

State of New York,)
) ss:
County of Brooklyn.)

Jonas Halpert, being first duly sworn, deposes and says as follows:

1. I reside at 5608 14th Avenue, Brooklyn, New York 11219.

2. My home telephone number is (718) 851-7537.

3. I have been retired for several years now, although I operate a matrimonial brokerage business out of my home.

4. I am married to Regina Halpert.

5. Simon Halpert is my son.

6. My date of birth is May 19, 1922.

7. I have known Rabbi Balkany for many years.

8. Rabbi Balkany called my wife and I a long time ago--I don't remember the date--to ask us whether we would like to contribute to the Haig Campaign for President.

9. Rabbi Balkany also asked me if I knew of any one else who might be interested in making a campaign contribution to the Haig Campaign.

10. Rabbi Balkany explained that the Haig Campaign had called him urgently asking him for help in raising money.

11. Rabbi Balkany also explained that the Campaign had told him they needed money right away for some particular expenses, so that cash was needed in order to get the contribution to the Campaign as soon as possible.

12. After my wife and I spoke with the Rabbi, I called a friend of mine, Harry Friedman, to ask him whether he wanted to contribute to the Haig Campaign.

13. I explained the situation to Mr. Friedman as it had been explained to me by Rabbi Balkany.

14. Harry Friedman brought $1,000 in cash to me to be forwarded to the Haig Campaign through Rabbi Balkany.

15. My wife and I went to Rabbi Balkany's office to give him $1,000 in cash from each of us and the $1,000 in cash from Harry Friedman.

16. My $1,000 contribution was made from my personal funds.

17. It was my understanding that Rabbi Balkany would forward the contributions to the Haig Campaign by money order.

18. I made no other contributions to the Haig Campaign.

Subscribed and sworn to before me this 2 day of November, 1989.

JONAS HALPERT

Felix Smolensky
Notary Public in and
for County of [redacted], Dade
~~State of New York~~ State of Florida

My commission expires:

NOTARY PUBLIC; STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 24, 1992
BONDED THRU HUCKLEBERRY & ASSOCIATES

ALL-STATE LEGAL SUPPLY CO. ONE COMMERCE DRIVE, CRANF[illegible] JERSEY [illegible]

ED 11

9504305072

AFFIDAVIT OF
REGINA HALPERT

State of New York,)
) ss:
County of Brooklyn.)

Regina Halpert, being first duly sworn, deposes and says as follows:

1. I reside at 5608 14th Avenue, Brooklyn, New York 11219.

2. My home telephone number is (718) 851-7537.

3. I am not employed.

4. I am married to Jonas Halpert.

5. My son is Simon Halpert.

6. My date of birth is February 2, 1922.

7. My husband and I have known Rabbi Balkany for many years.

8. Sometime ago--I don't remember the date as it was a few years ago--my husband and I received a telephone call from Rabbi Balkany in which he asked us if we would be interested in making a campaign contribution to Alexander Haig's Presidential Campaign.

a campaign contribution to Alexander Haig's Presidential Campaign.

9. Rabbi Balkany explained to us that the Haig Campaign had called him to ask him to help raise money that was needed for some emergency campaign expenditures.

10. Rabbi Balkany also explained that the Campaign had told him that the money was needed right away so that if we wanted to contribute, it would need to be in cash so they would have use of the money immediately.

11. My husband and I both took $1,000 in cash from our personal funds and walked it down to Rabbi Balkany's office.

12. We understood that Rabbi Balkany would arrange to purchase money orders to be sent to the Haig Campaign.

13. My husband and I made no other contributions to the Haig Campaign.

Subscribed and sworn to before me this 2 day of November, 1989.

Regina Halpert
REGINA HALPERT

Felix Smolensky
Notary Public in and
for County of [redacted], Dade
State of [redacted] Florida

NOTARY PUBLIC; STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 24; 1992
BONDED THRU HUCKLEBERRY & ASSOCIATES

My commission expires:

ALL-STATE LEGAL SUPPLY CO. ONE COMMERCE DRIVE CRANFO[illegible] [illegible]

ED 11

9504355076

AFFIDAVIT OF
HARRY FRIEDMAN

State of New York,)
) ss:
County of Brooklyn.)

Harry Friedman, being first duly sworn, deposes and says as follows:

1. I reside at 1367 57th Street, Brooklyn, New York 11219.

2. My home telephone number is [redacted]

3. I am college professor.

4. My date of birth is February 15, 1949.

5. I am a friend of Jonas Halpert.

6. I received a call from my friend, Jonas Halpert, a few years ago asking me whether I wanted to contribute to the Alexander Haig Presidential Campaign.

7. Jonas told me that Rabbi Balkany, a friend of his, had called him and had told him that the Haig Campaign was in desperate need of some money for expenses.

8. Jonas Halpert told me that if I wanted to contribute, it would have to be in cash because the Campaign needed the money right away.

9. I took $1,000 in cash from my personal funds over to Jonas' home so that he could take it to Rabbi Balkany who would forward it to the Haig Campaign.

10. It was my understanding that Jonas Halpert would take my $1,000 contribution to Rabbi Balkany so that he could get it to the Haig Campaign right away.

11. I made no other contributions to the Haig Campaign.

Subscribed and sworn to before me this 1 day of Nov, 1989.

Harry Friedman
HARRY FRIEDMAN

PETER WEISS
Notary Public, State of New York
No. 24-4609630
Qualified in Kings County
Commission Expires 10-31-91

Notary Public in and
for County of Brooklyn,
State of New York

My commission expires:

OGC 4585

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 17 PM 1:51

November 16, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 18 PM 9:55

BY HAND DELIVERY

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

Re: MUR 2717 - Jeffrey W. Allen and Lynn A. Allen

Dear Mr. Bernstein:

This letter will confirm our conversation concerning the above-referenced Matter Under Review. Respondents are seeking an extension of time to respond to the Commission's notification of its finding of reason to believe and, in the case of Jeffrey Allen, Respondent seeks to reschedule the time and location of the deposition noted.

The Commission's notice dated October 3, 1989, was sent to Respondents at their former address in Vermont. Respondents had moved to Florida and did not receive the notice until late October. Our law firm was retained by Respondents shortly thereafter. I spoke to Ken Kellner concerning this situation and notified him of the need for additional time to respond and of the need to reschedule the deposition. We were unable to meet with Mr. Allen until Tuesday of this week and, thus, have only now been able to determine a time frame for the responses.

Respondents request an extension until December 4, 1989, to submit written responses to the Commission's request for documents and interrogatories. As I mentioned to you, Mr. Allen would prefer to appear for the deposition in Washington, D.C., and we will wait to hear from you as to a convenient time.

If you have any questions or need additional information, please do not hesitate to contact one of the undresigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel for Respondents

TELEX: 44-0277 PCSO UI • FACSIMILE (202) 223-2088
ANCHORAGE • BELLEVUE • LOS ANGELES • PORTLAND • SEATTLE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 27, 1989

Judith Corley, Esq.
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2717
Jeffrey Allen
Lynn Allen

Dear Ms. Corley:

This is in response to your letter dated November 16, 1989, which we received on November 17, 1989, requesting an extension of time until December 4, 1989 for your clients to respond to the Commission's Subpoena and Order. 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 December 4, 1989

As per your discussion with Kenneth E. Kellner of my staff, we have agreed to postpone the deposition of Jeffrey Allen and to have Mr. Allen appear in Washington, D.C. for deposition. Mr. Kellner will contact you shortly to arrange a new date for Mr. Allen's deposition.

If you have any questions, please contact Mr. Kellner, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504335092 50

DGC 4587

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
NOV 17 AM 8:44

HUTCHINS & WHEELER
COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

89 NOV 17 PM 1:58
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

November 16, 1989

BY FEDERAL EXPRESS

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

Re: MUR 2717

Dear Mr. Kellner:

Enclosed herewith please find:

1. Response Of Olympic International Bank & Trust Company To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

2. Response Of Victor A. Nicolazzo, Jr. To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

3. Response Of Susan M. Fraser To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

4. Response Of William J. O'Brien To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

5. Response Of Joann O'Brien To Subpoena To Produce Documents;

6. Response Of Joseph G. Sneider To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

7. Response Of Cynthia A. Sneider To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers;

8. Response Of Joseph G. Maloney To Subpoena To Produce Documents;

9. Response Of Judith S. Curtin To Subpoena To Produce Documents; And

10. Response Of Matthew L. Curtin To Subpoena To Produce Documents.

In addition, I am hereby requesting that the deposition of Joann O'Brien, which is now scheduled for Friday, December 22, 1989 at 10:00 a.m., be rescheduled to Wednesday, December 20, 1989 at 10:00 a.m. Mrs. O'Brien has prior commitments which will not allow her to attend her deposition on December 22.

Finally, I am hereby requesting that Dr. Joseph G. Maloney be allowed to either answer written interrogatories or submit an affidavit in lieu of his scheduled deposition. Dr. Maloney has a very busy schedule with patients such that it will be a great burden on him, and his patients, to attend his deposition on December 21, 1989. Nevertheless, Dr. Maloney is willing to answer under oath any and all written questions which you may wish to submit to him.

Please give me a call at your earliest convenience regarding these requests.

Very truly yours,

John P. Connelly

JPC/mc
Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
88 NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF OYLMPIC INTERNATIONAL BANK & TRUST COMPANY TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. Describe in detail the service provided by you for Alexander Haig or Haig For President (the "Committee").

1. RESPONSE: The only service which the Olympic International Bank & Trust Company (the "Bank") provided to the Committee was a $375,000.00 line of credit which was fully drawn down. The Committee still owes the Bank $53,000.00 on this obligation.

2. Regarding treasurer's checks numbered 4963, 4964, 5211 and 4966 to 4972, dated August 12, 1988 [sic], and issued by you to the Committee:

a. Identify the individuals who requested the issuance of the treasurer's checks. Describe in detail the circumstances involved.

b. Identify the persons involved in the mechanical preparation of the checks.

2. RESPONSE: (a) David Goldman, a customer of the Bank, requested the treasurer's checks on August 12, 1987. Each check was in the amount of $1,000.00, and each was made payable to "Haig For President". The Bank charged Mr. Goldman's checking account to offset the total amount of these checks.

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(b) Rita M. (Booth) Hotin, one of the Bank's customer service representatives, was requested to prepare the treasurer's checks and to debit Mr. Goldman's checking account. This was the Bank's customary practice. Ms. Hotin complied with Mr. Goldman's request, debited his account, and issued the treasurer's checks.

3. List by date and amount all payments, advancements, reimbursements, or other benefits provided to the following individuals in 1987 and 1988 and describe the purpose of each payment, advancement, reimbursement or other benefit:

a. Judith S. Curtin
b. Matthew L. Curtin
c. Peter S. Donadio
d. Susan M. Fraser
e. Jon A. Lichter
f. Joseph G. Maloney
g. Nora F. Moran
h. Joann O'Brien
i. William J. O'Brien
j. Heidi Saraceno
k. Ingeborg Saraceno
l. Kurt Saraceno
m. Pauline Saraceno
n. Cynthia Sneider
o. Joseph Sneider
p. David Speigel
q. Michael Tierney
r. Frank N. Cardullo
s. Victor Nicolazzo
t. Dominic Saraceno

3. RESPONSE: (a) Judith S. Curtin - Ms. Curtin was an employee of the Bank during 1987 and 1988, and she received a total salary of [redacted] in 1987 and [redacted] in 1988. (b) Matthew L. Curtin - Mr. Curtin received no monies from the Bank in 1987 and 1988. (c) Peter S. Donadio - Mr. Donadio is a member of the Bank's Board of Directors and the Executive

Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, as payment for his attendance at the Board of Directors' and the Executive Committee's meetings in those years. (d) Susan M. Fraser - Ms. Fraser is an employee of the Bank, and she received a total salary of [redacted] in 1987 and [redacted] in 1988. (d) Jon A. Lichter - Mr. Lichter is a member of the Bank's Board of Directors and the Audit Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, as payment for his attendance at the Board of Directors' and the Audit Committee's meetings in those years. (f) Joseph G. Maloney - Dr. Maloney is a member of the Bank's Board of Directors and the Executive Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, as payment for his attendance at the Board of Directors' and the Executive Committee's meetings in those years. (g) Nora F. Moran - Ms. Moran received no monies from the Bank in 1987 and 1988. (h) Joann O'Brien - Mrs. O'Brien received no monies from the Bank in 1987 and 1988. (i) William J. O'Brien - Mr. O'Brien is an employee of the Bank, and he received a total salary of [redacted] in 1987 and [redacted] in 1988. (j) Heidi Saraceno - Ms. Saraceno received no monies from the Bank in 1987 and 1988. (k) Ingeborg Saraceno - Ms. Saraceno received no monies from the Bank in 1987 and 1988. (l) Kurt Saraceno - Mr. Saraceno received no monies from the Bank in 1987 and 1988. (m) Pauline Saraceno - Ms. Saraceno received no monies

9504365095

from the Bank in 1987 and 1988. (n) Cynthia Sneider - Ms. Sneider received no monies from the Bank in 1987 and 1988. (o) Joseph Sneider - Mr. Sneider is an employee of the Bank, and he received a total salary of [redacted] in 1987 and [redacted] in 1988. (p) David Speigel - Mr. Speigel is a member of the Bank's Board of Directors and the Nominating Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, as payment for his attendance at the Board of Directors' and the Nominating Committee's meetings in those years. (q) Michael Tierney - Mr. Tierney is a member of the Bank's Board of Directors and the Executive Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, as payment for his attendance at the Board of Directors' and the Executive Committee's meetings in those years. (r) Frank N. Cardullo - Mr. Cardullo is a member of the Bank's Board of Directors and the Audit Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, for his attendance at the Board of Directors' and the Audit Committee's meetings in those years. (s) Victor Nicolazzo - Mr. Nicolazzo is an employee of the Bank, and he received a total salary of [redacted] in 1987 and [redacted] in 1988. (t) Dominic Saraceno - Mr. Saraceno is a member of the Bank's Board of Directors and the Executive Committee thereof, and he received [redacted] from the Bank in 1987, and [redacted] in 1988, for his attendance at the Board of Directors' and the Executive Committee's meetings in those years.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. **RESPONSE**: I was assisted in the preparation of these responses by the Bank's Administrative Vice-President and Assistant Corporate Secretary, Susan M. Fraser.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

5. **RESPONSE**: Attached hereto are copies of the treasurer's checks referred to in Response No. 2, above. If copies of the W2 and 1099 tax forms reflecting the payments described in Response No. 3, above, are desired, a search therefor will be undertaken upon request.

6. Produce all documents which refer, relate or pertain to the making, reimbursement or refund of contributions to Haig For President by Olympic Bank or any individual or entity associated with Olympic Bank.

6. **RESPONSE**: None.

Signed under the pains and penalties of perjury this 14TH day of November, 1989.

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY by Victor A. Nicolazzo, Jr., Chairman

[redacted] 4963

AUGUST 12, 19 87 9-207 110

PAY TO THE ORDER OF ••••• HAIG FOR PRESIDENT ••••• $ 1,000.00

OLYMPIC INTERNATIONAL BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[redacted]

TREASURER'S CHECK

[redacted]

ALLISON ALLEN
[redacted] 4964

AUGUST 12, 19 87 9-207 110

PAY TO THE ORDER OF ••••• HAIG FOR PRESIDENT ••••• $ 1,000.00

OLYMPIC INTERNATIONAL BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[redacted]

TREASURER'S CHECK

[redacted]

JUNE CHABOT
[redacted] 4966

AUGUST 12 19 87 9-207 110

PAY TO THE ORDER OF ••••• HAIG FOR PRESIDENT ••••• $ 1,000.00

OLYMPIC INTERNATIONAL BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[redacted]

TREASURER'S CHECK

[redacted]

HENRY SMIERCZYNSKI
[redacted] 4967

AUGUST 12 19 87 9-207 110

PAY TO THE ORDER OF ••••• HAIG FOR PRESIDENT ••••• $ 1,000.00

OLYMPIC INTERNATIONAL BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[redacted]

TREASURER'S CHECK

[redacted]

NORA SMIERCZYNSKI
[redacted] 4968

AUGUST 12 19 87 9-207 110

PAY TO THE ORDER OF ••••• HAIG FOR PRESIDENT ••••• $ 1,000.00

OLYMPIC INTERNATIONAL BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[redacted]

TREASURER'S CHECK

[redacted]

Deposit To The Credit Of
Haig For President
12 06 611 860

0020 39276

Deposit To The Credit Of
Haig For President
12 06 611 860

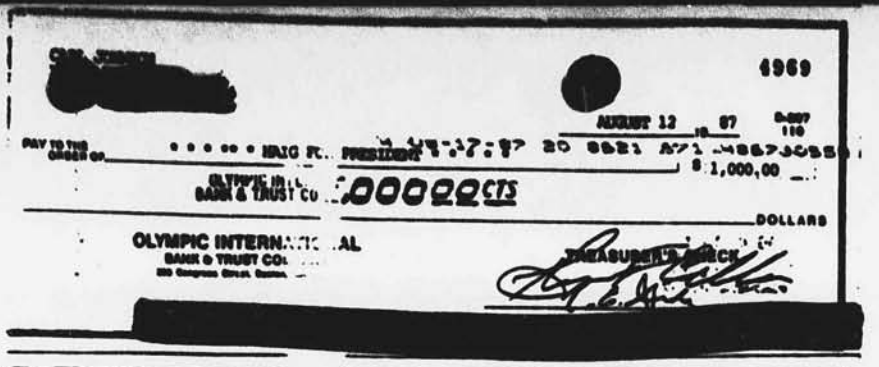
0020 39277

Deposit To The Credit Of
Haig For President
12 06 611 860

0020 39283

Deposit To The Credit Of
Haig For President
12 06 611 860

0020 39284



[redacted]

4969

AUGUST 12 19 87 S-207 110

PAY TO THE ORDER OF * * * * * * HAIG FOR PRESIDENT * * * * * 08-17-87 20 8621 671 486730555 $ 1,000.00

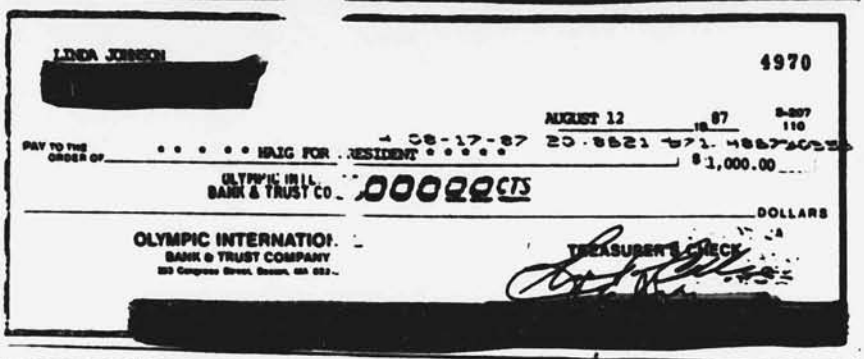
OLYMPIC INTL BANK & TRUST CO 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL BANK & TRUST CO. 303 Congress Street, Boston

TREASURER'S CHECK

[redacted]



LINDA JOHNSON

[redacted]

4970

AUGUST 12 19 87 S-207 110

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * 08-17-87 20 8621 671 486730555 $ 1,000.00

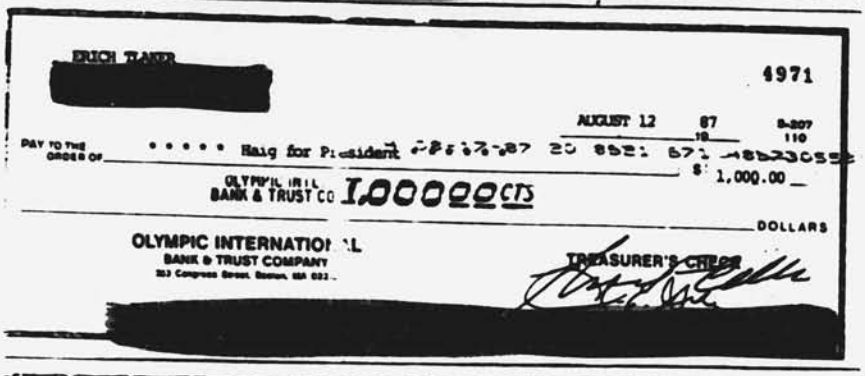
OLYMPIC INTL BANK & TRUST CO 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY 303 Congress Street, Boston, MA 02...

TREASURER'S CHECK

[redacted]



ERICH TLAKER

[redacted]

4971

AUGUST 12 19 87 S-207 110

PAY TO THE ORDER OF * * * * * Haig for President 08-17-87 20 8621 671 486730555 $ 1,000.00

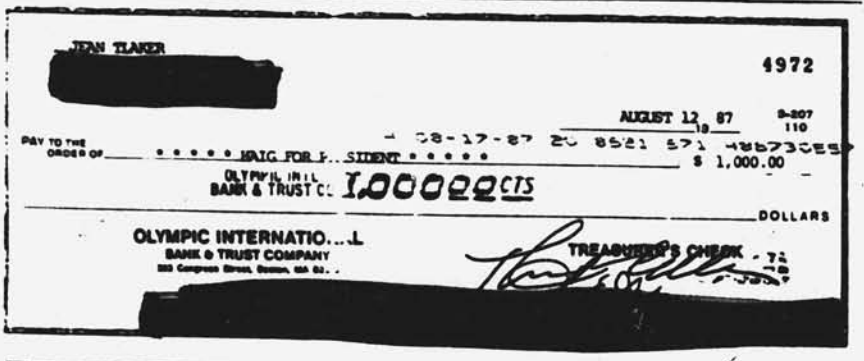
OLYMPIC INTL BANK & TRUST CO 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY 303 Congress Street, Boston, MA 02...

TREASURER'S CHECK

[redacted]



JEAN TLAKER

[redacted]

4972

AUGUST 12 19 87 S-207 110

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * 08-17-87 20 8621 671 486730555 $ 1,000.00

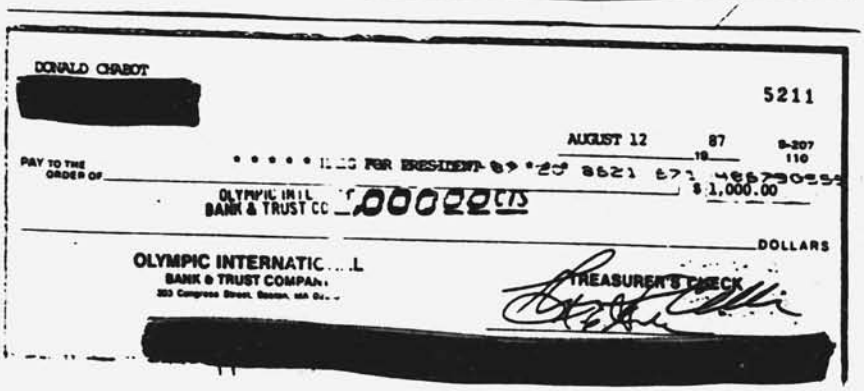
OLYMPIC INTL BANK & TRUST CO 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY 303 Congress Street, Boston, MA 02...

TREASURER'S CHECK

[redacted]



DONALD CHABOT

[redacted]

5211

AUGUST 12 19 87 S-207 110

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT 08-17-87 20 8621 671 486730555 $ 1,000.00

OLYMPIC INTL BANK & TRUST CO 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY 303 Congress Street, Boston, MA 02...

TREASURER'S CHECK

[redacted]

9 5 0 4 3 6 5 0 9 1 0

Deposit To The Credit Of
Haig For President
12 08 611 850

0020 39218

Deposit To The Credit Of
Haig For President
12 08 611 850

0020 39200

Deposit To The Credit Of
Haig For President
12 08 611 850

0020 39202

Deposit To The Credit Of
Haig For President
12 08 611 850

0020 39201

Deposit To The Credit Of
Haig For President
12 08 611 850

0020 39219

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
'88 NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF VICTOR A. NICOLAZZO, JR. TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: Victor A. Nicolazzo, Jr., 37 Holden Road, Newton, Massachusetts 02165. I am the Chairman of the Board of Olympic International Bank & Trust Company (the "Bank"), 303 Congress Street, Boston, Massachusetts 02210.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE: a. I have been employed by the Bank since its inception in 1985, when I was elected to the position of Chairman of the Board. I currently hold that position.

b. As Chairman of the Board, I oversee the handling of all the Bank's affairs and business.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: I sent a check to the "Haig For President" campaign on April 28, 1987 in the amount of $1,750.00. This check -- a copy of which (both sides) is attached hereto -- represented two contributions: $1,000.00 from my wife, and $750.00 from me. This dual contribution was pointed out to the Haig campaign at the time.

On September 24, 1987, Susan Fraser, at my request and on my behalf, sent an additional contribution in the amount of $250.00. I later reimbursed Ms. Fraser this $250.00.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. RESPONSE: No one.

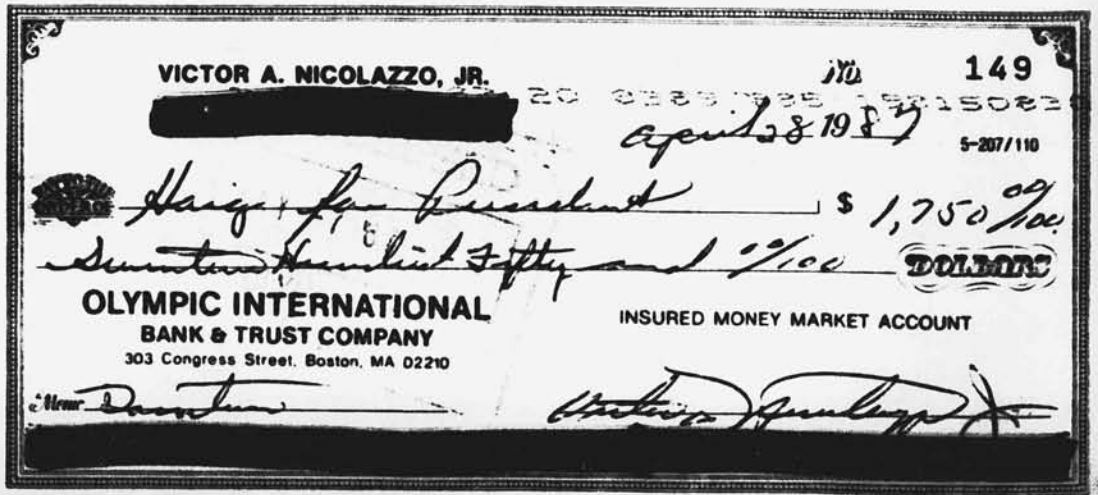
5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5. RESPONSE: I have no correspondence. My check (both sides), and Ms. Fraser's check (both sides), are attached hereto.

Signed under the pains and penalties of perjury this 6th day of November, 1989.

Victor A. Nicolazzo, Jr.

Deposit To The Credit Of
Haig For President
12 08 611 850



Susan M. Fraser

[redacted] -30-87 20 9342 090 3837 [illegible]

Sept. 24 19 87 5-207 110

PAY TO THE ORDER OF HAIG FOR PRESIDENT $ 250.00

TWO HUNDRED FIFTY and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
3[illegible] Congress Street, Boston, MA 02210

MEMO

Susan M. Fraser

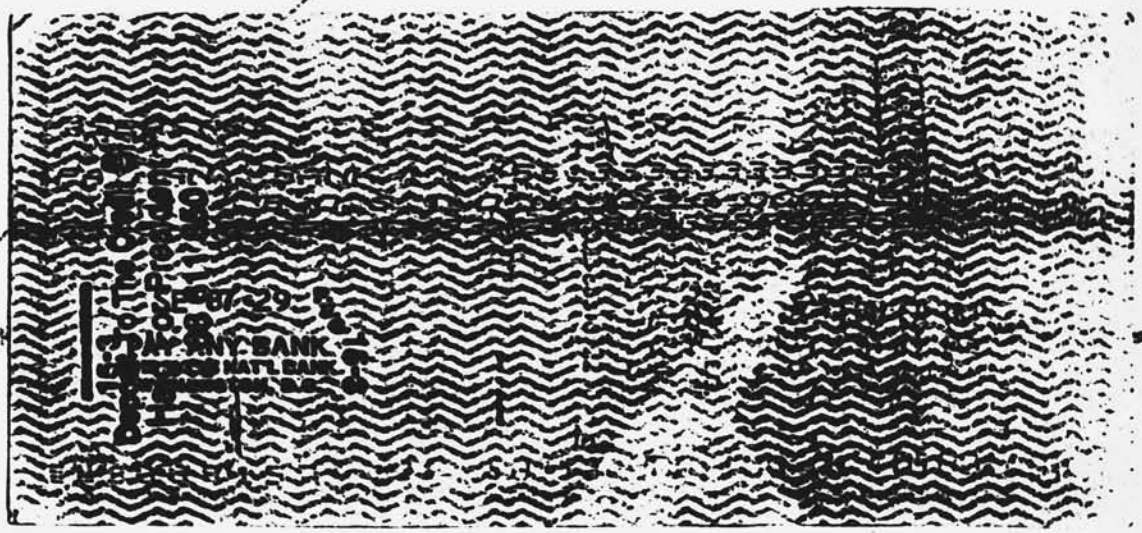
[redacted]

SEP 87 29

PAY ANY BANK

[illegible] NAT'L BANK

[illegible]



95043650966

RECEIVED
FEDERAL ELECTION COMMISSION
NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF SUSAN M. FRASER TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: Susan M. Fraser, 124 Mishawum Road, Woburn, Massachusetts 01801. I am the Administrative Vice-President and Assistant Corporate Secretary of the Olympic International Bank & Trust Company (the "Bank"), 303 Congress Street, Boston, Massachusetts 02210.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE:

a. I have been employed by the Bank since its inception in 1985. I was elected to the position of Assistant

Corporate Secretary in 1985, and to the position of Administrative Vice-President in 1988. I currently hold both positions.

b. As Assistant Corporate Secretary, it is my responsibility to maintain all official corporate records for the Bank, and to attend and coordinate all of the meetings of both the Bank's Board of Directors and its Board-appointed committees. In addition, I am also responsible for the Bank's stockholder relations, and for preparation of the Bank's holding company's quarterly and annual reports.

As Administrative Vice-President, it is my duty to maintain all of the Bank's personnel and payroll records, employee benefits, insurance, and other administrative matters. I am also responsible for ordering all bank forms and supplies, printed materials, furniture and equipment. In addition, I coordinate all advertising and marketing activities for the Bank.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: On or before September 24, 1987, Victor A. Nicolazzo, Jr. asked me whether if, he later reimbursed me, I would send a check for $250.00 on his behalf to the Haig For

President campaign. A copy of my check (both sides) is attached hereto. Mr. Nicolazzo later reimbursed me the $250.00.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. RESPONSE: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5. RESPONSE: I have no correspondence. My check (both sides) is attached hereto.

Signed under the pains and penalties of perjury this 6th day of November, 1989.

Susan M. Fraser

Susan M. Fraser

Susan M. Fraser

[redacted] 30-87 20 9342 090 38374226

Sept. 24 19 87 8-207 110

PAY TO THE ORDER OF HAIG FOR PRESIDENT $ 250.00

TWO HUNDRED FIFTY and 00/100 DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO

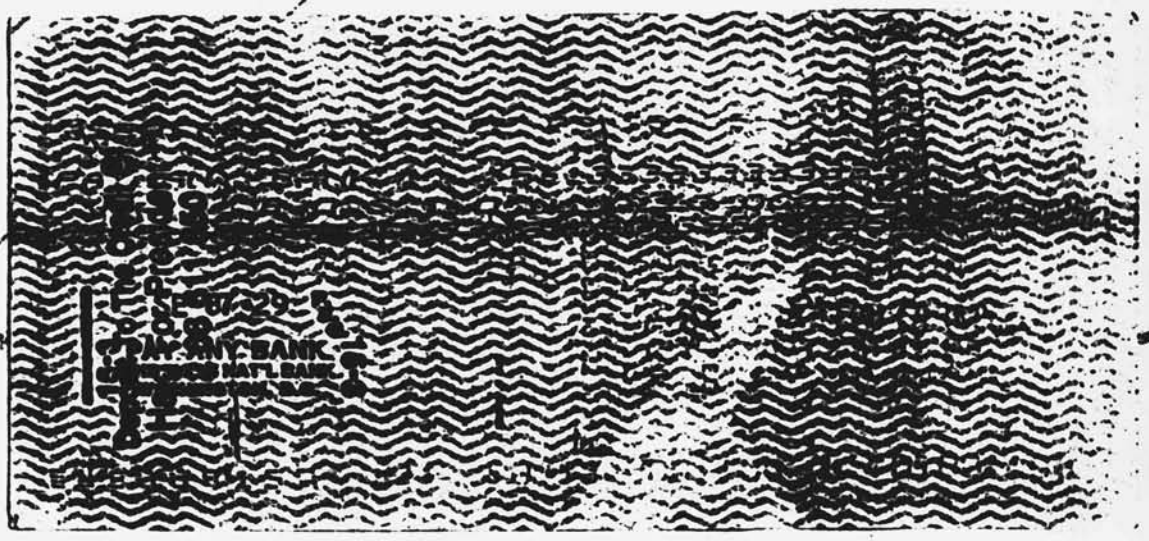
Susan M. Fraser

[redacted]

SEP 87 29

PAY ANY BANK

NAT'L BANK



95043050970

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF WILLIAM J. O'BRIEN TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: William J. O'Brien, 242 Adams Street, Quincy, Massachusetts 02169. I am the President and Chief Executive Officer of the Olympic International Bank & Trust Company (the "Bank"), 303 Congress Street, Boston, Massachusetts 02210.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE:

a. I have been employed by the Bank since its inception in 1985, when I was elected to the positions of President and Chief Executive Officer. I currently hold both positions.

b. As the Bank's President and Chief Executive Officer, my principal areas of responsibility are in the planning, controlling and directing of the Bank's accounting and financial reporting, and in conducting analyses and preparing reports on the financial status of the Bank. I am also responsible for the Bank's investment portfolio, as well as the Bank's internal accounting and financial reporting, policies, programs and procedures to insure that they comply with generally accepted accounting and auditing principles.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: I made a contribution of $250.00 on September 23, 1987. My contribution was made by check, a copy of which (both sides) is attached hereto.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

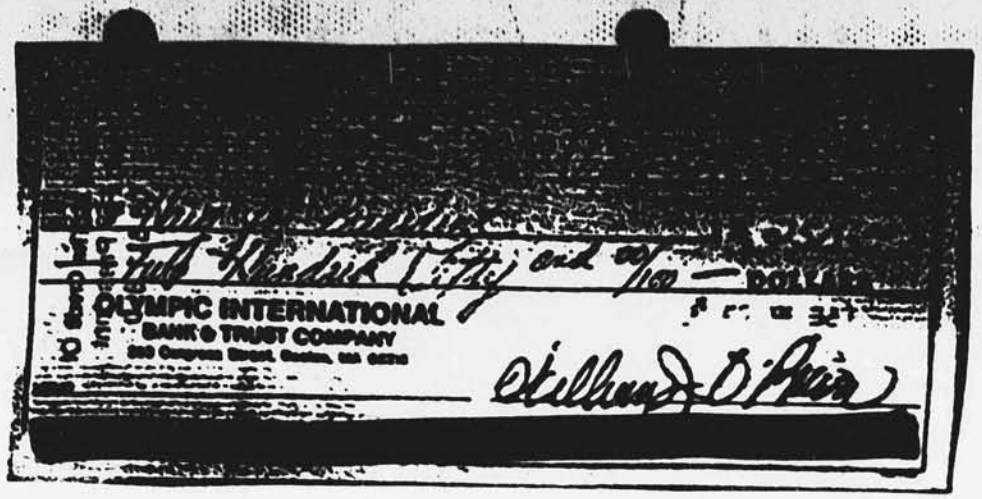
4. RESPONSE: No one.

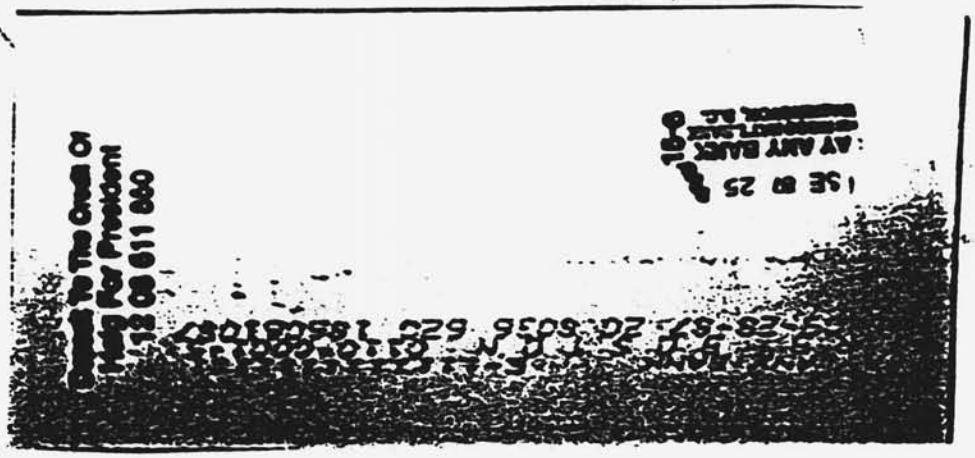
5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5. RESPONSE: I have no correspondence. My check (both sides) is attached hereto.

Signed under the pains and penalties of perjury this 3rd day of November, 1989.

William J. O'Brien





[redacted]

Fifty Hundred Fifty and 00/100 — DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[illegible] Congress Street, Boston, MA [illegible]

[redacted]

Deposit To The Credit Of
Hang For President
12 08 611 880

SE 89 25
AY ANY BANK
[illegible]

9 5 0 4 3 6 5 0 9 7 4

RECEIVED
FEDERAL ELECTION COMMISSION
89 NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF JOANN O'BRIEN
TO SUBPOENA TO PRODUCE DOCUMENTS

1. Please provide: Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

1. RESPONSE: Attached hereto are copies of all the documents which I have in my possession, custody or control that are responsive to this Subpoena.

Signed under the pains and penalties of perjury this 3rd day of November, 1989.

Joann O'Brien

Joann O'Brien

JOANN M O'BRIE[redacted]

[redacted]

4557

5-207

1 05-07-87 20 [illegible] 198150833

PAY TO THE ORDER OF ***** HAIG FOR PRESIDENT ***** $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1000 AND 00 CTS DOLLARS

Jessa M. Fraser

[redacted]

PAY ANY BANK 5-1111111111111

F R B S C S T O N 0110-0001-5

1 05-07-87 20 8389 885 198150833

Deposit To The Credit Of
Haig For President
12 08 611 860

0009 0 2 4 7 6

MAY 87 06

PROCESSED
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

15-3

9 5 0 4 3 0 5 0 9 7 6

Customer's Charge

Olympic Bank
BOSTON, MASSACHUSETTS 02210

NOTICE TO BOOKKEEPING DEPT.

We have CHARGED to your account the amount stated below. Please DEDUCT this amount from your balance with us.
A voucher for this charge will accompany your cancelled checks for the current month.

Account No. [redacted] Date 4-29-84

DEBIT

Explanation Treasurers Checks #4557

DOLLARS	CENTS
$1000	—

APR 29 87 - - -

BY

[Quincy Ma 02169]

this charge, please call

[redacted]

9 5 0 3 6 5 0 9 7 7

00881

PAY ANY BANK REG.
OLYMPIC BANK
BANK &
TRUST CO.
5-207 5-207

APR 29 87

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF JOSEPH G. SNEIDER TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: Joseph G. Sneider, 250 Hammond Pond Parkway, Apartment 801-N, Chestnut Hill, Massachusetts 02167. I am employed by the Olympic International Bank & Trust Company (the "Bank), 303 Congress Street, Boston, Massachusetts 02210.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE: a. I have been employed as a Senior Vice-President of the Bank for three years.

b. As a Senior Vice-President of the Bank, I work in conjunction with the Bank's loan and customer relations departments.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: I made a contribution of $500.00 on May 6, 1987. My contribution was made by check, a copy of which (both sides) is attached hereto.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. RESPONSE: No one.

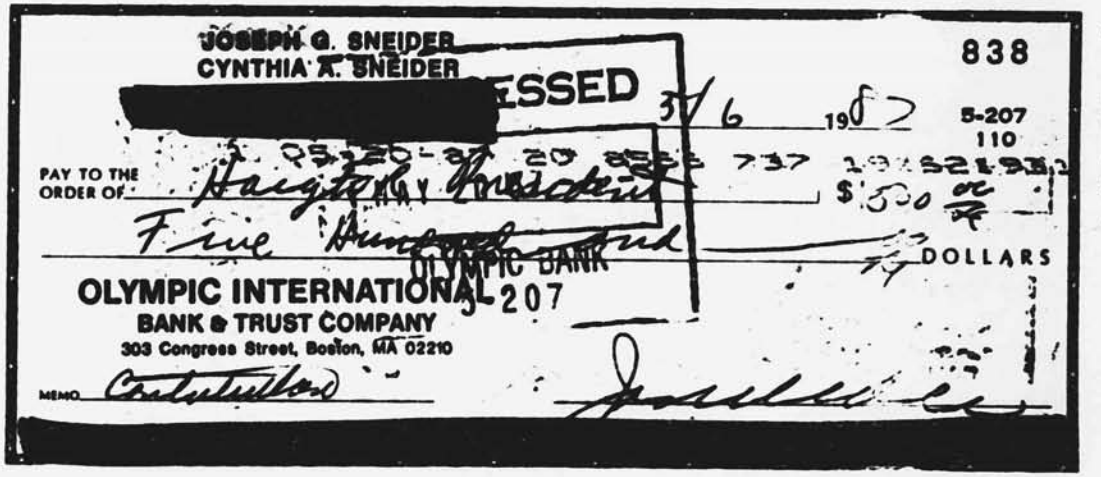
5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5. RESPONSE: I have no correspondence. My check (both sides) is attached hereto.

Signed under the pains and penalties of perjury this 6 day of November, 1989.

Joseph G. Sneider

9 5 0 4 3 6 5 0 9 3 0



JOSEPH G. SNEIDER
CYNTHIA A. SNEIDER

[redacted]ESSED

838

5-207
110

3/6 1982

PAY TO THE ORDER OF Haigt & Kraskin $500 00/100

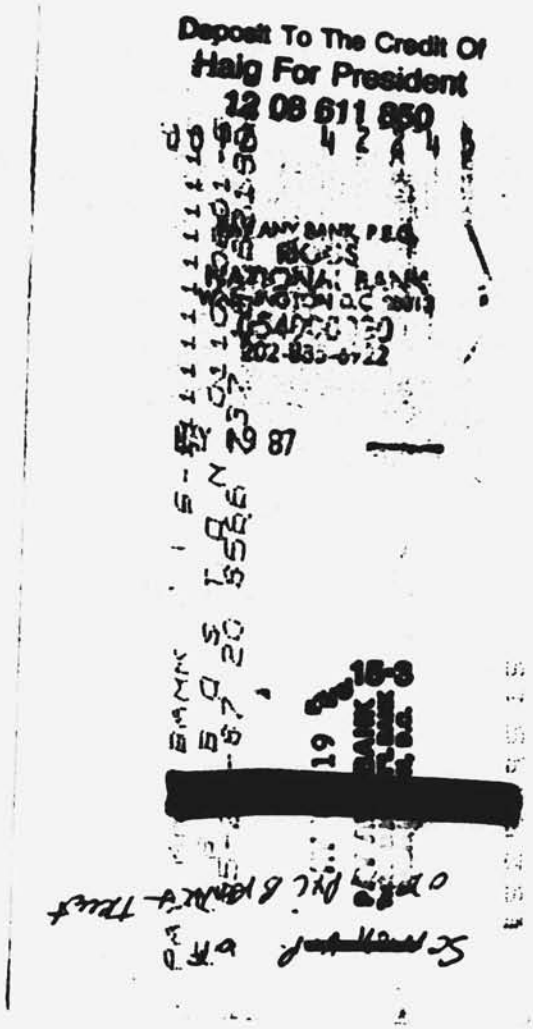
Five Hundred and 00/100 DOLLARS

OLYMPIC BANK
5-207

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO Contribution

Deposit To The Credit Of
Haig For President
12 08 611 850





FEDERAL ELECTION COMMISSION
RECEIVED
ADMINISTRATIVE DIVISION
NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF CYNTHIA A. SNEIDER TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: Cynthia A. Sneider, 250 Hammond Pond Parkway, Apartment 801-N, Chestnut Hill, Massachusetts 02167. I work part-time for Manor House Industries in Cambridge, Massachusetts.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE: I have never been employed by the Olympic International Bank & Trust Company (the "Bank"). My husband, Joseph G. Sneider, has been employed as a Senior Vice-President of the Bank for three years. As a Senior Vice-President, my

husband works in conjunction with the Bank's loan and customer relation departments.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: I made no contributions to the Haig For President Campaign.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. RESPONSE: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

5. RESPONSE: I have no documents.

Signed under the pains and penalties of perjury this 14TH day of November, 1989.

Cynthia A. Sneider

Cynthia A. Sneider

FEDERAL ELECTION COMMISSION
89 NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

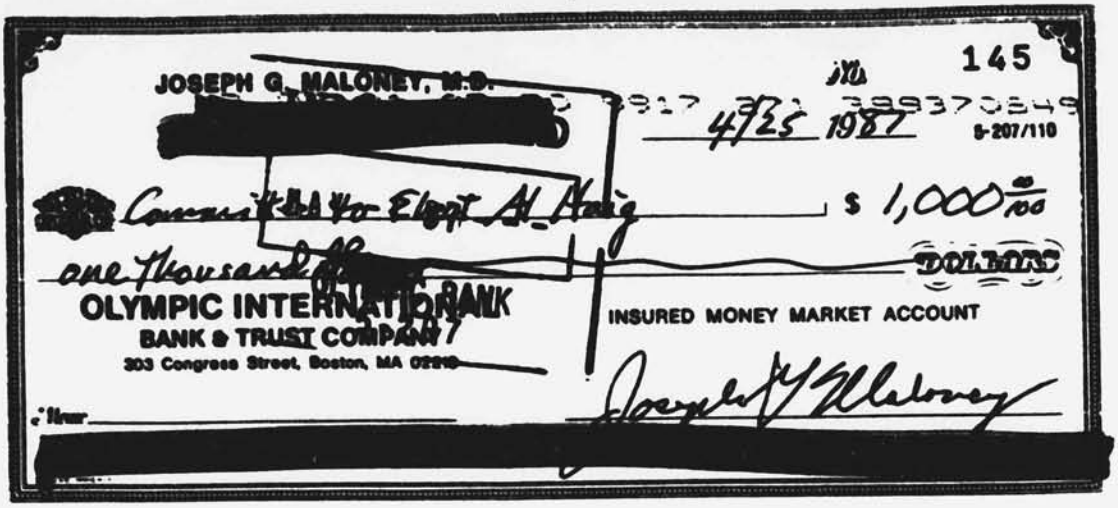
RESPONSE OF JOSEPH G. MALONEY
TO SUBPOENA TO PRODUCE DOCUMENTS

1. Please provide: Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

1. RESPONSE: Attached hereto are copies of all the documents which I have in my possession, custody or control that are responsive to this Subpoena.

Signed under the pains and penalties of perjury this 14th day of November, 1989.

Joseph G. Maloney



JOSEPH G. MALONEY, M.D.
[redacted]

145

4/25 1987

$ 1,000 00/100 DOLLARS

Committee for Elect Al Haig

one thousand [redacted]

OLYMPIC INTERNATIONAL BANK
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

For [redacted]

Joseph G. Maloney

[redacted]

PAY ANY BANK 5-133333333333
F R B B O S T O N 0110-0001-5
3 05-01-87 20 9917 271 399390649

AP # 30

PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

for deposit only
Haig for president

5 7 3 6 9

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

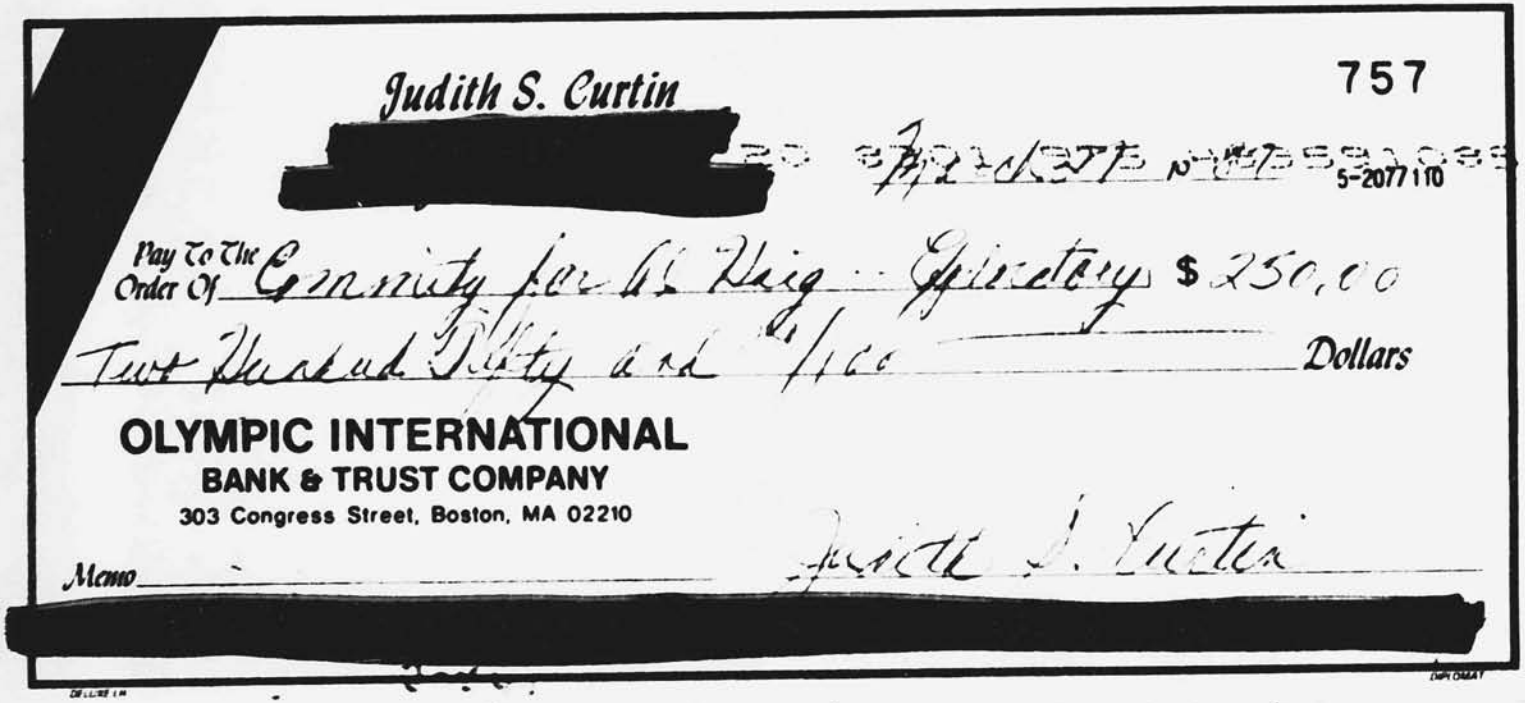
RESPONSE OF JUDITH S. CURTIN
TO SUBPOENA TO PRODUCE DOCUMENTS

1. Please provide: Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

1. RESPONSE: Attached hereto are copies of all the documents which I have in my possession, custody or control that are responsive to this Subpoena.

Signed under the pains and penalties of perjury this 6th day of November, 1989.

Judith S. Curtin
Judith S. Curtin



Judith S. Curtin

[redacted]

757

5-2077 110

Pay To The Order Of Commity for Al Haig - Exploratory $ 250.00

Two Hundred Fifty and 00/100 Dollars

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo

Judith S. Curtin

[redacted]

DELUXE LH

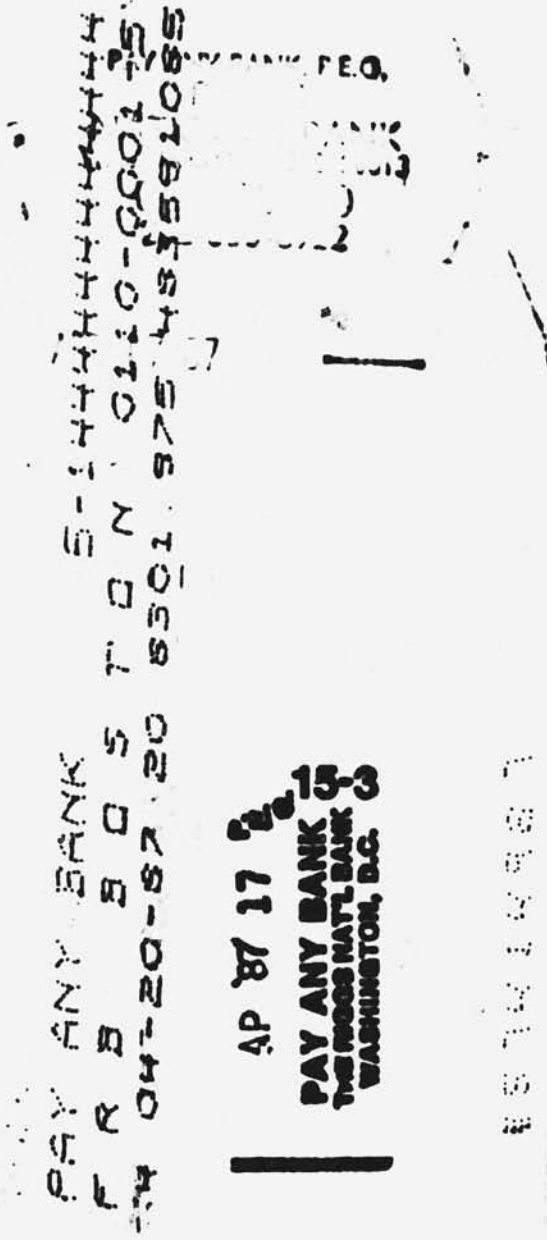
DIPLOMAT

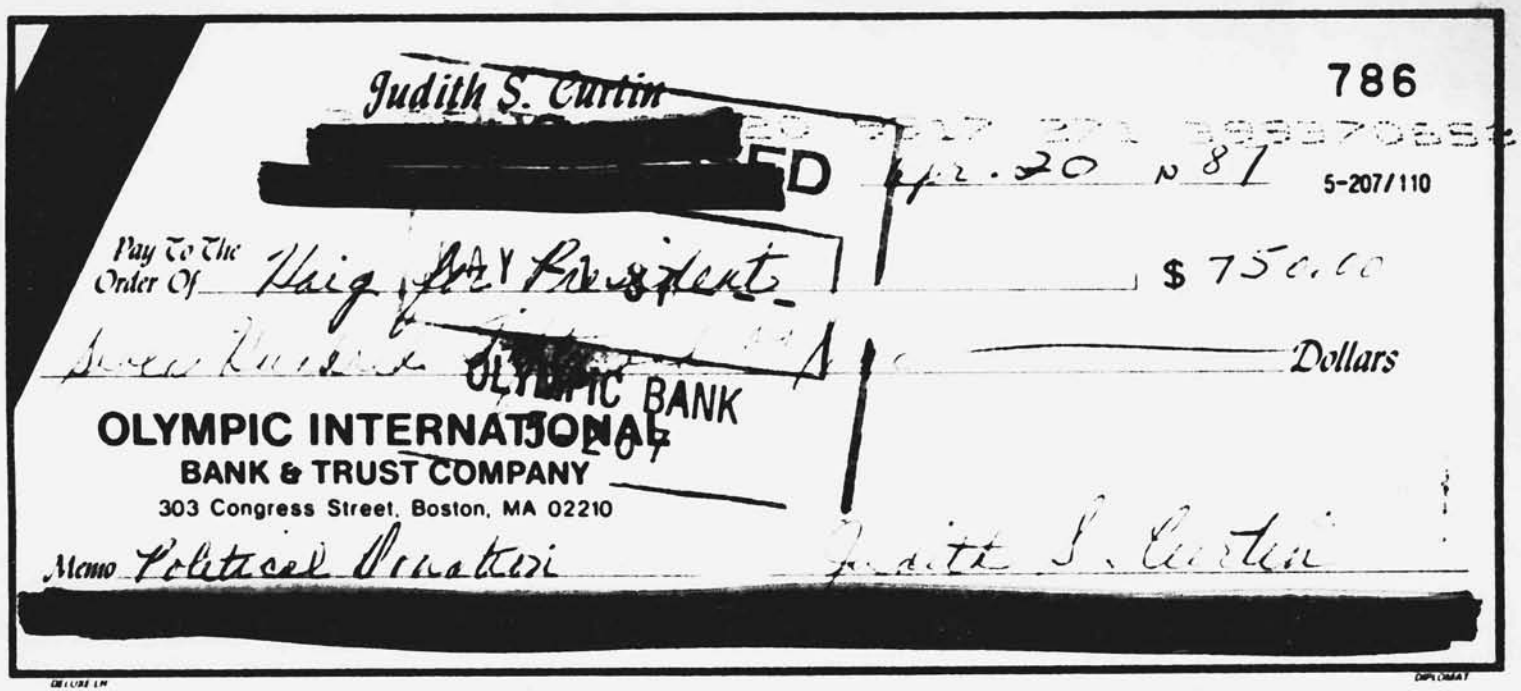
9 5 0 4 3 8 5 0 9 8 7

FOR DEPOSIT ONLY

~~XXXXXXXXXXXXXXXXXXXX~~

HAIG FOR PRESIDENT





786

Judith S. Curtin

[redacted] ED Apr. 20 N 81

5-207/110

Pay To The Order Of Haig for President $ 750.00

Seven Hundred [illegible] Dollars

OLYMPIC BANK

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo Political Donation Judith S. Curtin

[redacted]

DELUXE LH DIPLOMAT

9 5 0 4 3 6 5 0 9 8 9

for deposit only
Haig for president

PAY ANY BANK 5-1333333333333
F R B B O S T O N 0110-0001-5
3 05-01-87 20 9917 271 399370658

17 57429

PAY ANY BANK P.E.G.

AP 87 30 Feb 15-8
PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION
NOV 17 AM 8:44

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

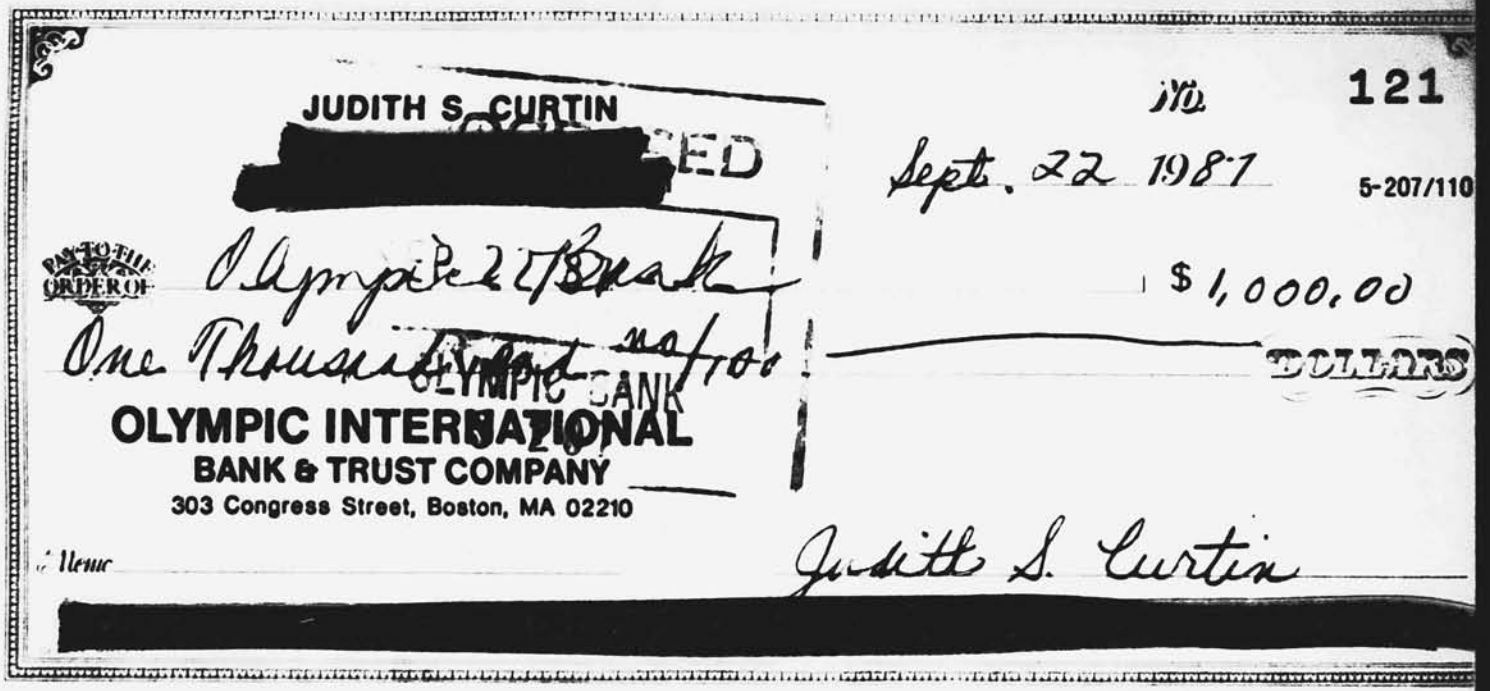
RESPONSE OF MATTHEW L. CURTIN
TO SUBPOENA TO PRODUCE DOCUMENTS

1. Please provide: Copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

1. RESPONSE: Attached hereto are copies of all the documents which I have in my possession, custody or control that are responsive to this Subpoena.

Signed under the pains and penalties of perjury this 16th day of November, 1989.

Matthew L. Curtin



JUDITH S. CURTIN
[redacted]ED

No. 121

Sept. 22 1987

5-207/110

PAY TO THE ORDER OF Olympic Bank

$ 1,000.00

One Thousand and no/100 DOLLARS

OLYMPIC BANK

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo

Judith S. Curtin

[redacted]

9504565092

02253

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 NOV 20 AM 11:41

06C4624

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 20 PM 5:13

November 15, 1989

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717 - Kurt W. Saraceno

Dear Mr. Mc Donald:

In my October 17, 1989 answers to your interrogatories set forth in you October 3, 1989 letter, I indicated in Question 5 that I would attempt to locate back-up information concerning my contributions to the Haig campaign. Enclosed is a copy of my check dated April 23, 1987 in the amount of $750.00 which I was able to obtain from the Haig Committee office files. However, the $250.00 check payable to the Haig for President - Exploratory has not been located. I will continue in my efforts to locate it.

Sincerely,

Kurt W. Saraceno

KWS/rjr
CC: Kenneth E. Kellner, Attorney

2504365092 4

EFHutton

KURT W SARACENO

[redacted]

221

4/23 1987

3-5/310

PAY TO THE ORDER OF Committee for Al Haig $ 750.00

Seven Hundred Fifty DOLLARS

PROVIDENT NATIONAL BANK
17th & CHESTNUT STREETS
PHILADELPHIA, PA 19101

Asset Management Account

[redacted]

9 5 0 4 3 6 5 0 9 0 5

OGC 4627

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 NOV 21 AM 8:53

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P.C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P.C.
FREDERIC H. HILTON, P.C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P.C.
RONALD GARMEY, P.C.
ANTHONY J. MEDAGLIA, JR., P.C.
JOHN H. CLYMER, P.C.
CHARLES W. ROBINS, P.C.
MARY ELLEN O'MARA, P.C.
RICHARD S. MORSE, JR., P.C.
JOSEPH C. TANSKI
ROBERT S. GULICK

JOHN C. THOMSON, P.C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
KENNETH S. MAY
FREDERICK H. GREIN, JR.
REGINA S. ROCKEFELLER
KATHERINE L. BABSON, JR.
JOHN D. HUGHES
DAVID S. ROSENTHAL
JAMES WESTRA
MARK N. BERMAN
ADRIENNE SMITH
ROBERT A. THOMPSON
PAUL J. HARTNETT, JR.
KARYN FAITH SCHEIER

HOPE CONSTANCE VASSOS
DONALD D. COOPER
ARTHUR W. YOUNG III
PETER E. GUMPEL*
CAROL C. BROWN
MELINDA J. HARRISON
LORI J. HOLIK
JONATHAN R. KARIS
RICHARD S. NICHOLSON
HELEN H. STEWART
HARRY A. HANSON III
JOHN M. BAKER
PHILIP C. LOMBARDO, JR.
CHARLES A. WRY, JR.
JOHN P. CONNELLY
JEFFREY S. WIEAND
ANDREW M. TROOP
MARGUERITE M. CORN
JAMES A. KOBE

EVELYN VENABLES MORENO
TIMOTHY A. CLARK
PAULA M. GESMUNDO
MARK G. MAHER
W. GEOFFREY STEIN
STEVEN M. PECK
MARY AUSTIN DOWD
GARY D. LEVINE
BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS
DAVID J. KRAMER
JULIE A. TEDESCO
JEFFREY R. PORTER
DONALD W. PARKER
DAVID L. MCEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN

BRUCE A. COHEN

* ADMITTED ONLY IN NEW YORK

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. McLAUGHLIN
RAINER M. KOHLER, P.C.
OF COUNSEL

November 20, 1989

BY FEDERAL EXPRESS

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

Re: MUR 2717

Dear Mr. Kellner:

Enclosed herewith please find:

a. Statement Of Designation Of Counsel; and

b. Response Of Michael E. Tierney To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers.

Please file same with the other papers in the above-referenced matter.

Thank you.

Very truly yours,

John P. Connelly

JPC/mc
Enclosures

cc: Michael E. Tierney

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: John D. Hughes
John P. Connelly

ADDRESS: Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

TELEPHONE: (617) 951-6600

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

Date

Signature

RESPONDENT'S NAME: Michael E. Tierney

ADDRESS: 35 Grayfield Avenue
West Roxbury, MA 02132

HOME PHONE: [redacted]

BUSINESS PHONE: (617) 472-6000

95043455093

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

RESPONSE OF MICHAEL E. TIERNEY TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. State your name, address and current employment.

1. RESPONSE: Michael E. Tierney, 35 Grayfield Avenue, West Roxbury, Massachusetts 02132. I am employed by Tierney Mechanical Contracting Corp., One Wadleigh Place, South Boston, Massachusetts 02127.

2. State whether you, or a member of your family, are now or ever have been employed by Olympic International Bank and Trust ("Olympic Bank"). If so,

a. State all positions or titles held by you, or a member of your family, within Olympic Bank and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

2. RESPONSE: I am not, nor have I ever been, employed by Olympic Bank. I am, however, a member of Olympic Bank's Board of Directors and the Executive Committee thereof.

3. State whether you made a contribution to Alexander Haig or Haig For President (the "Committee"). If so, for each such contribution:

a. State the amount and date of contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

3. RESPONSE: I made a contribution of $1,000.00 on April 21, 1987. My contribution was made by check, a copy of which (both sides) is attached hereto.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

4. RESPONSE: No one.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

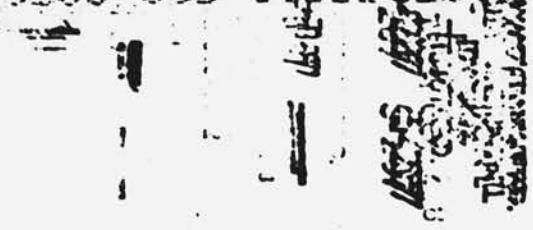
5. RESPONSE: I have no correspondence. My check (both sides) is attached hereto.

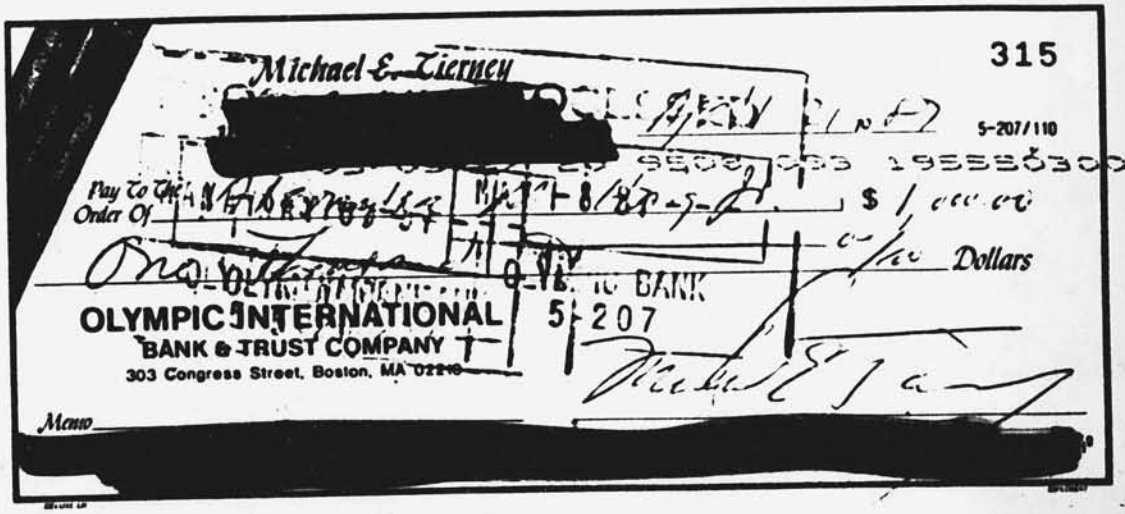
Signed under the pains and penalties of perjury this 20th. day of November, 1989.

Michael E. Tierney

For deposit only
Haig for president

PAY ANY BANK





06646

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 NOV 22 AM 11:21

LAW OFFICES OF
ANTHONY R. PELUSI, JR.

BULFINCH SQUARE
43 THORNDIKE STREET
CAMBRIDGE, MASSACHUSETTS 02141-1714

TELEPHONE (617) 577-8400
FAX (617) 225-0515

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 NOV 22 PM 12:39

November 17, 1989

Attorney Kenneth E. Kellner
Federal Elections Commission Washington D.C.
999 E Street, Northwest
Washington, D.C. 20463

Re: MUR 2717 Frank N. Cardullo

Dear Mr. Kellner:

Please be advised that I am unable to continue in representation of Mr. Frank Cardullo in the above referenced matter due to recent developments in my personal life which have prevented me from being able to devote time to this matter over the past two weeks. He told me nonetheless that he will be filing answers to your request in a timely fashion in an effort to assist you in gathering the facts that are necessary to complete your investigation on this issue.

I appreciate your courtesy in granting the initial request for an extension to file answers and beg your indulgence on his behalf should he be a day or so late submitting his answers. I have advised him of my understanding of CMR III.2 (c) which grants him a 3 day repreive for filing by mail. If I can be of any further assistance please do not hesitate to contact me. Otherwise I remain

Sincerely yours,

Anthony R. Pelusi, Jr.

ARP:KD

cc: Mr. Frank Cardullo

ANSWERS TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. Frank N. Cardullo, 729 S. Main Street, Centerville, MA 02632, Wursthaus, Inc., 4 John F. Kennedy Street, Cambridge, MA 02138

2. a. I am a director of the Olympic International Bank & Trust Co.

   b. I try to find new customers for the bank.

3. Yes. I made two contributions to Alexander Haig for President Campaign.

   a. 1) April 22, 1987 ..... $1,000.00
      2) October 20, 1987 ... $ 100.00

   b. The contributions were made by check, copies of which are enclosed.

4. No one

5. Also, enclosed is a copy of a check from the Haig for President Campaign to me because I inadvertenly exceeded the $1,000.00 limit by $100.00, when I sent the additional contribution in October.

HAIG

LEADERSHIP FOR AMERICA

ATTENTION: MS. MCCALL

Dear

The purpose of my letter is to invite you to become a sponsor for the special salute to Al Haig Reception being held Saturday, September 26th, from 7:00 to 9:00 p.m. in the Parish Meeting Room of Faneuil Hall. Prior to this, a private reception with Al Haig and his family will be held exclusively for sponsors and their spouses from 5:00 p.m. to 6:30 p.m. in the Captain's Room at Faneuil Hall. You will be greeted by Billy Dee Williams, a distinguished actor and member of the Haig National Advisory Committee.

Needless to say, your sponsorship of $1,000 will be deeply appreciated by Al Haig and all others who are working tirelessly to insure the continued success of the Haig Campaign. Your past contributions and support have played an important role in Al Haig's phenomenal surge since his announcement on March 23rd. This is evidenced by his solid third-place standing in the recent Boston Globe and Time Magazine polls. It is noteworthy that Al Haig was rated the highest among all candidates of both parties in the Leadership category. This, of course, should not be surprising to anyone and certainly speaks well for the judgement of the electorate.

As you may know, I have been appointed National Campaign Treasurer. This position has been both an honor and a privilege and has provided me with an opportunity to view the grassroots support for his candidacy firsthand. As I am sure you know, enormous financial resources are required to maintain and build this support. Capital formation for any new venture is, at best, difficult. For a non-politician, it is a particularly difficult task.

Please continue to invest in Al Haig. Consider it a long-term investment in the future of our nation.

I extend my deepest gratitude and that of the Haig Family for your valued support.

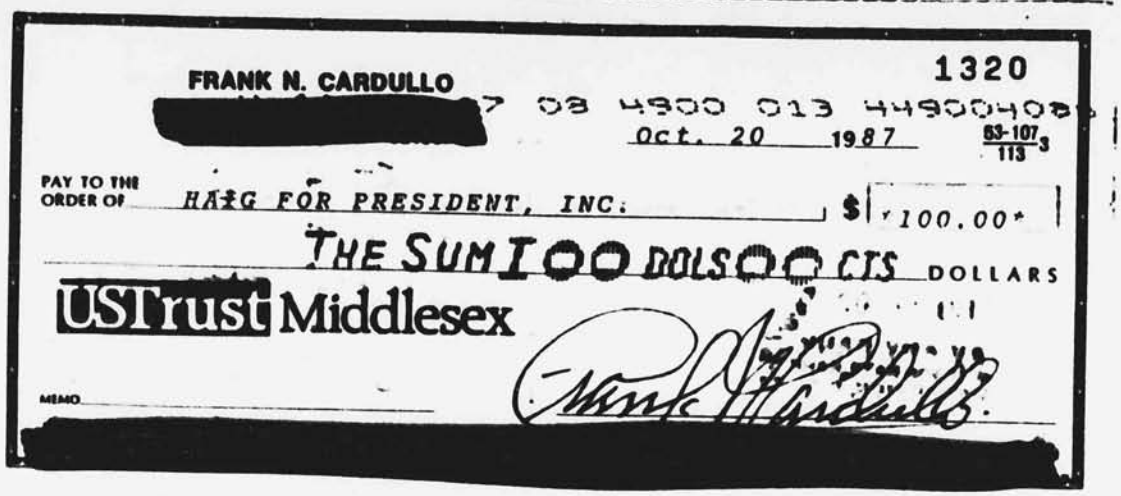
Cordially,

Dom Saraceno
Treasurer
Haig for President

REC'D. 4ST.
O.K.'D. 100-
DIST.
PUR. JR. DIRECT
CK. DATE 10/20/87
CK. NO. 1320

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

Paid for by Haig for President, Inc.



FRANK N. CARDULLO

1320

[redacted] 7 08 4900 013 44900408

Oct. 20 1987

63-107/113 3

PAY TO THE ORDER OF HAIG FOR PRESIDENT, INC. $ *100.00*

THE SUM 100 DOLS 00 CTS DOLLARS

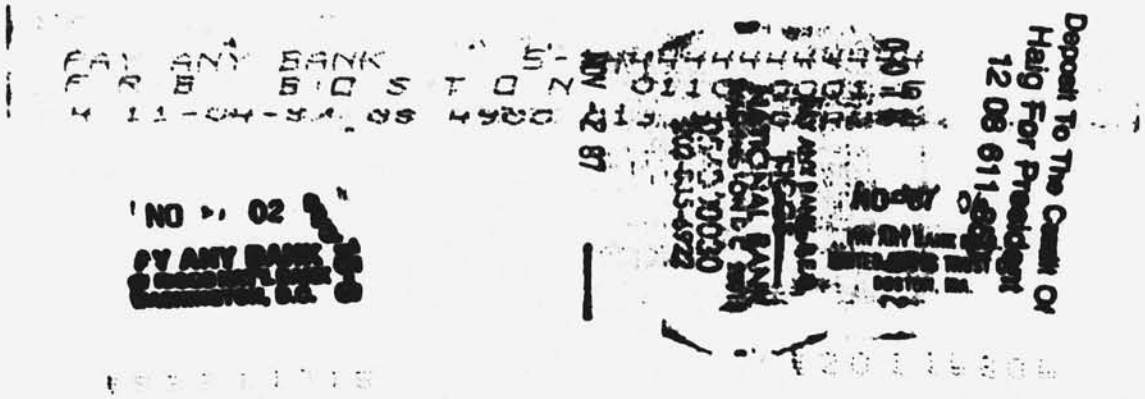
USTrust Middlesex

MEMO

Frank N. Cardullo

[redacted]

95043651005


Deposit To The Credit Of
Help For President
12 08 611

9504365 1007

HAIG FOR PRESIDENT
[redacted]

EXPLANATION	AMOUNT
Refund of excess Contribution	

15-3/540

2401

PAY AMOUNT OF One-Hundred and 00/100 DOLLARS

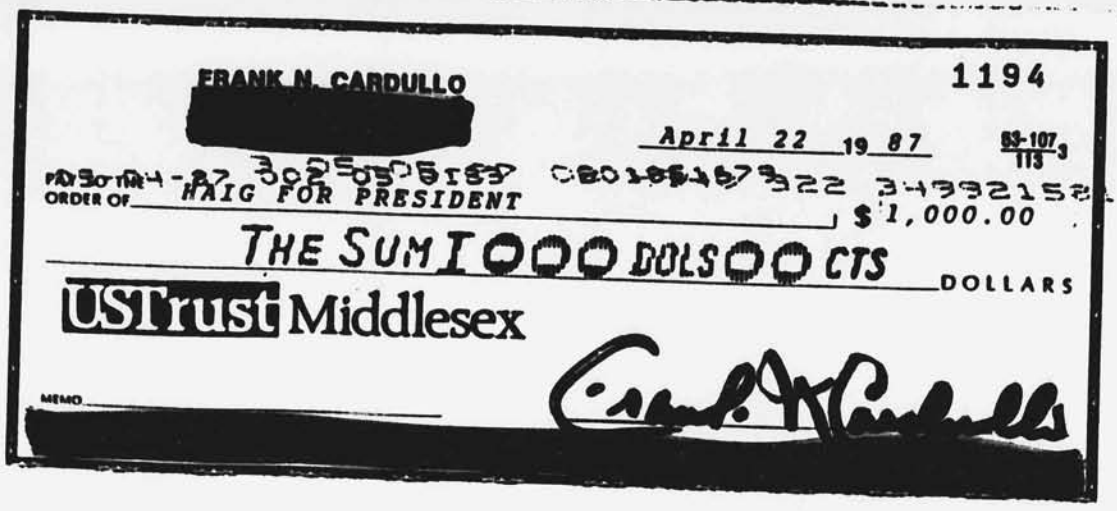
CHECK AMOUNT $ 100.00

DATE	TO THE ORDER OF	ACCTS. PAYABLE	DISC.	OTHER	CHECK NUMBER
1/29/88	Frank N. Cardullo 129 J.F. Kennedy Street Cambridge, MA 02138				2401

THE RIGGS NATIONAL BANK OF WASHINGTON, D.C.

Wendy W. Haig

[redacted]



FRANK N. CARDULLO
[redacted]

1194

April 22 19 87

83-107
113

PAY TO THE ORDER OF HAIG FOR PRESIDENT

$ 1,000.00

THE SUM I000 DOLS 00 CTS DOLLARS

USTrust Middlesex

MEMO

[redacted]

PAY ANY BANK 5-1333333333333
F R B B O S T O N 0110-0001-5
5 05-05-87 08 4940 322 349921581
7-87 PAY ANY BANK P.E.G. 7 7
F.R.B. BALTIMORE MD 052000278
05-04-87 002 05 0163 601858579

for deposit only
Hold for president

MY '87 04

MY '87 05
PAY ANY BANK P.E.G.
UNITED STATES TRUST CO.
BOSTON, MA.

95043651009

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 22, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald A. Cooke
6 Brom Dutcher Road
Buzzards Bay, MA 02532

RE: Tradewind Systems
Donald A. Cooke
MUR 2717

Dear Mr. Cooke:

By letter dated October 3, 1989, the Commission forwarded its Subpoena to Produce Documents and Order to Answer Written Questions addressed to you on behalf of Tradewind Systems. By letter of the same date, the Commission issued a Subpoena and Order addressed to you personally. The Subpoenas and Orders were received no later than October 20, 1989.

We have received no indication that you intend to comply with these compulsory processes issued by the Commission. Accordingly, this is to notify you that unless you comply in full with the Subpoenas and Orders within ten days of receipt of this letter, I will seek Commission authorization to bring suit in federal district court against you to enforce the Subpoenas and Orders.

If you have any questions about this matter, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (JPZ)

Lawrence M. Noble
General Counsel

9504365010

06C4673

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 28 PM 5:04

PATTON, BOGGS & BLOW
2550 M STREET, N.W.
WASHINGTON, D.C. 20037-1350
(202) 457-6000
TELECOPIER 457-6315
TRT TELEX 197780

250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201
(301) 659-5600

700 RALEIGH FEDERAL SAVINGS
BANK BUILDING
RALEIGH, NORTH CAROLINA 27602
(919) 832-4111

104 NORTH ELM STREET
GREENSBORO, NORTH CAROLINA 27401
(919) 273-1733

101 EAST KENNEDY BOULEVARD
TAMPA, FLORIDA 33602
(813) 222-6888

November 28, 1989

WRITER'S DIRECT DIAL

(202) 457-6094

The Honorable Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attention: Kenneth E. Kellner

Re: MUR 2717, Fellows Corporation

Dear Mr. Chairman:

As I explained earlier today in my conversation with Kenneth Kellner, Office of the General Counsel, we are having some difficulty in collecting all of the necessary documents in order to respond fully and completely to the Commission's Interrogatories and Request for Documents issued upon our client, Fellows Corporation. As I explained to Mr. Kellner, this difficulty has arisen largely because of the proximity of the agreed response date, today, to the holiday weekend.

Fellows Corporation very much wishes to comply promptly, fully, and completely with the requests of the Commission. Therefore, as I discussed with Mr. Kellner, we will forward to the Commission as soon as possible as thorough and complete a response as we can. Such documents will be forwarded to the Commission no later than Monday, December 4. Of course, if we discover any responsive documents subsequent to that date, we will promptly supply them to the Commission.

2504365101

Thank you very much for your time and consideration regarding this matter. Any questions may be directed to me at 202-457-6094 or to Roger Ballentine at 202-457-5666.

Sincerely,

Katharine R. Boyce
Counsel to Fellows Corporation

cc: Roger S. Ballentine, Esq.

2504365102

OGC 4708

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 NOV 30 PM 5:25

November 30, 1989

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

Re: MUR 2717 - Jeffrey W. Allen and Lynn A. Allen

Dear Mr. Kellner:

Pursuant to our conversation yesterday, this letter will request an additional extension of time to prepare responses to the Commission's interrogatories and request for documentation in the above-referenced matter under review.

As I told you, we have been unable to complete arrangements to collect information required for the preparation of Mr. and Mrs. Allen's response to the Commission's inquiries. This process is made even more taxing by the need to obtain information from several different parts of the country, and by the Thanksgiving holiday period.

As we discussed, we are requesting an extension of time until the 15th of December. We will, however, make every effort to provide the responses to you before that date.

I have not yet reached Mr. Allen concerning the proposed January 18, 1990 date for his deposition, but I will call you as soon as I have heard from him on this matter.

I appreciate your attention to this matter. If you have any questions or need additional information, please do not hesitate to contact one of the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to Respondents

0345b/48

TELEX: 44-0277 PCSO UI • FACSIMILE (202) 223-2088
ANCHORAGE • BELLEVUE • LOS ANGELES • PORTLAND • SEATTLE

06C4726

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC -4 AM 10: 54

MUR 2717 Kellner

1) Arsene E. Frappier Jr.
243 Everett St.
Middleboro Ma. 02346

Arsene E. Frappier Jr.
Dana M. Mangini
November 25, 1994

Trade Winds Systems Corp.
79 Cedar St.
Canton Ma. 02021

2) I Arsene E. Frappier Jr. have worked for T.W.S. For 12 years

Philip Frappier, worked Part time in 86 Full time in 87

Paul Frappier worked Full Time 12/86 to 3/87
1/89 to 7/89

2 a.) Arsene E. Frappier Field Supervisor
Philip Frappier Helper
Paul Frappier Helper

2 b.) Arsene E. Frappier Field Supervisor: Installation of H.V.A.C. Systems.

Philip + Paul Frappier Helpers: Sheet Metal Workers

3) I A.E. Frappier Make a contribution to Alexander Haig (1 ONE time)

3 a.) $250.** Sept. 24, 1987

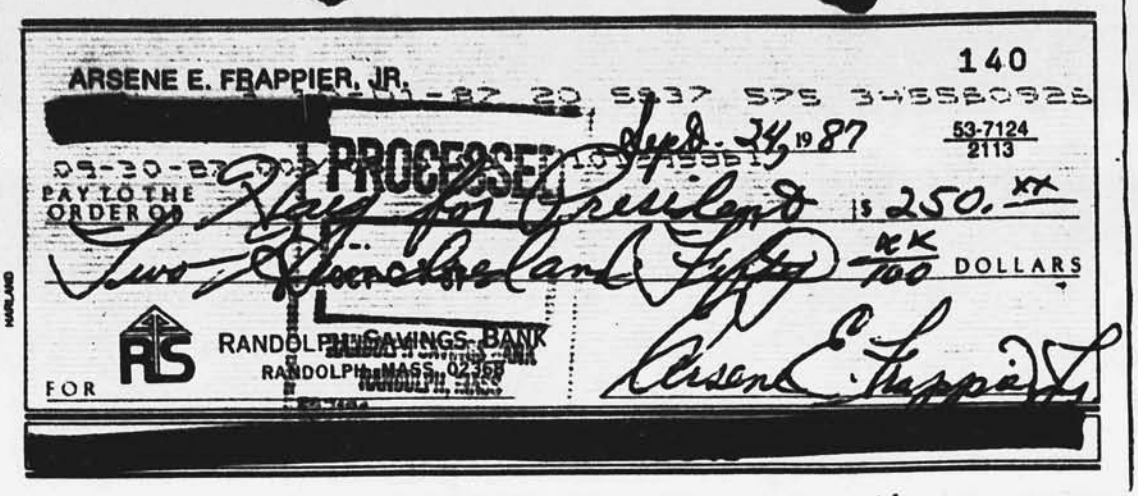
3 b.) Check # 140

4) None

5) One Document Check # 140

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC -4 PM 12: 37

140



ARSENE E. FRAPPIER, JR.

[redacted]

PROCESSED

Sept. 24, 1987

53-7124
2113

PAY TO THE ORDER OF Haig for President $ 250.xx

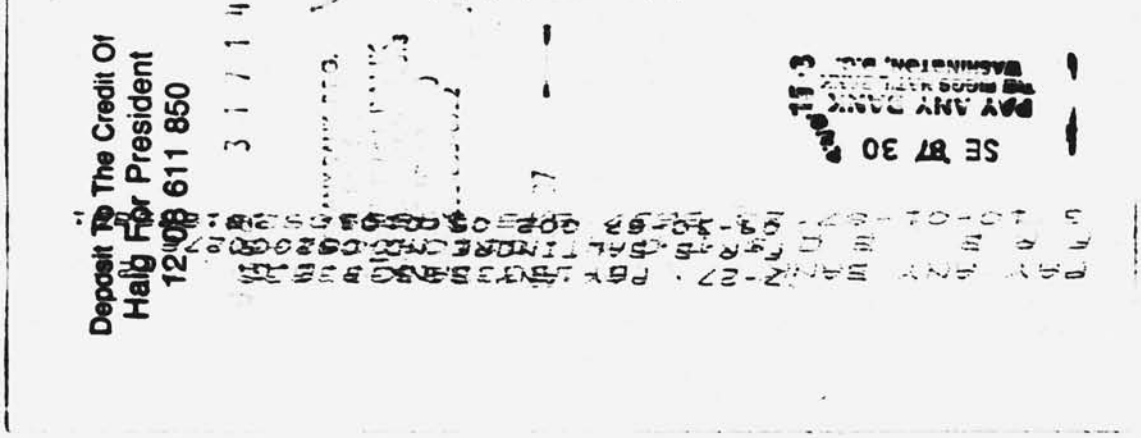
Two Hundred and Fifty xx/100 DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR

Arsene E. Frappier Jr.

[redacted]



Deposit To The Credit Of
Haig For President
12 08 611 850

31714

SE 87 30

PAY ANY BANK

Dina M. Maruzzo
November 25, 1994

OGC 4782

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC -5 AM 9:28

PATTON, BOGGS & BLOW
2550 M STREET, N.W.
WASHINGTON, D.C. 20037-1350
(202) 457-6000
TELECOPIER 457-6315
TRT TELEX 197780

250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201
(301) 659-5800

700 RALEIGH FEDERAL SAVINGS
BANK BUILDING
RALEIGH, NORTH CAROLINA 27602
(919) 832-4111

104 NORTH ELM STREET
GREENSBORO, NORTH CAROLINA 27401
(919) 273-1733

101 EAST KENNEDY BOULEVARD
TAMPA, FLORIDA 33602
(813) 222-6666

December 4, 1989

WRITER'S DIRECT DIAL
(202) 457-6094

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC -6 AM 11:39

The Honorable Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attention: Kenneth Kellner

Re: MUR 2717 - Fellows Corporation

Dear Mr. Chairman:

Attached please find the response of Fellows Corporation to the Commission's interrogatories and request for documents in the above-referenced matter.

Within the time period which the Commission has provided, Fellows Corporation has sorted through virtually thousands of documents to identify those responsive to the Commission's requests. Fellows Corporation has also made every effort to assist the Commission's review by organizing and outlining the documents requested.

Based upon review of the attached documents, we trust that the Commission will agree that there is no reason to believe that Fellows Corporation violated 2 U.S.C. §§ 441b and 441f. Therefore we respectfully request that the Commission close this matter as to Fellows Corporation.

Sincerely,

Kate Boyce

Katharine R. Boyce
Counsel to Fellows Corporation

KRB/tsp
Enclosure

2504351013

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	MUR 2717

RESPONDENT FELLOWS CORPORATION'S RESPONSE TO INTERROGATORIES AND REQUEST FOR DOCUMENTS

Fellows Corporation, in response to the Interrogatories and Request for Production of Documents of the Federal Election Commission, states as follows:

1. Review of the records of Fellows Corporation indicates that the following payments, advances, reimbursments or other benefits were provided in 1987 and 1988 by Fellows Corporation to the following individuals:[1/]

A. Carl Johnson

Date	Amount	Purpose
03/10/87		Travel Advance
04/27/87		Travel Advance
05/01/87		Travel Advance
05/08/87		Expenses
05/18/87		Expenses
06/02/87		Expenses
06/09/87		Expenses
10/23/87		Travel Advance
11/24/87		Executive Physical

1/ In addition, employees of Fellows Corporation are provided with a benefits package that includes: 401k plan for salaried personnel; pension plans for hourly and salaried employees; a health plan; a dental plan; long-term disability benefits; life insurance and supplemental life insurance.

2504365017

12/08/87		Christmas Bonus
03/21/88		Expenses
03/25/88		Expenses
05/27/88		Expenses
06/29/88		Expenses
06/29/88		Expenses
08/23/88		Expenses
10/24/88		Expenses
12/06/88		Christmas Bonus
12/19/88		Expenses
02/21/87		Expenses (paid from petty cash)
03/28/87		Expenses (paid from petty cash)
06/13/87		Expenses (paid from petty cash)
07/18/87		Expenses (paid from petty cash)
09/26/87		Expenses (paid from petty cash)
10/31/87		Expenses (paid from petty cash)
11/11/87		Expenses (paid from petty cash)
11/14/87		Expenses (paid from petty cash)
12/05/87		Expenses (paid from petty cash)
03/05/88		Expenses (paid from petty cash)
08/06/88		Expenses (paid from petty cash)
01/30/87		Payroll (cancelled check misplaced)
02/28/87		Payroll
03/31/87		Payroll
04/30/87		Payroll
05/31/87		Payroll
06/31/87		Payroll
07/31/87		Payroll
08/31/87		Payroll
09/30/87		Payroll
10/30/87		Payroll
11/30/87		Payroll
12/30/87		Payroll
01/31/88		Payroll
02/29/88		Payroll
03/30/88		Payroll
04/30/88		Payroll
05/31/88		Payroll
06/30/88		Payroll
07/31/88		Payroll
08/09/88		End of Fiscal Year Bonus
08/31/88		Payroll
09/30/88		Payroll
10/31/88		Payroll
11/30/88		Payroll
12/30/88		Payroll

B. Eric Tlaker

Date	Amount	Purpose
01/29/87		Expenses

9504351018

03/16/87		Expenses
03/27/87		Expenses
04/17/87		Travel Advance
05/21/87		Travel Advance (paid from petty cash)
06/01/87		Expenses
09/18/87		Expenses
12/08/87		Christmas Bonus
01/29/88		Payment for overwithholding on 401(k)
01/29/88		Travel Advance
02/17/88		Expenses
04/20/88		Travel Advance
05/09/88		Expenses
05/13/88		Expenses
06/23/88		Travel Advance
12/02/88		Travel Advance
12/06/88		Christmas Bonus
01/30/87		Payroll (cancelled check misplaced)
02/28/87		Payroll
03/31/87		Payroll
04/30/87		Payroll
05/31/87		Payroll
06/31/87		Payroll
07/31/87		Payroll
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03/30/88		Payroll
04/30/88		Payroll
05/31/88		Payroll
06/30/88		Payroll
07/31/88		Payroll
08/09/88		End of Fiscal Year Bonus
08/31/88		Payroll
09/30/88		Payroll
10/31/88		Payroll
11/30/88		Payroll
12/30/88		Payroll

C. **Jeff Allen**

Date	Amount	Purpose
02/20/87		Expenses
02/26/87		Expenses
02/09/87		Expenses
03/11/87		Expenses

9504365019

03/25/87		Expenses
03/27/87		Expenses
04/03/87		Expenses
04/15/87		Expenses
04/28/87		Expenses
05/01/87		Travel Advance
05/08/87		Travel Advance
06/03/87		Expenses
06/17/87		Expenses
07/02/87		Expenses
07/16/87		Expenses
07/23/87		Expenses
07/30/87		Expenses
08/19/87		Expenses
08/27/87		Expenses
01/30/87		Expenses (paid from petty cash)
04/04/87		Expenses (paid from petty cash)
12/26/87		Expenses (paid from petty cash)
01/30/87		Payroll (cancelled check misplaced)
01/30/87		Payroll
02/27/87		Payroll
03/31/87		Payroll
04/30/87		Payroll
05/31/87		Payroll
06/30/87		Payroll
07/31/87		Payroll
08/31/87		Payroll
09/02/87		Payroll
10/16/87		Temporary financial and accounting services rendered while Carl Easler was in the hospital.
03/18/88		Consulting services in connection with acquisition of Bryant Grinder, Inc, a company affiliated with Fellows.

D. **Henry Swierczynski**

Date	Amount	Purpose
04/27/87		Travel Advance
05/29/87		Travel Advance
06/10/87		Expenses
07/20/87		Travel Advance
10/19/87		Travel Advance
11/20/87		Expenses
12/08/87		Christmas Bonus
01/04/88		Expenses
02/01/88		Travel Advance
02/23/88		Expenses
03/24/88		Expenses
06/29/88		Travel Advance

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09/06/88		Travel Advance
09/16/88		Expenses
09/30/88		Expenses
10/25/88		Expenses
11/14/88		Expenses
11/17/88		Expenses
12/06/88		Travel Advance
12/06/88		Christmas Bonus
05/28/87		Expenses (paid from petty cash)
01/30/87		Payroll (cancelled check misplaced)
02/28/87		Payroll
03/31/87		Payroll
03/31/87		Payroll (raise)
04/01/87		Payroll (raise)
04/30/87		Payroll
05/31/87		Payroll
06/31/87		Payroll
07/31/87		Payroll
08/31/87		Payroll
09/30/87		Payroll
10/30/87		Payroll
11/30/87		Payroll
12/30/87		Payroll
01/31/88		Payroll
02/29/88		Payroll
03/30/88		Payroll
04/30/88		Payroll
05/31/88		Payroll
06/30/88		Payroll
07/31/88		Payroll
08/09/88		End of Fiscal Year Bonus
08/31/88		Payroll
09/30/88		Payroll
10/31/88		Payroll
11/30/88		Payroll
12/30/88		Payroll

E. **Donald Chabot**

Date	Amount	Purpose
01/29/87		Expenses
02/04/87		Expenses
02/03/87		Travel Advance
03/09/87		Expenses
03/16/87		Expenses
03/16/87		Travel Advance
03/27/87		Expenses
05/01/87		Expenses

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05/13/87	Expenses
05/18/87	Expenses
05/21/87	Travel Advance
06/24/87	Expenses
06/29/87	Travel Advance
07/16/87	Expenses
07/23/87	Expenses
07/20/87	Travel Advance
08/07/87	Expenses
08/19/87	Expenses
08/28/87	Expenses
09/11/87	Travel Advance
09/14/87	Expenses
09/18/87	Expenses
10/14/87	Expenses
10/23/87	Travel Advance
10/26/87	Expenses
10/29/87	Expenses
11/25/87	Expenses
12/08/87	Christmas Bonus
12/14/87	Expenses
12/15/87	Expenses
01/07/88	Expenses
01/12/88	Expenses
01/21/88	Expenses
01/25/88	Expenses
02/02/88	Expenses
02/02/88	Travel Advance
03/04/88	Expenses
03/18/88	Expenses
03/25/88	Expenses
04/07/88	Expenses
04/28/88	Expenses
05/18/88	Expenses
06/07/88	Expenses
06/17/88	Expenses
06/28/88	Expenses
06/29/88	Expenses
07/14/88	Expenses
07/28/88	Expenses
09/09/88	Expenses
09/12/88	Expenses
09/22/88	Expenses
09/30/88	Expenses
11/01/88	Expenses
11/02/88	Expenses
11/07/88	Expenses
11/21/88	Expenses
11/22/88	Travel Advance
12/06/88	Expenses
12/06/88	Christmas Bonus

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5/18/87	Travel Advance (paid from petty cash)
7/29/87	Travel Advance (paid from petty cash)
8/26/87	Travel Advance (paid from petty cash)
9/1/87	Travel Advance (paid from petty cash)
12/8/87	Travel Advance (paid from petty cash)
1/5/88	Client Entertainment (from petty cash)
3/28/88	Client Entertainment (from petty cash)
4/22/88	Travel Advance (paid from petty cash)
6/1/88	Client Entertainment (from petty cash)
6/29/88	Travel Advance (paid from petty cash)
8/2/88	Travel Advance (paid from petty cash)
8/15/88	Travel Advance (paid from petty cash)
9/1/88	Travel Advance (paid from petty cash)
10/10/88	Travel Advance (paid from petty cash)
10/31/88	Travel Advance (paid from petty cash)
11/16/88	Travel Advance (paid from petty cash)
01/30/87	Payroll (cancelled check misplaced)
02/28/87	Payroll
03/31/87	Payroll
04/30/87	Payroll
05/31/87	Payroll
06/31/87	Payroll
07/31/87	Payroll
08/31/87	Payroll
09/30/87	Payroll
10/30/87	Payroll
11/30/87	Payroll
12/30/87	Payroll
01/31/88	Payroll
02/29/88	Payroll
03/30/88	Payroll
04/30/88	Payroll
05/31/88	Payroll
06/30/88	Payroll
07/31/88	Payroll
08/09/88	End of Fiscal Year Bonus
08/31/88	Payroll
09/30/88	Payroll
10/31/88	Payroll
11/30/88	Payroll
12/30/88	Payroll

F. **Linda Johnson**

Date	Amount	Purpose
01/07/87		Payroll
01/14/87		Payroll
01/21/87		Payroll
01/28/87		Payroll
02/04/87		Payroll
02/11/87		Payroll
02/12/87		Safety Award
02/18/87		Payroll
02/25/87		Loan Refund
02/25/87		Payroll
03/04/87		Payroll
03/11/87		Payroll
03/18/87		Payroll
03/25/87		Payroll
04/01/87		Payroll
04/08/87		Payroll
04/15/87		Payroll
04/22/87		Payroll
04/29/87		Payroll
05/13/87		Payroll
05/18/87		Deduction Refund
05/20/87		Payroll
05/27/87		Payroll
06/03/87		Payroll
06/10/87		Payroll
06/17/87		Payroll
06/24/87		Payroll
07/01/87		Payroll
07/08/87		Payroll
07/15/87		Payroll
07/22/87		Payroll
08/05/87		Payroll
08/12/87		Payroll
08/19/87		Payroll
08/26/87		Payroll
09/02/87		Payroll
09/09/87		Payroll
09/16/87		Payroll
09/23/87		Payroll
09/30/87		Payroll
10/07/87		Payroll
10/14/87		Payroll
10/21/87		Payroll
10/28/87		Payroll
11/04/87		Payroll
11/10/87		Payroll
11/18/87		Payroll
11/24/87		Payroll

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12/02/87	Payroll
12/09/87	Christmas Bonus
12/09/87	Payroll
12/15/87	Prize
12/16/87	Payroll
12/23/87	Payroll
12/30/87	Payroll
01/06/88	Payroll
01/13/88	Payroll
01/20/88	Payroll
01/27/88	Payroll
02/03/88	Payroll
02/10/88	Payroll
02/17/88	Payroll
02/24/88	Payroll
03/02/88	Payroll
03/09/88	Payroll
03/16/88	Payroll
03/23/88	Payroll
03/30/88	Payroll
04/06/88	Payroll
04/13/88	Payroll
04/20/88	Payroll
05/04/88	Payroll
05/11/88	Payroll
05/18/88	Payroll
05/25/88	Payroll
06/01/88	Payroll
06/08/88	Payroll
06/15/88	Payroll
06/21/88	Expenses
06/22/88	Payroll
06/29/88	Payroll
07/06/88	Payroll
07/13/88	Payroll
07/20/88	Payroll
07/27/88	Payroll
08/03/88	Payroll
08/09/88	Expenses
08/10/88	Payroll
08/17/88	Payroll
08/24/88	Payroll
08/31/88	Payroll
09/01/88	Expenses
09/07/88	Payroll
09/14/88	Payroll
09/21/88	Payroll
09/28/88	Payroll
10/05/88	Payroll
10/12/88	Payroll
10/19/88	Payroll
10/20/88	Payment to close account

10/26/88	Payroll
11/02/88	Payroll
11/09/88	Payroll
11/16/88	Payroll
11/16/88	Payroll
11/22/88	Payroll
12/06/88	Christmas Bonus
12/07/88	Payroll
12/14/88	Payroll
12/21/88	Payroll
12/28/88	Payroll

G. **Allison Allen**

Review of Fellows Corporation's books and records discloses no disbursments to this person by Fellows Corporation in 1987 or 1988.

H. **June Chabot**

Review of Fellows Corporation's books and records discloses no disbursments to this person by Fellows Corporation in 1987 or 1988.

I. **Nora Swierczynski**

Review of Fellows Corporation's books and records discloses no disbursments to this person by Fellows Corporation in 1987 or 1988.

J. **Jean Tlaker**

Review of Fellows Corporation's books and records discloses no disbursments to this person by Fellows Corporation in 1987 or 1988.

2. The following persons (other than counsel) were consulted or otherwise assisted in the preparation of answers to the questions of the Commission.

Name	Address	Position
Joseph W. Smith	Precision Drive, Box 851 Springfield, VT. 05156 (802) 886-8333	President, Fellows

	P.O Box 435 N. Springfield, VT. 05150	
Carl W. Easler	Precision Drive, Box 851 Springfield, VT. 05156 (802) 886-8333 Box 524 Quechee VT. 05059	Vice President, Finance & Administration,
Carol Sylvia	Precision Drive, Box 851 Springfield, VT. 05156 (802) 886-8333 P.O. Box 5 Perkinsville, VT 05151	Executive Assistant
Karen Ciampa	Precision Drive, Box 851 Springfield, VT. 05156 (802) 886-8333 9A Fillmore Rd Salem, MA 01970	Assistant Treasurer

3. All documents in the possession, custody, or control of Fellows Corporation relating to the information provided in response to Interrogatory 1 are enclosed herewith, excepting attorney-client communications and attorney work-product materials, and excepting the voluminous number of receipts supporting the expense records. These receipts can be made available upon request.

4. Fellows Corporation objects to this request as overbroad to the extent that it may be read as seeking the production of documents not within its possession, custody, or control, or as seeking attorney-client communications or attorney work-product. Fellows Corporation further objects on grounds of vagueness, particularly with regard to the word "associated." Fellows has a vast number of employees, customers, suppliers, and others who may be thought to be

"associated" with it, and Fellows is unable to determine if anyone among this multitude of individuals and entities made contributions to the Haig Campaign. Without waiving the foregoing objections, but in an effort to be responsive, Fellows Corporation has conducted a due diligence review of the documents within its custody, possession, and control and has identified no documents relevant to the Commission's request pertaining to any of the persons listed in Interrogatory 1, or, to the best of its knowledge, to any other Fellows Corporation employees, or to Fellows Corporation acting through or in the name of such persons.

The above is true and complete to the best of my knowledge.

Carl W. Easler
Vice-President, Finance & Administration
Duly authorized by Fellows Corporation
to execute this response.

Dated: DECEMBER 1, 1989

OGC 4790

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC -7 AM 10:28

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P. C.
RONALD GARMEY, P. C.
ANTHONY J. MEDAGLIA, JR., P. C.
JOHN H. CLYMER, P. C.
CHARLES W. ROBINS, P. C.
MARY ELLEN O'MARA, P. C.
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ROBERT S. GULICK
JOHN C. THOMSON, P. C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
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MARYAUSTIN DOWD
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JEFFREY R. PORTER
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* ADMITTED ONLY IN NEW YORK

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. McLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 DEC -7 AM 11:20

December 4, 1989

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

Re: Matthew L. Curtin
MUR 2717

Dear Mr. Kellner:

Enclosed herewith is an additional document which our client, Matthew L. Curtin, has recently obtained regarding the above-referenced matter.

Very truly yours,

John P. Connelly

JPC/mc

MATTHEW L. CURTIN (STUDENT, AGE 18, FROM "TRUST ACC'T.)

E:11004875-12 [redacted]

5224

SEPTEMBER 22, 1987 8-207 110

TO THE ORDER OF * * * * * MAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INT'L BANK & TRUST CO 1,000 00 CTS DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
999 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

The Federal Elections Commission requires us to request the following information:

Name Matthew L. Curtin

Address 32 Maugus Hill Road

Wellesley, Ma 02181

Telephone Number [redacted]

Occupation Student

Name of Employer [redacted] ☐ Self-Employed ☐ Retired

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OGC 4824

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89 DEC 11 AM 9:47

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NORMAN LANDSTROM
COUNSEL

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WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 11 PM 1:06

December 7, 1989

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

Re: MUR 2717

Dear Mr. Kellner

Pursuant to our several discussions regarding the depositions in the above-referenced matter, I would like to confirm the following schedule:

a. Deposition of Joann O'Brien on Tuesday, December 19, 1989 at 10:00 a.m.

b. Deposition of Judith Curtin on Wednesday, December 20, 1989 at 9:00 a.m.

c. Deposition of Matthew Curtin on Wednesday, December 20, 1989 at 2:00 p.m.

d. Deposition of Dr. Joseph G. Maloney on Thursday, December 21, 1989 at 11:00 a.m.

If you have any problems with this schedule, please let me know. Otherwise, I will assume that this schedule is set.

Very truly yours,

John P. Connelly

JPC/mc

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1989

Judith L. Corley, Esq.
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2717
Jeffrey W. Allen and Lynn A. Allen

Dear Ms. Corley:

This is in response to your letter dated November 30, 1989, which we received that date, requesting an additional extension until December 15, 1989 to respond to the above-captioned matter. After considering the circumstances presented in your letter, I have granted a final extension of ten (10) days. Accordingly, your response is due by the close of business on December 14, 1989.

In addition, the deposition of Jeffrey W. Allen has been rescheduled to take place on January 18, 1990 at 10:00am in the 6th Floor conference room of the Commission. For your information, the Commission is located at 999 E Street, N.W., Washington, D.C. 20463.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
by GZR

Lawrence M. Noble
General Counsel

2504365102

OGC 4885

PERKINS COIE

A Law Partnership Including Professional Corporations
1110 Vermont Avenue, N.W. • Washington, D.C. 20005 • (202) 887-9030

December 15, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 15 PM 2:17

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

Re: MUR 2717 - Allison Allen

Dear Mr. Kellner:

Please find enclosed responses to the Interrogatories and Request for Production of Documents for the above-referenced Respondent.

In light of our continuing review of this matter, Respondent will not at this time submit any further statement or materials. Respondent reserves the right to supplement the record at a later date as appropriate.

If you have any questions or need additional information, please do not hesitate to contact one of the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to Respondent

1424E

Telex: 44-0277 Pcso Ui • Facsimile (202) 223-2088
Anchorage • Bellevue • Los Angeles • Portland • Seattle

Before the Federal Election Commission

MUR 2717

Respondent: Allyson Allen

ANSWERS TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS

The answers to these interrogatories are based primarily on the recollections of Lynn Allyson Allen.

Interrogatory No. 1:

State your name, address and current employment.

Name: Lynn Allyson Allen

Address: 604 Tortoise Way
Satellite Beach, FL 32937

Current Employment: None

Interrogatory No. 2:

State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

Respondent's husband, Jeffrey Allen, has been employed by Fellows Corporation.

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a. The positions held by Respondent's husband include:

12/81 - 12/86	Comptroller
1/87 - 8/87	Vice President - Finance

b. Upon information and belief, the duties and responsibilities of Respondent's husband included supervising the financial affairs and data processing of Fellows Corporation.

Interrogatory No. 3:

State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

Respondent did not make a contribution to Alexander Haig or to Haig for President.

Interrogatory No. 4:

Identify any person (other than counsel) who has consulted or otherwise assisted in the preparation of answers to these questions.

Respondent consulted with her husband, Jeffrey Allen, in the preparation of answers to these questions.

Interrogatory No. 5:

Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

Respondent was unable to locate any documents concerning or relating to the above interrogatories. Respondent will supplement the record should any document be found.

Respectfully submitted,

Robert F. Bauer
Judith L. Corley
Counsel to Respondent

1422E

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

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OFFICE OF GENERAL COUNSEL
89 DEC 15 PM 2:20

December 15, 1989

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

Re: MUR 2717 - Jeffrey Allen

Dear Mr. Kellner:

Please find enclosed the response to the Commission's Request for Documents for the above-referenced Respondent.

In light of our continuing review of this matter, Respondent will not at this time submit any further statement or materials. Respondent reserves the right to supplement the record at a later date as appropriate.

This letter also confirms the proposed date and time for Respondent's deposition as 10:00 a.m. on January 18, 1990, at the offices of the Federal Election Commission in Washington, D.C.

If you have any questions or need additional information, please do not hesitate to contact one of the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to Respondent

1424E

TELEX: 44-0277 PCSO UI • FACSIMILE (202) 223-2088
ANCHORAGE • BELLEVUE • LOS ANGELES • PORTLAND • SEATTLE

Before the Federal Election Commission

MUR 2717

Respondent: Jeffrey Allen

ANSWER TO REQUEST FOR
PRODUCTION OF DOCUMENTS

The answer to this request for production of documents is based on th recollections of Jeffrey Allen.

Requst for Documents

> Please provide: copies of all documents referring, relating or pertaining to contributions you may have made to Haig for President including, but not limited to, copies of both sides of all relevant checks, correspondence and records of telephone conversations.

Respondent was unable to locate any documents referring, relating or pertaining to contributions made to Haig for President.

Respectfully submitted,

Robert F. Bauer
Judith L. Corley
Counsel to Respondent

1424E

OGC4886

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC 15 AM 10:40

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

1. State your name, address and current employment.

2. State whether you, or a member of your family, are now or ever have been employed by Tradewind Systems. If so,

   a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

   b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

3. State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

   a. State the amount and date of the contribution.

   b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

4. Identify any person (other than counsel) who was consulted or otherwise assisted in the preparation of answers to these questions.

5. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 15 AM 11:59

2504326510079

(1) Mary E Cooke, 222 Bailey St, Canton Ma 02021
(2) Retired
(2) Donald A. Cooke Jr. — Pres. 1975 - Present
Dennis M. Cooke — Service Dept. 1985-1989
(3) $250.00 - on or about Sept. 24th 1987 - Pd. by check
Copy of Check not available
M. E Cooke Nov. 8. 1989

GCC# 4941

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC 21 AM 10:31

THOMPSON, HINE AND FLORY

2900 DUBOIS TOWER • 511 WALNUT ST.
CINCINNATI, OHIO 45202
(513) 352-6600
FAX (513) 352-6614
TELEX 938003

80 SOUTH MAIN STREET
AKRON, OHIO 44308
(216) 376-8090

ONE WEST FOURTH STREET
CINCINNATI, OHIO 45202
(513) 352-6700

1100 NATIONAL CITY BANK BUILDING
CLEVELAND, OHIO 44114
(216) 566-5500 • TELEX 980217

100 EAST BROAD STREET
COLUMBUS, OHIO 43215
(614) 469-7200

2000 COURTHOUSE PLAZA N.E.
DAYTON, OHIO 45401-8801
(513) 443-6600

9200 BASIL COURT, SUITE 300
LANDOVER, MARYLAND 20785
(301) 925-4900

125 WORTH AVENUE
PALM BEACH, FLORIDA 33480
(407) 833-5900

1920 N STREET, N.W.
WASHINGTON, D.C. 20036
(202) 331-8800 • TELEX 904173

December 20, 1989

WRITER'S DIRECT DIAL NUMBER

(513) 352-6635

Jonathon Bernstein, Esquire
Federal Election Commission
999 E. Street, N. W.
Washington, D. C. 20463

89 DEC 21 PM 12:25

FEDERAL ELECTION COMMISSION
RECEIVED

Re: MUR 2717 - Respondents: James F. Dicke, James F. Dicke, II, James F. Dicke, Chairman Crown Equipment Corporation (formerly Crown Controls Controls Corporation; hereafter "Crown"), Eilleen W. Dicke, Janet Dicke, Dane W. Dicke, and Kerry Dicke; and, Witness: Cindy Carter

Dear Jon:

At Ken's suggestion, I am sending the enclosed copies of pages which believe to be the ones he requested be included in Record of the above-captioned MUR, to hold until his return on Friday. I have obtained permission to "move" these documents into the Responses for your official use in the MUR. I have asked Jon to verify that these are the pages he designated, or to correct this assumption appropriately, and to let me know if Cindy Carter can verify them, rather than Mr. Dicke. I will then prepare the formal Respondent's Second Response to Interrogatories and Request for Production of Documents.

I was granted the within permission with the understanding that we have retained all the same rights and arguments we have asserted under the FOIA and the Commission's regulations, but with the understanding that these documents may ultimately be determined to be subject to public disclosure. That is to say, we agree that these papers shall become part of your Record, but we retain the right to seek the confidentiality of 5 U.S.C. §§ 552(b)(6), 552(b)7(A), and 552(b)7(C) for them after the protection of the MUR's pendency expires, under 2 U.S.C. § 437g. We will seek confidentiality after the MUR is closed (and before the public disclosure ban expires), rather than before making this Response.

I suppose that is also the long way of saying thank you for getting us here; I am pleased that we have been able to reduce three inches of materials to twenty-one pages, at least for now. My clients are aware that the investigation may lead to additional materials being considered for "release," and I contemplate that may occur. However, this mechanism seems to provide the best combination of protection and disclosure I could expect.

Cindy Carter is collecting some information which Tom asked about off the Record, to wit, lists of personal Dicke checks outstanding on July 3, 1987; i.e., checks which had been covered before July 3, 1987, but were not cashed until after that date (the date 4 of 6 Haig checks were honored). I will discuss it with Ken on Friday.

I hope your holidays are good. I know we will be talking in the new year!

Sincerely,

GORDON M. STRAUSS

GMS/tp
Enclosures (21 pages)

25043650

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1989

Thomas P. Salmon, Esq.
Salmon & Nostrand
Centennial Arcade
Suite 300
Bellows Falls, Vermont 05101

Re: MUR 2717
Erich Tlaker

Dear Mr. Salmon:

Enclosed is a check in the amount of $90.00 in payment of the witness fee and mileage expenses for the deposition of Mr. Erich Tlaker taken on November 21, 1989 in Burlington, Vermont.

If you have any questions regarding this check, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure



United States Treasury 15-51/000 W 040,731,472

Check No.

12 15 89 2 WASHINGTON, DC 3007 18622562
621058 02 ERICH TLAKER 95350001

Pay to the order of ERICH TLAKER F E C WASH DC

$*****90*00

VOID AFTER ONE YEAR

0AW032 WITNESS FEE

⑈30074⑈ ⑆000000518⑆ 186225622⑈

9504365 1042

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1989

Gordon M. Strauss, Esq.
Thompson, Hine and Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, Ohio 45201-5717

Re: MUR 2717
Cindy Carter

Dear Mr. Strauss:

Enclosed is a check in the amount of $31.44 in payment of the witness fee and mileage expenses for the deposition of Ms. Cindy Carter taken on December 7, 1989 in Washington, D.C.

If you have any questions regarding this check, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

United States Treasury 15-51/000 W 040,954,531

Check No.

12 26 89 79 WASHINGTON, DC 3007 18858115
621079 02 CINDY CARTER 95350001

Pay to the order of CINDY CARTER F E C WASH DC

$*****31*44

VOID AFTER ONE YEAR

OAW036 WITNESS FEE

⑈30074⑈ ⑆000000518⑆ 18858115⑈ 011289

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1989

Ms. Nancy Stockus
297 Mechanic Street
Canton, MA 02021

Re: MUR 2717
Nancy Stockus

Dear Ms. Stockus:

Enclosed is a check in the amount of $39.60 in payment of the witness fee and mileage expenses for your deposition taken on November 18, 1989 in Boston, Massachusetts.

If you have any questions regarding this check, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

United States Treasury 15-51/000 W 040,731,470

Check No.

12 15 89 0 WASHINGTON, DC 3007 18622560

621058 02 NANCY STOCKUS 95350001

Pay to the order of NANCY STOCKUS F E C WASH DC

$*****39*60

VOID AFTER ONE YEAR

OAW032 WITNESS FEE

"30074" :000000518: 186225600"

95043265104

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1989

Mr. Dennis M. Cooke
222 Bailey Street
Canton, MA 02021

Re: MUR 2717
Dennis M. Cooke

Dear Mr. Cooke:

Enclosed is a check in the amount of $39.60 in payment of the witness fee and mileage expenses for your deposition taken on November 20, 1989 in Boston, Massachusetts.

If you have any questions regarding this check, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

95043651045

United States Treasury 15-51/000 W 040,731,471

Check No.

12 15 89 40 WASHINGTON, DC 3007 18622561
621058 02 DENNIS COOKE 95350001

Pay to the order of DENNIS COOKE F E C WASH DC

$*****39*60

VOID AFTER ONE YEAR

OAW032 WITNESS FEE

⑈30074⑈ ⑆000000518⑆ 186225611⑈ 011289

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 28, 1989

Ms. Maureen Taylor
501 North Central Street
East Bridgewater, MA 02333

Re: MUR 2717
Maureen Taylor

Dear Ms. Taylor:

Enclosed is a check in the amount of $39.60 in payment of the witness fee and mileage expenses for your deposition taken on November 16, 1989 in Boston, Massachusetts.

If you have any questions regarding this check, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

United States Treasury 15-51/000 W 040,731,469

Check No.

12 15 89 80 WASHINGTON, DC 3007 18622559

621058 02 MAUREEN TAYLOR 95350001

Pay to the order of MAUREEN TAYLOR F E C WASH DC

$******39*60

VOID AFTER ONE YEAR

OAW032 WITNESS FEE

⑈30074⑈ ⑆000000518⑆ 18622559⑈ 011289

9504351016

OGC 4998

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
THOMAS R. PAXMAN, P. C.
RONALD GARMEY, P. C.
ANTHONY J. MEDAGLIA, JR., P. C.
JOHN H. CLYMER, P. C.
CHARLES W. ROBINS, P. C.
MARY ELLEN O'MARA, P. C.
RICHARD S. MORSE, JR., P. C.
JOSEPH C. TANSKI
ROBERT S. GULICK
JOHN C. THOMSON, P. C.
DAVID T. DINWOODEY
KENNETH J. MICKIEWICZ
KENNETH S. MAY
FREDERICK H. GREIN, JR.
REGINA S. ROCKEFELLER
KATHERINE L. BABSON, JR.
JOHN D. HUGHES
DAVID S. ROSENTHAL
JAMES WESTRA
MARK N. BERMAN
ADRIENNE SMITH
ROBERT A. THOMPSON
PAUL J. HARTNETT, JR.
KARYN FAITH SCHEIER

HOPE-CONSTANCE VASSOS
DONALD D. COOPER
ARTHUR W. YOUNG III
PETER E. GUMPEL *
CAROL C. BROWN
MELINDA J. HARRISON
LORI J. HOLIK
JONATHAN R. KARIS
RICHARD S. NICHOLSON
HELEN H. STEWART
HARRY A. HANSON III
JOHN M. BAKER
PHILIP C. LOMBARDO, JR.
CHARLES A. WRY, JR.
JOHN P. CONNELLY
JEFFREY S. WIEAND
ANDREW M. TROOP
MARGUERITE M. DORN
JAMES A. KOBE
EVELYN VENABLES MORENO
TIMOTHY A. CLARK
PAULA M. GESMUNDO
MARK G. MAHER
W. GEOFFREY STEIN
STEVEN M. PECK
MARYAUSTIN DOWD
GARY D. LEVINE
BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS
DAVID J. KRAMER
JULIE A. TEDESCO
JEFFREY R. PORTER
DONALD W. PARKER
DAVID L. McEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN
BRUCE A. COHEN

* ADMITTED ONLY IN NEW YORK

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. McLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 29 AM 9:50

December 28, 1989

BY FEDERAL EXPRESS

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

Re: MUR 2717

Dear Ken:

Enclosed herewith please find the Supplemental And Amended Response Of Olympic International Bank & Trust Company To: (1) Subpoena To Produce Documents; And (2) Order To Submit Written Answers.

Please file same with the other papers in the above-referenced matter.

Thank you.

Very truly yours,

John P. Connelly

JPC/mc
Enclosures

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUPPLEMENTAL AND AMENDED RESPONSE OF OYLMPIC INTERNATIONAL BANK & TRUST COMPANY TO: (1) SUBPOENA TO PRODUCE DOCUMENTS; AND (2) ORDER TO SUBMIT WRITTEN ANSWERS

1. List by date and amount all payments, advancements, reimbursements, or other benefits provided to the following individuals in 1987 and 1988 and describe the purpose of each payment, advancement, reimbursement or other benefit:

a. Judith S. Curtin
b. Matthew L. Curtin
c. Peter S. Donadio
d. Susan M. Fraser
e. Jon A. Lichter
f. Joseph G. Maloney
g. Nora F. Moran
h. Joann O'Brien
i. William J. O'Brien
j. Heidi Saraceno
k. Ingeborg Saraceno
l. Kurt Saraceno
m. Pauline Saraceno
n. Cynthia Sneider
o. Joseph Sneider
p. David Spiegel
q. Michael Tierney
r. Frank N. Cardullo
s. Victor Nicolazzo
t. Dominic Saraceno

a. Judith S. Curtin - Ms. Curtin received from the Olympic International Bank & Trust Company (the "Bank") a total salary of [redacted] in 1987 and [redacted] in 1988. The other payments which she received from the Bank in those years are as follows:

1/13/87	Travel & Business Development
4/27/87	Travel & Business Development
7/9/87	Travel & Business Development
10/8/87	Travel & Business Development
2/8/88	Travel & Business Development
4/13/88	Travel & Business Development
7/6/88	Travel & Business Development

b. Matthew L. Curtin - Mr. Curtin received no payments from the Bank in 1987 and 1988.

c. Peter S. Donadio - Mr. Donadio received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/22/87	6/18/87	10/15/87
2/19/87	7/23/87	11/19/87
4/16/87	8/20/87	12/17/87
5/21/87	9/17/87	

Executive Committee Meetings Attended - [redacted] fee per meeting

6/4/87	9/10/87	12/10/87
6/11/87	11/5/87	
7/2/87	11/12/87	
8/13/87	12/3/87	

TOTAL: [redacted] in 1987

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Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	8/18/88	12/15/88
2/18/88	9/15/88	
6/16/88	10/20/88	
7/21/88	11/17/88	

Executive Committee Meetings Attended - [redacted] fee per meeting

1/7/88	5/5/88	9/1/88	12/8/88
1/14/88	5/12/88	9/8/88	
2/11/88	6/2/88	10/6/88	
3/3/88	6/9/88	10/13/88	
3/10/88	7/14/88	11/3/88	
4/7/88	8/4/88	11/9/88	
4/11/88	8/11/88	12/1/88	

TOTAL: [redacted] in 1988

d. Susan M. Fraser - Ms. Fraser received from the Bank a total salary of [redacted] in 1987 and [redacted] in 1988. Ms. Fraser received no other payments from the Bank in those years.

e. Jon A. Lichter - Mr. Lichter received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/22/87	5/21/87	9/17/87
2/19/87	6/18/87	10/15/87
3/19/87	7/23/87	11/19/87
4/16/87	8/20/87	

Audit Committee Meetings Attended - [redacted] fee per meeting

7/23/87

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	5/19/88	9/15/88
2/18/88	6/16/88	10/20/88
3/17/88	7/21/88	11/17/88
4/21/88	8/18/88	12/15/88

TOTAL: [redacted] in 1988

f. Joseph G. Maloney - Dr. Maloney received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/22/87	5/21/87	9/17/87
2/19/87	6/18/87	10/15/87
3/19/87	7/23/87	11/19/87
4/16/87	8/20/87	12/17/87

Executive Committee Meetings Attended - [redacted] fee per meeting

6/4/87	9/10/87
6/11/87	11/12/87
7/2/87	12/3/87

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/87	5/19/88	9/15/88
2/18/88	6/16/88	11/17/88
3/17/88	7/21/88	12/15/88
4/21/88	8/18/88	

Executive Committee Meetings Attended - [redacted] fee per meeting

2/4/88	6/2/88	10/6/88
2/11/88	6/9/88	10/11/88
3/3/88	7/7/88	11/3/88
3/10/88	7/14/88	11/9/88
4/7/88	8/4/88	12/1/88
4/11/88	8/11/88	12/8/88
5/5/88	9/1/88	
5/12/88	9/8/88	

TOTAL: [redacted] in 1988

g. Nora F. Moran - Ms. Moran received no payments from the Bank in 1987 and 1988.

h. Joann O'Brien - Mrs. O'Brien received no payments from the Bank in 1987 and 1988.

i. William J. O'Brien - Mr. O'Brien received from the Bank a total salary of [redacted] in 1987 and [redacted] in 1988. The other payments which he received from the Bank in those years are as follows:

3/6/87	Travel & Business Development
4/17/87	Travel & Business Development
6/16/87	Travel & Business Development
8/21/87	Travel & Business Development
10/23/87	Travel & Business Development
11/30/87	Travel & Business Development
2/1/88	Travel & Business Development
3/17/88	Travel & Business Development
5/2/88	Travel & Business Development
6/13/88	Travel & Business Development
7/27/88	Travel & Business Development
10/25/88	Travel & Business Development
12/29/88	Travel & Business Development

j. Heidi Saraceno - Ms. Saraceno received no payments from the Bank in 1987 and 1988.

k. Ingeborg Saraceno - Ms. Saraceno received no payments from the Bank in 1987 and 1988.

0504351-0052

l. Kurt Saraceno - Mr. Saraceno received no payments from the Bank in 1987 and 1988.

m. Pauline Saraceno - Ms. Saraceno received no payments from the Bank in 1987 and 1988.

n. Cynthia Sneider - Ms. Sneider received no payments from the Bank in 1987 and 1988.

o. Joseph G. Sneider - Mr. Sneider received from the Bank a total salary of [redacted] in 1987 and [redacted] in 1988. The other payments which he received from the Bank in those years are as follows:

1/5/87	Travel & Business Development
3/31/87	Travel & Business Development
5/4/87	Travel & Business Development
6/24/87	Travel & Business Development
7/9/87	Travel & Business Development
8/17/87	Miscellaneous Expenses
9/1/87	Travel & Business Development
9/29/87	Travel & Business Development
9/29/87	Business Promotions
10/26/87	Furniture, Fixtures & Equipment
10/30/87	Business Promotions
12/3/87	Travel & Business Development
1/11/88	Travel & Business Development
2/19/88	Travel & Business Development
5/6/88	Travel & Business Development
7/6/88	Travel & Business Development

9/6/88 Travel & Business Development

9/6/88 Travel & Business Development

10/13/88 Travel & Business Development

11/10/88 Travel & Business Development

p. David Speigel - Mr. Spiegel received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/22/87	5/21/87	9/17/87
2/19/87	6/18/87	10/15/87
3/19/87	7/23/87	11/19/87
4/16/87	8/20/87	12/17/87

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	6/16/88	11/17/88
3/17/88	7/21/88	12/15/88
4/21/88	8/18/88	
5/19/88	10/20/88	

Nominating Committee Meetings Attended - [redacted] fee per meeting

1/19/88
4/20/88

TOTAL: [redacted] in 1988

q. Michael E. Tierney - Mr. Tierney received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/12/87	6/18/87	10/15/87
2/19/87	7/23/87	11/19/87
3/19/87	8/20/87	12/17/87
4/16/87	9/17/87	

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Executive Committee Meetings Attended - [redacted] fee per meeting

6/4/87	9/10/87	12/10/87
6/11/87	11/5/87	
7/2/87	11/12/87	
8/13/87	12/3/87	

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	5/19/88	9/15/88
2/18/88	6/16/88	10/20/88
3/17/88	7/21/88	11/17/88
4/21/88	8/18/88	12/15/88

Executive Committee Meetings Attended - [redacted] fee per meeting

1/7/88	5/12/88	10/6/88
1/14/88	6/2/88	10/11/88
2/4/88	6/9/88	11/3/88
2/11/88	7/7/88	11/9/88
3/10/88	7/14/88	12/1/88
4/7/88	8/4/88	12/8/88
4/14/88	9/1/88	
5/5/88	9/7/88	

TOTAL: [redacted] in 1988

In addition, Mr. Tierney was also reimbursed [redacted] by the Bank on August 21, 1987 for business development expenses.

r. Frank N. Cardullo - Mr. Cardullo received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting

1/22/87	5/21/87	9/17/87
2/19/87	6/18/87	10/15/87
3/19/87	7/23/87	11/19/87
4/16/87	8/20/87	12/17/87

Meetings of the Audit Committee - [redacted] fee per meeting

7/23/87

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	5/19/88	10/20/88
2/18/88	7/21/88	11/17/88
3/17/88	8/18/88	12/15/88
4/21/88	9/15/88	

TOTAL: [redacted] in 1988

s. Victor A. Nicolazzo, Jr. - Mr. Nicolazzo received from the Bank a total salary of [redacted] in 1987. This salary was paid to Mr. Nicolazzo in the following manner until November 1, 1987, when he was formally placed on the Bank's payroll and began receiving regular paychecks from the Bank:

1/5/87	Bank Fees For Services/Chairman
2/2/87	Bank Fees for Services/Chairman
3/2/87	Bank Fees for Services/Chairman
4/1/87	Bank Fees for Services/Chairman
5/1/87	Bank Fees for Services/Chairman
6/1/87	Bank Fees for Services/Chairman
7/1/87	Bank Fees for Services/Chairman
8/1/87	Bank Fees for Services/Chairman
9/1/87	Bank Fees for Services/Chairman
10/1/87	Bank Fees for Services/Chairman

Mr. Nicolazzo received from the Bank a total salary of [redacted] in 1988. The other payments which he received from the Bank in 1987 and 1988 are as follows:

7/2/87	Travel & Business Development
8/21/87	Travel & Business Development
12/11/87	Travel & Business Development

2/12/88 Travel & Business Development

3/10/88 Travel & Business Development

4/18/88 Travel & Business Development

8/9/88 Travel & Business Development

10/31/88 Travel & Business Development

t. Dominic J. Saraceno - Mr. Saraceno received the following payments from the Bank in 1987 and 1988:

Board of Directors Meetings Attended - [redacted] fee per meeting.

1/22/87	7/21/87
2/19/87	5/18/88
7/21/87	11/19/87
8/20/87	12/17/87

Executive Committee Meetings Attended - [redacted] fee per meeting

6/4/87	9/10/87	11/12/87
7/2/87	11/5/87	12/10/87

TOTAL: [redacted] in 1987

Board of Directors Meetings Attended - [redacted] fee per meeting

1/21/88	7/21/88	12/15/88
2/18/88	8/18/88	
3/17/88	10/20/88	
4/21/88	11/17/88	

Executive Committee Meetings Attended - [redacted] fee per meeting

1/7/88	6/2/88	11/3/88
1/14/88	6/9/88	11/9/88
2/11/88	8/4/88	12/1/88
3/10/88	8/11/88	12/8/88
4/7/88	9/1/88	
4/11/88	9/7/88	
5/5/88	10/6/88	
5/12/88	10/11/88	

TOTAL: [redacted] in 1988

6. Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks.

6. **RESPONSE**: Copies of the requested documents are attached hereto.

Signed under the pains and penalties of perjury this 28 day of December, 1989.

OLYMPIC INTERNATIONAL BANK & TRUST COMPANY by Victor A. Nicolazzo, Jr., Chairman

OGC 5072

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JAN -9 AM 10: 38

HUTCHINS & WHEELER
COUNSELLORS AT LAW

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

ERNEST G. ANGEVINE, P. C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P. C.
FREDERIC H. HILTON, P. C.
HENRY WHEELER
JAMES G. WHEELER
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ANDREW M. TROOP
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EVELYN VENABLES MORENO
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DAVID L. MCEVOY
JODEE P. BISHOP
CRAIG L. SUMBERG
EVELYN L. CRONIN

BRUCE A. COHEN

* ADMITTED ONLY IN NEW YORK

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P. C.
OF COUNSEL

January 5, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
90 JAN -9 PM 12: 29
OFFICE OF GENERAL COUNSEL

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

Re: Joann O'Brien -- MUR 2717

Dear Ken:

Enclosed herewith is a copy of the bank statement which you requested at Joann O'Brien's deposition on December 19, 1989. After an extensive search, Mrs. O'Brien was not able to find her check register for this account during the period in question, and, accordingly, we have no check register to produce to you.

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

Very truly yours,

John P. Connelly

JPC/st
Enclosure

00C5136

90 JAN 17 AM 9:44

1. DENNIS C. MONANCY
15 SOUTH PARK LANE
P.O. BOX 462
MANSFIELD, MASS. 02048

MUR 2717

Employed @ TRADE WINDS SYSTEM CORP.
99 CEDAR ST.
CANTON / MASS 02021

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JAN 18 AM 12:30

2. I took employment at TRADE WINDS SYSTEM in MAY of 1984, and am currently still here. My title on my business card since I began working here is design/engineer.

My duties are the following:

A ESTIMATING
B SALES
C PURCHASING
D DESIGNING
E ENGINEERING
F DRAFTING

3. YES, I made a contribution in the amount of $250.- The check was drawn on RANDOLPH SAVINGS BANK to the best of my recollection. Over the past 14 months I have changed residences and I cannot locate my old checks. I'm sure they're around somewhere, but at THIS TIME I don't know where.

4. Nobody was consulted or present when I made this response.

5. SEE #3 answer above

The above sworn to
Dina M. Mancy
Notary Public

OGC 5185

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FEDERAL ELECTION COMMISSION

HUTCHINS & WHEELER
COUNSELLORS AT LAW

90 JAN 22 AM 9:15

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

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MICHAEL C. MCLAUGHLIN
RAINER M. KOHLER, P.C.
OF COUNSEL

* ADMITTED ONLY IN NEW YORK

90 JAN 22 PM 3:18
RECEIVED
FEDERAL ELECTION COMMISSION

January 18, 1990

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

Re: Judith S. Curtin -- MUR 2717

Dear Ken:

Pursuant to your requests at the deposition of Judith S. Curtin on December 20, 1989, I now enclose the following:

1) Copies of the relevant pages from Ms. Curtin's check register and the relevant bank statements which reflect the $250.00 and $750.00 contributions which she made to the Haig Campaign on or about March 27 and April 20, 1987, respectively; and

2) Copies of the relevant pages from the check register and the relevant bank statements which reflect the $1,000.00 contribution which was made to the Haig Campaign from Matthew Curtin's trust account on or about September 27, 1987.

With respect to your other requests, Ms. Curtin has informed me that she does not have within her possession, custody or control any notes regarding her meetings with Donald Cook and/or David Goldman while she was employed at Olympic Bank, and that the address for Heidi Saraceno is public information and listed in the telephone directory for Newton, Massachusetts.

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

Very truly yours,

John P. Connelly

JPC/ln
Enclosures

cc: Judith S. Curtin (w/o enclosures)

95043651042

06C 5166

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Robert F. Bauer
Judith L. Corley
Barry J. Reingold

ADDRESS: Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

TELEPHONE: (202) 887-9030

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JAN 19 PM 4:07

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.

1/18/90
Date

Signature

RESPONDENT'S NAME: Jeffrey W. Allen

ADDRESS: 604 Tortoise Way
Satellite Beach, FL 32937

HOME PHONE: (407) 773-1142

BUSINESS PHONE: (407) 268-0713

9504336510043

MUR 3502

Although your original letter was dated 10/03/89 it did not reach my hands until January 10th, 1990. You originally sent it to a Boston address that is not nor has ever been mine. You then mailed it certified to the Olympic Bank who in turn forwarded it me through regular mail. I called Kenneth E. Kellner, the attorney assigned to this matter, and was informed that my 15 day grace period for answering the questions would not begin until I had received the Order and Suboena. Your interrogatory is being answered in a timely fashion.

2747

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JAN 24 AM 11:39

RECEIVED
FEDERAL ELECTION COMMISSION
90 JAN 24 PM 8:47

9504305104

Jon A. Lichter MUR 2717

1.) Jon A. Lichter

82 Hampshire Road

Wellesley, Mass.02181

[redacted]

Employer:

Broadway Market Inc.

468 Broadway

Cambridge, Mass. 02138

617-547-2334

2.) I am not now or have ever been employed at Olympic Bank. I am and have been a Director of Olympic Bank since its inception. David H. Lichter, my father, is employed by Olympic Bank. He has held the position of Treasurer since they opened and as such is responsible for all financial reporting.

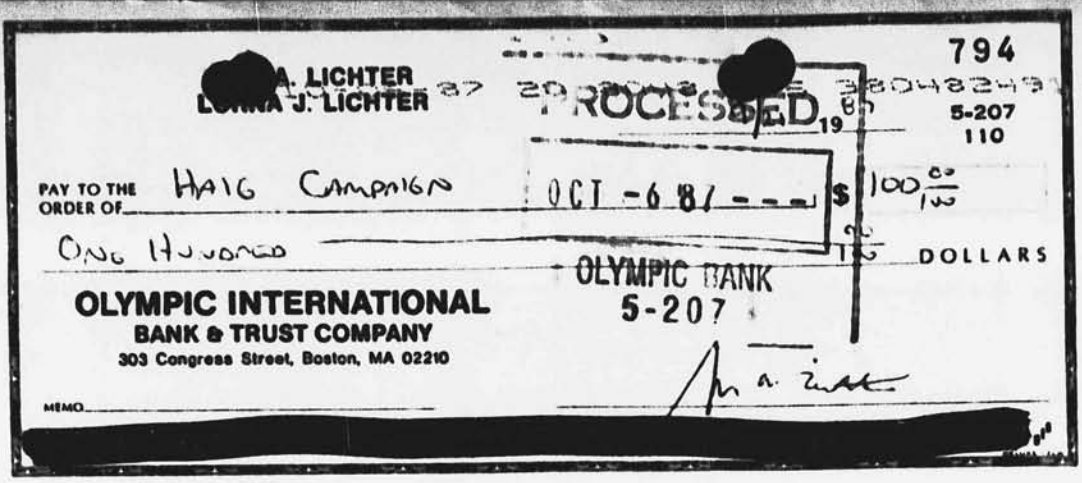
3.) One contribution was made by me to the "Haig for President" campaign. It was a personal check for $100 made on 09/21/87. The copies are attached.

4.) The preparation of these answers was done completely by myself without outside counsel.

5.) There are copies of both sides of the concerned check attached.

Jon A. Lichter

1/10/90



794

[redacted]A. LICHTER
L[redacted]A J. LICHTER

PROCESSED

5-207
110

PAY TO THE ORDER OF HAIG CAMPAIGN $ 100 00/100

ONE HUNDRED 00/100 DOLLARS

OCT -6 '87

OLYMPIC BANK
5-207

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

MEMO

[redacted]

757	[illegible]	Comm [illegible]	250	–		

95043651047

00C5253

NIXON, HALL AND HESS
PROFESSIONAL ASSOCIATION
Attorneys at Law
Eighty Merrimack Street
Manchester, New Hampshire 03101

TELEPHONE 603-669-8080
WATS 1-800-343-1263
FAX 603-669-0903

DAVID L. NIXON
MICHAEL P. HALL
DAVID W. HESS
FRANK E. KENISON
EDWARD W. STEWART, JR.
LESLIE C. NIXON
FRANCIS G. MURPHY, JR.
JOSEPH F. KEEFE

ROBERT E. RAICHE,
Of Counsel

January 26, 1990

FEDERAL ELECTION COMMISSION
90 JAN 29 PM 5:04

Mr. Danny L. McDonald, Chairman
Federal Election Commission
Washington, D. C. 20463

Re: MUR 2717
Richard Knowlton

Dear Mr. McDonald:

Enclosed please find an Affidavit of Richard Knowlton and Statement of Designation of Counsel in the referenced matter. A copy of the check will be forwarded to your office as soon as I receive it.

RECEIVED
FEDERAL ELECTION COMMISSION
90 JAN 30 AM 11:32

Very truly yours,

David W. Hess

DWH:kl

Encs.

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: David W. Hess, Esq.

ADDRESS: Nixon, Hall & Hess P.A
80 Merrimack St.
Manchester N.H. 03101

TELEPHONE: 603-669-8080

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.

January 26, 1990
Date

Richard Knowlton
Signature

RESPONDENT'S NAME: Richard Knowlton

ADDRESS: 23 Bay Rd.
P.O. Box 827
Ctr. Ossipee, NH 03814

HOME PHONE: [redacted]

BUSINESS PHONE: (603) 669-3566

9504351049

AFFIDAVIT

NOW COMES Richard Knowlton who, after being duly sworn, deposes and says:

1. My name is Richard Knowlton. I reside at 23 Bay Road, Center Ossipee, NH 03814. I am presently employed as a salesman by Buckley Associates, Inc.

2a. I was employed as a draftsman by Tradewind Systems from March, 1986 to June, 1988.

b. My duties consisted of assisting design engineers in designing HVAC systems.

3a. On or about September 24, 1987, I made a $250.00 contribution to Alexander Haig's presidential campaign.

b. This contribution was made by check #121 drawn on my Fleetline Visa, account #[redacted] As per the credit card RLC attached, I have requested a copy of that check and will forward it as soon as I receive it, Attachment 1.

4. I consulted my attorney, David W. Hess, in responding to your subpoena.

And further Affidavit sayeth not.

Richard Knowlton

STATE OF New Hampshire
COUNTY OF Hillsborough

Before me, the undersigned officer, personally appeared the above-named Richard Knowlton and acknowledged that the foregoing statements made by her are true to the best of her knowledge and belief.

NOTARY PUBLIC / JUSTICE OF THE PEACE

9504360510

TO: FLEET NATIONAL BANK
BANK CARD CENTER
P.O. BOX 366
PROVIDENCE, R.I. 02901-0366

1/22/90

I Richard Knowlton hereby request copies of both sides of check #121 written on September 24, 1987 drawn from FLEETLINE VISA account #[redacted]

Please be aware that this account was closed out during May 1989. The information requested should be sent to my current address (see below).

If you have any questions you may contact me at my home phone #[redacted]

Sincerely,

Richard Knowlton
~~P.O.~~ Box 827
Ctr. Ossipee, N.H. 03814

9004365107-1

06C 5346

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90 FEB -7 AM 10:37

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

BARRY J. REINGOLD

February 5, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

90 FEB -7 PM 1:50

Jonathan Bernstein, Esq.
Federal Election Commission
999 "E" Street, N.W.
Sixth Floor
Washington, D.C. 20463

Re: MUR 2717

Dear Mr. Bernstein:

This will follow up Jeff Allen's deposition of January 18, 1990. Enclosed are copies of the registers for two of Mr. Allen's checking accounts covering the last half of 1987. A third account also existed, but was lost during Mr. Allen's move to Florida. Both he and his wife are confident that no check was ever written in connection with a contribution to the Haig for President Committee.

Also enclosed is a declaration executed by Allyson Allen concerning communications between herself and the Haig for President Committee.

Please contact me if you need additional information.

Very truly yours,

Barry J. Reingold

Enclosures

/bg

5285a

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 2717

Respondent: L. Allyson Allen

AFFIDAVIT OF L. ALLYSON ALLEN

I, L. ALLYSON ALLEN, being duly sworn according to law, hereby depose and state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.

2. I am the wife of Jeffrey Allen, former Vice President of Finance for Fellows Corporation.

3. While my husband was working at Fellows Corporation, I understand that he was asked to make a political contribution in his name and in my name to the Haig for President Committee. I understand that the contribution was solicited in connection with a dinner to honor Alexander Haig in August 1987. The dinner was to be sponsored by the owner of Fellows Corporation, David Goldman.

4. Neither my husband nor I made a contribution to Alexander Haig or to the Haig for President Committee in connection with the dinner or at any other time.

5. Sometime after attending the dinner honoring Alexander Haig in August of 1987, I remember receiving a written communication from the Haig for President Committee.

6. I have been shown a copy of a letter dated September 4, 1987, and a copy of a treasurer's check which have been identified for me as Exhibit 2 to the Deposition of Jeffrey Allen ("Haig Letter"). Unless otherwise noted, my statements below are in reference to this document.

7. I believe that the written document I received from the Haig for President Committee was the Haig Letter, but I have only a vague recollection of the document.

8. The reference in the Haig Letter to an area "indicated with a yellow marker" is familiar to me.

9. I do not remember the exact date that I received the Haig document, but I believe it arrived shortly after the September 4, 1987 date on the Haig Letter.

0 5 5 4 3 6 5 1 0 4

10. The signature on the copy of the treasurer's check attached to the Haig Letter appears to be my signature, made in my handwriting.

11. While I remember signing something, I do not remember signing a treasurer's check or a copy of a treasurer's check.

12. I received the Haig document in Vermont while my husband was in Florida.

13. Sometime after I received the Haig document, an individual identified as working for the Haig for President Committee called me on the telephone to ask if I had received the Haig Letter and to ask why I had not yet returned it.

14. I told the individual that my husband was out of town traveling, and that it was very difficult to contact him. I also told the individual that I could not return the document until I had discussed it with my husband.

15. I did not discuss the Haig document with anyone other than my husband.

16. Sometime after the first telephone call, an individual from the Haig for President Committee called again to inquire about the return of the letter.

17. By the time of the second call from the Haig Committee, my husband had returned from Florida and we had returned the document to the Haig Committee.

18. I estimate that approximately one month passed between the time I received the Haig document and when I returned it to the Haig Committee.

19. I do not remember the name or names of the individual or individuals I spoke to at the Haig for President Committee.

20. I do not remember receiving any communications, either oral or written, from the Haig for President Committee before the August 1987 dinner.

21. After the August 1987 dinner, my husband and I received several letters from the Haig for President Committee seeking additional contributions.

22. We did not make any contributions or respond in any way to these letters.

23. I have noted the handwritten notations below the copy of the treasurer's check attached to the Haig Letter. This information is not in my handwriting.

24. I have never been employed by Arthur Anderson & Company. I am not a CPA.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the Laws of the United States of America that the foregoing is true and correct. Executed this 27 day of January, 1990.

L. Allyson Allen

L. Allyson Allen

1501E

0504365107

Before the Federal Election Commission

MUR 2717

Respondent: Allyson Allen

ANSWERS TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS

The answers to these interrogatories are based primarily on the recollections of Lynn Allyson Allen.

Interrogatory No. 1:

State your name, address and current employment.

Name: Lynn Allyson Allen

Address: 604 Tortoise Way
Satellite Beach, FL 32937

Current Employment: None

Interrogatory No. 2:

State whether you, or a member of your family, are now or ever have been employed by Fellows Corporation. If so,

a. State all positions or titles held by you, or a member of your family, within that entity and the time period during which the position or title was held.

b. Describe the duties and responsibilities of the position or title held by you or a member of your family.

My husband, Jeffrey Allen, has been employed by Fellows Corporation.

2504365103

a. The positions held by my husband include:

12/81 - 12/86	Comptroller
1/87 - 8/87	Vice President - Finance

b. Upon information and belief, the duties and responsibilities of my husband included supervising the financial affairs and data processing of Fellows Corporation.

Interrogatory No. 3:

State whether you made a contribution to Alexander Haig or Haig for President (the "Committee"). If so, for each such contribution:

a. State the amount and date of the contribution.

b. State whether your contribution was made by check or other written instrument. If yes, provide a copy of both sides of such check or written instrument.

I did not make a contribution to Alexander Haig or to Haig for President.

Interrogatory No. 4:

Identify any person (other than counsel) who has consulted or otherwise assisted in the preparation of answers to these questions.

I consulted with my husband, Jeffrey Allen, in the preparation of answers to these questions.

Interrogatory No. 5:

Produce each and every document concerning or relating to the above interrogatories including, but not limited to, copies of both sides of all relevant checks and correspondence.

I was unable to locate any documents concerning or relating to the above interrogatories. I will supplement the record should any document be found.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 27 day of January, 1990.

L. Allyson Allen

L. Allyson Allen

1422E

9504336510

06C 5436

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 FEB 15 AM 10:50

HUTCHINS & WHEELER
COUNSELLORS AT LAW

ERNEST G. ANGEVINE, P.C.
JOSEPH R. WATKINS
WILLIAM N. SWIFT, P.C.
FREDERIC H. HILTON, P.C.
HENRY WHEELER
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BRIAN A. O'CONNELL
CYNTHIA M. BARR
JEAN A. PAPPAS

101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110
TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

NORMAN LANDSTROM
COUNSEL

RICHARD M. WYMAN
WILLIAM E. HALMKIN
IRA S. YANOWITZ
MICHAEL C. McLAUGHLIN
RAINER M. KOHLER, P.C.
OF COUNSEL

90 FEB 15 PM 2:23

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

February 12, 1990

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

Re: Joseph G. Maloney; Joann M. O'Brien; Judith S. Curtin -- MUR 2717

Dear Ken:

Enclosed herewith are the following:

1) Copies of the relevant page from Dr. Maloney's check register and relevant bank statement which reflect the $1,000.00 contribution which he made to the Haig Campaign on or about April 25, 1987;

2) The original signature page regarding Dr. Maloney's deposition on December 20, 1989;

3) The original signature and correction pages regarding Joann O'Brien's deposition on December 19, 1989; and

4) The original signature page regarding Judith S. Curtin's deposition on December 20, 1989.

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

Very truly yours,

John P. Connelly

JPC/mc
Enclosures

RECORD ALL CHA[redacted], OR CREDITS THAT AFFECT YOUR ACCO[redacted]

NUMBER	DATE	TRANSACTION DESCRIPTION OR PAYEE NAME	PAYEE CODE	(-) PAYMENT OR WITHDRAWAL	FEE OR	(+) DEPOSIT OR INTEREST	T	$	BALANCE

OCC9577

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 1990

Barry J. Reingold, Esq.
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2717
Jeffrey W. Allen

Dear Mr. Reingold:

Enclosed is a check in the amount of $31.44 in payment of the witness fee and mileage expenses for the deposition of Jeffrey W. Allen.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

2504351084

United States Treasury

15-51 / 000 W 042,242,877



02 15 90 19 WASHINGTON, DC

Check No. 3007 19501530

621229 02 JEFFREY ALLEN 95350001

Pay to the order of JEFFREY ALLEN

F E C WASH DC

$******31*44

VOID AFTER ONE YEAR

232

OAW055 WITNESS FEE

⑈30074⑈ ⑆000000518⑆ 195015304⑈ 010290

95043510085

OOC 9578

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 1990

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, Massachusetts 02110

RE: MUR 2717
Joseph G. Maloney
Joann M. O'Brien
Judith S. Curtin
Matthew L. Curtin

Dear Mr. Connelly:

Enclosed are checks in payment of the witness fees and mileage expenses for the depositions of your clients.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosures

2504335-0086

United States Treasury 15-51/000 W 042,242,875

02 15 90 05 WASHINGTON, DC

621229 02 MATTHEW CURTIN

F E C WASH DC

Check No. 3007 19501528

95350001

Pay to the order of MATTHEW CURTIN

$*****30*96

VOID AFTER ONE YEAR

OAWOSS WITNESS FEE

⑈3007④⑈ ⑆000000518⑆ 195015282⑈ 010290



United States Treasury 15-51/000 W 042,242,874

02 15 90 0 WASHINGTON, DC

621229 02 JUDITH CURTIN

F E C WASH DC

Check No. 3007 19501527

95350001

Pay to the order of JUDITH CURTIN

$*****39*60

VOID AFTER ONE YEAR

OAWOSS WITNESS FEE

⑈3007④⑈ ⑆000000518⑆ 195015271⑈ 010290



95043365107

United States Treasury 15-51/000 W 042,242,873

Check No.

02 15 90 1 WASHINGTON, DC 3007 19501526

621229 02 JOANN OBRIEN 95350001

Pay to the order of JOANN OBRIEN

F E C WASH DC

$*****35*76

VOID AFTER ONE YEAH

OAW055 WITNESS FEE

⑈300?4⑈ ⑆000000518⑆ 195015260⑈ 010290

United States Treasury 15-51/000 W 042,242,876

Check No.

02 15 90 59 WASHINGTON, DC 3007 19501529

621229 02 JOSEPH MALONEY 95350001

Pay to the order of JOSEPH MALONEY

F E C WASH DC

$*****31*44

VOID AFTER ONE YEAR

OAW055 WITNESS FEE

⑈300?4⑈ ⑆000000518⑆ 195015293⑈ 010290

CC9577

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 20, 1990

Barry J. Reingold, Esq.
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 2717
Jeffrey W. Allen

Dear Mr. Reingold:

Enclosed is a check in the amount of $31.44 in payment of the witness fee and mileage expenses for the deposition of Jeffrey W. Allen.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan A. Bernstein
Assistant General Counsel

Enclosure

9 5 0 4 3 6 5 1 0 3 9

United States Treasury 15-51/000 W 042,242,877

Check No.

02 15 90 19 WASHINGTON, DC 3007 19501530

621229 02 JEFFREY ALLEN 95350001

Pay to the order of JEFFREY ALLEN F E C WASH DC

$*****31*44

VOID AFTER ONE YEAR

OAW055 WITNESS FEE

⑈300 74⑈ ⑆000000518⑆ 195015304⑈ 060290

95043351010

OOC 5550

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
90 FEB 28 P 3:51

KURT SARACEN
REAL ESTATE DEVELOPERS

57 WELLS AVENUE
NEWTON CENTRE
MASSACHUSETTS 02159
(617) 965-8030

February 14, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 FEB 28 PM 4:11

Federal Election Commission

Washington, D.C. 20463

ATTN: Danny L. Mc Donald
Chairman

RE: MUR 2717 - Heidi A. Saraceno

Dear Mr. MC Donald:

In response to your letter of October 3, 1989, I submit the following answers to the interrogatories:

1. Heidi A. Saraceno, 197 Blake Street, Newton, MA 02160
   Student

2. My father, Dominic J. srarceno, has been a Director of olympic Bank since its inception in 1985.

3. Yes, I made a contribution to Alexander Haig for President in the amount of $1000.00, per check #788 dated April 30, 1987 (copy attached).

4. None.

5. As noted above, I have attached a copy of check #788.

Sincerely,

Heidi A Saraceno

Heidi A. Saraceno

HAS/rjr
CC: Kenneth E. Kellner, Attorney

2504365100

Heidi A Saraceno
Heidi A. Saraceno

February 14, 1990
Date

On February 14, 1990, the above-named Heidi A. Saraceno appeared before me and declared under oath that the enclosed written responses to the interrogatories posed by the Federal Election Commission are true and correct.

Carleton G. Tarpinian
Notary Public

My commission expires April 29, 1994.

CARLETON G. TARPINIAN, NOTARY PUBLIC
MY COMMISSION EXPIRES
APRIL 29, 1994

9504305102

95043651093

HEIDI A. SARACENO NO 788

[redacted] April 30 1987 5-20/110

PAY TO THE ORDER OF Haig for President $ 1000.00

one-thousand DOLLARS 00/100 CENTS

Shawmut
Bank of Boston, N.A.
Boston, Massachusetts 02211

MEMO Heidi A. Saraceno

[redacted]

OGC 5785

SWIDLER & BERLIN
CHARTERED
3000 K STREET, N.W.
SUITE 300
WASHINGTON, D.C. 20007-3851
(202) 944-4300

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 MAR 28 AM 11:00

BRIAN W. FITZGERALD
ATTORNEY AT LAW

DIRECT DIAL
(202) 944-4951
TELEX 701131
TELECOPIER (202) 944-4296

March 26, 1990

90 MAR 28 AM 11:40

RECEIVED
FEDERAL ELECTION COMMISSION

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W. Room 657
Washington, D.C. 20463

Re: MUR 2717 - Rabbi Milton Balkany

Dear Mr. Noble:

As discussed with Ken Kellner over the telephone, this letter is to confirm that the Commission's deposition of Rabbi Balkany has been scheduled for April 25, 1990 at 11:00 a.m. in the Commission's offices in Washington, D.C.

If there are any changes, please contact me at your earliest convenience.

Thank you.

Sincerely,

Brian W. Fitzgerald

Brian W. Fitzgerald

BWF/tpg

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

90 APR 27 PM 4:15

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

EXECUTIVE SESSION

MAY 08 1990

In the Matter of	)	
	)	
Haig for President and Dominic J. Saraceno, as treasurer; Fellows Corporation; Jeffrey W. Allen; Lynn Allyson Allen; Donald Chabot; June Chabot; Henry Swierczynski; Nora Swierczynski; Carl Johnson; Linda Johnson; Erich Tlaker; Jean Tlaker; Olympic International Bank and Trust Company; Frank N. Cardullo; Victor Nicolazzo; Dominic J. Saraceno; Judith S. Curtin; Matthew L. Curtin; Peter S. Donadio; Susan M. Fraser; Jon A. Lichter; Joseph G. Maloney; Nora F. Moran; Joann M. O'Brien; William J. O'Brien; Heidi Saraceno; Ingeborg Saraceno; Kurt Saraceno; Pauline Saraceno; Cynthia Sneider; Joseph Sneider; David Speigel; Michael Tierney; Trade Winds Systems; Maureen Taylor; Richard Clegg; Mary E. Cooke; Dennis M. Cooke; Donald A. Cooke, Jr.; Bobby Cowart; Anthony DiBona; Arsene E. Frappier, Jr.; Gregory Gagnon; Richard Knowlton; Dennis Morancy; Daniel F. O'Hara, Jr.; Mary B. O'Hara; Frederick H. Shea, III; Nancy D. Stockus; Kimberly A. Stockus; Maureen A. White; Crown Controls Corporation; Kerry Dicke; Dane W. Dicke; Eilleen W. Dicke; James F. Dicke; James F. Dicke, II; Janet S. Dicke; Rabbi Milton Balkany	)	MUR 2717

2504351005

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that Olympic International Bank and Trust Company Bank violated 2 U.S.C. §§ 441b and 441f; that Fellows Corporation violated 2 U.S.C. §§ 441b and 441f; that Frank N. Cardullo,

Victor Nicolazzo and Dominic J. Saraceno violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f; that Trade Winds Systems violated 2 U.S.C. §§ 441b and 441f; that Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f; that Rabbi Milton Balkany violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f and that Haig for President and Dominic J. Saraceno, as treasurer, violated 2 U.S.C. §§ 441a(f), 441b and 441f and 26 U.S.C. § 9042(c). The Commission further found that the following persons violated 2 U.S.C. § 441f: Jeffrey W. Allen, Lynn Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Judith S. Curtin, Matthew L. Curtin, Peter S. Donadio, Susan M. Fraser, Jon A. Lichter, Joseph G. Maloney, Nora F. Moran, Joann M. O'Brien, William J. O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, Cynthia Sneider, Joseph Sneider, David Speigel, Michael Tierney, Maureen Taylor, Richard Clegg, Mary E. Cooke, Dennis M. Cooke, Donald A. Cooke, Jr., Bobby Cowart, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus, Maureen A. White, Kerry Dicke, Dane W. Dicke, Eilleen W. Dicke, James F. Dicke, James F. Dicke, II, and Janet S. Dicke.

Responses have been received from most of the respondents, although some responses are still being awaited. In addition, this Office is still conducting the depositions authorized by the Commission in this matter. This report will update the Commission on the status of this investigation and will address

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requests for pre-probable cause conciliation which have been made. This report further includes additional discovery recommendations.

II. RESPONSES AND CONCILIATION REQUESTS

A. Fellows Corporation

Attached for the Commission's review are the responses of Fellows Corporation and all eight individuals associated with that entity in this matter. The following six individuals, represented by the same counsel, have requested pre-probable cause conciliation: Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, and Jean Tlaker. Jeffrey W. Allen, Lynn Allyson Allen, and Fellows Corporation have not requested conciliation at this time.

The depositions of Erich Tlaker and Jeffrey W. Allen have been completed. The depositions have revealed that the true source of funds for the contributions to Haig for President (the "Committee") made by these eight individuals was other than that of these individuals. Apparently, the President of Fellows Corporation, Joseph Smith, in a meeting held at the company, directed five of the company's vice-presidents to write contribution checks to Haig for President in the amount of $2,000. The amount of the check would represent the maximum permissible contribution for each of the five vice-presidents and their respective spouses.

Four of the vice-presidents, under duress, complied with this direction of the company president. Shortly thereafter,

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Joseph Smith returned the contribution checks to the "contributing" vice-presidents and told them another way had been found to handle this matter. It appears that David Goldman, the owner of Fellows Corporation, directed Joseph Smith to solicit these contributions, and then later directed him to return the contributions.

Information obtained from Olympic International Bank and Trust ("Olympic Bank") has revealed that the ten treasurer's checks that were used to make contributions to Haig for President in the names of the above-mentioned individuals were purchased by David Goldman from Olympic Bank. After these checks were received by the Committee, copies of the checks were forwarded to the eight individuals for their respective signatures.

This Office is currently in the process of reviewing the responses and other evidence. Preliminary review of these items, however, indicates that more discovery will be required to reveal, inter alia, the source of funds for the treasurer's checks. Accordingly, this Office recommends that the Commission deny the requests for pre-probable cause conciliation by Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, and Jean Tlaker at this time. After a full review of all the evidence, this Office will report to the Commission with appropriate recommendations.

B. Olympic Bank

This Office has received the responses of Olympic Bank and all 20 individual respondents associated with that entity in this matter. Neither the bank nor any of the individuals have

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requested pre-probable cause conciliation.

The depositions of Judith S. Curtin, Matthew L Curtin, Joseph G. Maloney, and Joann M O'Brien have been completed. The testimonial evidence provided by the depositions indicates that Olympic Bank did facilitate contributions by 20 individuals to Haig for President. In addition, the documentary evidence received has revealed that the $250 contribution by Susan M. Fraser to the Committee was reimbursed by Victor A. Nicolazzo, Jr., the Chairman of Olympic Bank.

Questions still remain regarding the source of funds for many of the contributions and the role of Olympic Bank in this scheme. As set forth in the First General Counsel's Report, a director of the bank, Dominic Saraceno, also serves as the Committee's treasurer. After a full review of all the evidence, this Office will report to the Commission with appropriate recommendations regarding additional discovery. This Office will circulate the responses received in this matter to the Commission at the time it reports with recommendations.

C. **Trade Winds Systems**[1]

Attached for the Commission's review are all the Trade Winds-related responses which have been received in this matter. Responses to the Commission's Subpoenas have not been received from Trade Winds Systems and five of the seventeen

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1. In the First General Counsel's Report, this Office referred to this entity as "Tradewind Systems" since that is how it was listed in materials submitted to the Commission by the Committee. In actuality, the entity is named "Trade Winds Systems."

individual respondents associated with that entity. Only two individuals, Nancy D. Stockus and Kimberly A. Stockus have requested pre-probable cause conciliation.[2]

The depositions of Dennis M. Cooke, Nancy D. Stockus, and Maureen Taylor (formerly Maureen Becker) have been completed. The depositions of Nancy D. Stockus and Maureen Taylor have revealed that the true source of funds for their own and some other contributions to the Committee was Donald A. Cooke, Jr., the owner of Trade Winds Systems. Donald A. Cooke, Jr., apparently solicited checks to the Committee for $250 from his employees and either immediately or shortly thereafter reimbursed those employees in cash. Mr. Cooke further solicited and reimbursed checks from relatives of employees. Employees and relatives who wrote contribution checks were invited to a fundraiser on behalf of Haig held in Boston, Massachusetts in the Fall of 1987.

The testimony of Dennis M. Cooke, the son of the owner of Trade Wind Systems, is inconsistent with the other responses received in this matter. Dennis M. Cooke, currently estranged from his father for undisclosed reasons, stated that he was solicited to attend a Haig fundraiser by Donald A. Cooke, Jr. while employed at Trade Wind Systems. Mr. Cooke further stated that he purchased two tickets, one each for himself and a female

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2. The conciliation requests of these respondents appear ambiguous. Conversations with staff from this Office, however, have made clear that these respondents did wish to enter into conciliation prior to a finding of probable cause to believe.

9504351-60

companion, but did not attend for reasons he could not recall. In contrast to Ms. Taylor and Ms. Stockus, the younger Mr. Cooke stated that he himself was the sole source of funds for the contributions he made to Haig for President. He explicitly denied that he was either reimbursed or offered to be reimbursed for his contribution.

Dennis M. Cooke, for undisclosed reasons, has not complied with the document request which accompanied the Commission's Subpoena. In light of the information received from all sources, the veracity of Dennis M. Cooke's testimony is open to question. Therefore, in an effort to ascertain whether there was another source of funds for Dennis M. Cooke's contribution to Haig for President, this Office recommends that the Commission approve a Subpoena and Order to Mr. Cooke's bank, the Randolph Savings Bank, to supply information regarding Mr. Cooke's personal banking activity for the relevant time period.

The evidence received thus far leaves unclear the source of funds used for reimbursing the employees of Trade Winds Systems. Donald A. Cooke, Jr., the President and owner of Trade Winds Systems, has not complied with the Commission's Subpoena and Order to his company. Despite written communications from this Office, Mr. Cooke has not indicated any willingness to cooperate in this investigation. The information requested from the company is vital to the Commission's investigation in this matter. Accordingly, this Office recommends that the Commission authorize the Office of the General Counsel to bring suit in the United States District Court against Trade Winds Systems to

2504365111

enforce the Commission's Subpoena and Order in this matter.

An inspection of Mr. Cooke's personal banking account may reveal whether Mr. Cooke used his own personal funds to make contributions in the names of his employees. Therefore, this Office recommends that the Commission approve a Subpoena and Order to the Blue Hill Credit Union, the banking institution of Donald A. Cooke, Jr., to supply information regarding Mr. Cooke's personal banking activity for the relevant time period. Donald A. Cooke, Jr., has not complied with the Commission's separate Subpoena to him personally which requested limited information regarding his own personal contribution to Haig for President. The information received from Mr. Cooke's bank, however, should provide the information sought by Mr. Cooke's personal Subpoena as well as whether he used personal funds to contribute in the name of others.

Based on the information set forth above, this Office further recommends that the Commission authorize the deposition of Donald A. Cooke, Jr., for forwarding to Mr. Cooke after this Office receives the requested documents. Mr. Cooke would be the best source of information regarding the nature and substance of the scheme to reimburse contributions. Since the ongoing investigation may reveal information pertinent to their involvement, this Office recommends that the Commission deny the requests for pre-probable cause conciliation by Nancy D. Stockus and Kimberly D. Stockus at this time. After a full review of all the evidence, this Office will report to the Commission with appropriate recommendations regarding conciliation.

9504365116

D. Crown Controls Corporation

Neither Crown Controls Corporation nor any of the individual respondents associated with it have requested pre-probable cause conciliation. Responses have been received from all the respondents in this matter and Cindy Carter, as a non-respondent witness. Furthermore, the deposition of Cindy Carter has been completed. The position of the respondents is that Dicke Consolidated, which was used by six individuals to make contributions to the Committee, is a "zero-balance" checking account shared by many individuals and entities, including corporations. This Office is making no recommendations at this time in this matter, pending a review of all the evidence. This Office will circulate the responses it has received in this matter at the time it reports to the Commission with recommendations.

E. Rabbi Milton Balkany

The response of Rabbi Milton Balkany to the Commission's Subpoena is attached. It includes a request by Rabbi Balkany for pre-probable cause conciliation. Rabbi Balkany was deposed on April 25, 1990. This Office is presently reviewing the testimony and evidence regarding Rabbi Balkany. Accordingly, this Office recommends that the Commission deny the request for pre-probable cause conciliation at this time.

F. Haig for President

The Committee's response has been received and does not include a request for pre-probable cause conciliation. The response is attached for the Commission's review.

III. RECOMMENDATIONS

1. Deny the requests for pre-probable cause conciliation submitted on behalf of Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Nancy D. Stockus, Kimberly A. Stockus, and Rabbi Milton Balkany at this time.

2. Authorize the Office of the General Counsel to bring suit in United States District Court to enforce the Subpoena and Order to Trade Winds Systems.

2504351104

3. Approve the attached letters, Subpoena to Donald A. Cooke, Jr., and Subpoenas and Orders to the Blue Hill Credit Union and the Randolph Savings Bank.

4/27/90
Date

Lawrence M. Noble
General Counsel

Attachments

1. Response of Haig for President and Dominic J. Saraceno, as treasurer

2. A. Response of Fellows Corporation (Documents accompanying this response are voluminous and are not included as an attachment to this report.)
   B. Response of Jeffrey W. Allen and Lynn Allyson Allen (Prepared by same counsel.)
   C. Response of Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, and Jean Tlaker (Prepared by same counsel.)

3. (No response received from Trade Winds Systems)
   A. Response of Maureen Taylor
   B. Response of Richard Clegg
   C. Response of Mary E. Cooke
   D. Response of Anthony DiBona
   E. Response of Arsene E. Frappier, Jr.
   F. Response of Gregory Gagnon
   G. Response of Richard Knowlton
   H. Response of Dennis Morancy
   I. Response of Daniel F. O'Hara, Jr.
   J. Response of Nancy D. Stockus
   K. Response of Kimberly A. Stockus
   L. Response of Maureen A. White

4. Response of Rabbi Milton Balkany

5. Letters (8), Subpoena, and Subpoenas and Orders (2)

Staff assigned: Kenneth Kellner

9504365-1165

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
Haig for President and Dominic J. Saraceno,)
as treasurer; Fellows Corporation; Jeffrey)
W. Allen; Lynn Allyson Allen; Donald)
Chabot; June Chabot; Henry Swierczynski;)
Nora Swierczynski; Carl Johnson;)
Linda Johnson; Erich Tlaker; Jean Tlaker;)
Olympic International Bank and Trust Company;)
Frank N. Cardullo; Victor Nicolazzo;)
Dominic J. Saraceno; Judith S. Curtin;)
Matthew L. Curtin; Peter S. Donadio; Susan M.)
Fraser; Jon A. Lichter; Joseph G. Maloney;)
Nora F. Moran; Joann M. O'Brien; William J.)
O'Brien; Heidi Saraceno; Ingeborg Saraceno;)
Kurt Saraceno; Pauline Saraceno; Cynthia)
Sneider; Joseph Sneider; David Speigel;)
Michael Tierney; Trade Winds Systems;)
Maureen Taylor; Richard Clegg; Mary E. Cooke;)
Dennis M. Cooke; Donald A. Cooke, Jr.;)
Bobby Cowart; Anthony DiBona; Arsene E.)
Frappier, Jr.; Gregory Gagnon; Richard)
Knowlton; Dennis Morancy; Daniel F.)
O'Hara, Jr.; Mary B. O'Hara; Frederick H.)
Shea, III; Nancy D. Stockus; Kimberly A.)
Stockus; Maureen A. White; Crown Controls)
Corporation; Kerry Dicke; Dane W. Dicke;)
Eilleen W. Dicke; James F. Dicke; James F.)
Dicke, II; Janet S. Dicke; Rabbi Milton)
Balkany)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on May 8, 1990, do hereby certify that the Commission took the following actions in MUR 2717:

(continued)

1. Decided by a vote of 6-0 to

a) Deny the requests for pre-probable cause conciliation submitted on behalf of Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Nancy D. Stockus, Kimberly A. Stockus, and Rabbi Milton Balkany at this time.

b) Authorize the Office of the General Counsel to bring suit in United States District Court to enforce the Subpoena and Order to Trade Wind Systems.

c) Approve the letters, Subpoena to Donald A. Cooke, Jr., and Subpoena and Order to the Blue Hill Credit Union as recommended in the General Counsel's report dated April 27, 1990.

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

(continued)

2504351107

2. Decided by a vote of 4-2 to approve the Subpoena and Order to the Randolph Savings Bank as recommended in the General Counsel's report dated April 27, 1990.

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

Attest:

5-9-90
Date

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

9004305111

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

May 14, 1990

Nancy D. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Nancy D. Stockus

Dear Ms. Stockus:

On October 3, 1989, you were notified that the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(f). On October 23, 1989, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2504351107

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 1990

Thomas P. Salmon, Esq.
Salmon & Nostrand
Centennial Arcade
Suite 300
Bellows Falls, Vermont 05101

RE: MUR 2717
Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Donald Chabot, and June Chabot

Dear Mr. Salmon:

On October 3, 1989, you were notified that the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. § 441a(f). On October 30, 1989, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2504365110

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 1990

Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Kimberly A. Stockus

Dear Ms. Stockus:

On October 3, 1989, you were notified that the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(f). On October 23, 1989, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2004351111

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 1990

Bruce A. Lehman, Esq.
Swidler & Berlin
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

RE: MUR 2717
Rabbi Milton Balkany

Dear Mr. Lehman:

On October 3, 1989, you were notified that the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f). On November 16, 1989, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

2504365112

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

May 14, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald A. Cooke, Jr., President
Trade Winds Systems
14 Springdale Avenue
Canton, MA 02021

RE: MUR 2717
Trade Winds Systems

Dear Mr. Cooke:

By letter dated October 3, 1989, the Commission forwarded its Subpoena to Produce Documents and Order to Answer Written Questions addressed to you on behalf of Trade Wind Systems.

On November 22, 1989, you were notified that unless you complied in full with the Commission's Subpoena and Order, I would seek Commission authorization to bring suit against you in federal district court to enforce the Subpoena and Order.

As a result of your refusal to comply with the Subpoena and Order within the allowable time period, the Commission authorized this Office to institute a civil action for relief in the United States District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Robert W. Bonham, III, Acting Assistant General Counsel, at (202) 376-8200, within five days of your receipt of this letter.

Sincerely,

Lawrence M. Noble
General Counsel

2504365113

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
90 MAY 15 AM 10:08

May 14, 1990

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: Subpoenas and Orders to Banks in MUR 2717 and MUR 2681

On May 8, 1990, in MUR 2717, the Commission approved Subpoenas and Orders to the Randolph Savings Bank and the Blue Hill Credit Union. The information sought by the Subpoenas and Orders regarded the personal financial activity of a customer of each of the banks. The Commission also approved a notification letter to each of the banks.

On May 3, 1990, in MUR 2681, the Commission approved a Subpoena and Order to Bank One, Texas, similarly seeking personal financial information of a customer. On that same date the Commission also approved the sending of a notification letter with the Subpoena and Order with Attachment.

In order to comply with the Right to Financial Privacy Act of 1978 (the "Financial Privacy Act"), this Office, in accordance with past procedures, prepared a Certification of Compliance With the Right to Financial Privacy Act in the above two matters to be mailed with the Subpoena and Order to the above-mentioned financial institutions.

Upon further review of the provisions of the Financial Privacy Act, this Office has determined that the preferred procedure would be to wait 10-14 days after service of a Subpoena and Order before forwarding the Certification to a financial institution. This delay in mailing gives the customer, whose records are requested, an opportunity to move to quash the Subpoena and Order in Federal District Court.

9504365114

Accordingly, this Office has modified the letters and Subpoenas and Orders to be mailed to the each of the above-mentioned financial institutions, as well as the Certifications to be mailed later. These materials are attached for the Commission's review with modified sections in bold-face. The Office of the General Counsel recommends that the Commission approve the attached letters, Subpoenas and Orders, and Certifications to the Blue Hill Credit Union, the Randolph Savings Bank and Bank One, Texas.

RECOMMENDATION

Approve the revised letters, Subpoenas and Orders, and Certifications to Blue Hill Credit Union, the Randolph Savings Bank and Bank One, Texas.

Attachments

1. Bank One Texas: Letter, Subpoena and Order, and Certification.
2. Blue Hill Credit Union: Letter, Subpoena and Order, and Certification.
3. Randolph Savings Bank: Letter, Subpoena and Order, and Certification.

Staff Assigned: Kenneth Kellner
Phillip L. Wise

9504365115

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2717 and MUR 2681
Subpoenas and Orders to Banks	)	
	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 17, 1990, the Commission decided by a vote of 5-0 to approve the revised letters, Subpoenas and Orders, and Certifications to Blue Hill Credit Union, the Randolph Savings Bank and Bank One, Texas, as recommended in the General Counsel's memorandum dated May 14, 1990.

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

Attest:

5-17-90
Date

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

Received in the Secretariat: Tuesday, May 15, 1990 10:08 a.m.
Circulated to the Commission: Tuesday, May 15, 1990 4:00 p.m.
Deadline for vote: Thursday, May 17, 1990 4:00 p.m.

dh

9504365116

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 24, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Sir or Madam:

Enclosed is a Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to the Blue Hill Credit Union. The Right to Financial Privacy Act of 1978 permits the customer whose records are sought 10 days from the date of receipt of the Subpoena and Order to move to quash them. Upon the expiration of this period, the Commission will notify you that it has complied with the Right to Financial Privacy Act. In the absence of judicial intervention, it is then your obligation to comply with the terms of the Subpoena and Order. See 12 U.S.C. §§ 3405 and 3411.

Please be advised that 2 U.S.C. § 437g(a)(12) prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

If you have any questions please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures
Subpoena and Order with Attachment

2504365117

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

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 receipt your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

9504351113

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 22nd day of May, 1990.

Lee Ann Elliott

Lee Ann Elliott, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

9504365119

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2004351120

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 the 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.

9504356111

ATTACHMENT TO SUBPOENA AND ORDER

The attached Subpoena to Produce Documents and Order to Submit Written Answers to Questions has been issued by the Federal Election Commission under the authority of 2 U.S.C. § 437d(a)(1) and (3) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2). You are required to submit written answers to the questions and the requested documents within 15 days of your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

You are hereby advised of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth answers in the spaces provided below each question (attaching supplemental pages as required) and return this original with an original affidavit signed by the appropriate bank official attesting to the truth of the answers. The affidavit must be sworn to and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not provide any information not requested by the questions.

1. Identify all accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

Response:

2. Produce all records of financial activity in accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during the following time periods: March 1, 1987 to April 30, 1987 and August 1, 1987 to October 31, 1987. Include in your response copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 24, 1990

BY AIRBORNE EXPRESS

Mr. Donald A. Cooke, Jr.
6 Brom Dutcher Road
Buzzards Bay, MA 02532

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Cooke:

Records or information concerning your transactions held by the financial institution named in the attached subpoena and order are being sought by this agency in accordance with the Right to Financial Privacy Act of 1978 for the following purpose: to investigate possible violations of the Federal Election Campaign Act of 1971, as amended, by you in connection with contributions made to Haig for President.

If you desire that such records or information not be made available, you must:

1. Fill out the accompanying motion paper and sworn statement or write one of your own, stating that you are the customer whose records are being requested by the Commission and either giving the reasons you believe that the records are not relevant to the legitimate law enforcement inquiry stated in this notice or any other legal basis for objecting to the release of the records.

2. File the motion and statement by mailing or delivering them to the clerk of any one of the following United States District Courts: the United States District Court for the District of Massachusetts or the United States District Court for the District of Columbia.

3. Serve the Commission by mailing or delivering a copy of your motion and statement to: Federal Election Commission, Office of the General Counsel, 999 E Street, N.W., Washington, D.C. 20463.

4. Be prepared to come to court and present your position in further detail.

5. You do not need a lawyer, although you may wish to employ one to represent and protect your rights.

If you do not follow the above procedures, upon the expiration of ten days from the date of service or 14 days from the date of mailing of this notice, the records or information requested therein will be made available. These records may be transferred to other Government authorities for legitimate law enforcement inquiries, in which event you will be notified after the transfer.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures
Subpoena and Order to Blue Hill Credit Union
Motion to Quash Subpoena and Order
Affidavit

2504335114

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

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 receipt your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 22nd day of May, 1990.

Lee Ann Elliott

Lee Ann Elliott, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

7504365116

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

9504365127

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 the 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.

2504365113

ATTACHMENT TO SUBPOENA AND ORDER

The attached Subpoena to Produce Documents and Order to Submit Written Answers to Questions has been issued by the Federal Election Commission under the authority of 2 U.S.C. § 437d(a)(1) and (3) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2). You are required to submit written answers to the questions and the requested documents within 15 days of your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

You are hereby advised of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth answers in the spaces provided below each question (attaching supplemental pages as required) and return this original with an original affidavit signed by the appropriate bank official attesting to the truth of the answers. The affidavit must be sworn to and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not provide any information not requested by the questions.

1. Identify all accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

Response:

2. Produce all records of financial activity in accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during the following time periods: March 1, 1987 to April 30, 1987 and August 1, 1987 to October 31, 1987. Include in your response copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity.

UNITED STATES DISTRICT COURT
FOR

DONALD A. COOKE, JR., Petitioner	)	MOTION TO QUASH COMMISSION SUBPOENA AND ORDER
v.	)	
THE FEDERAL ELECTION COMMISSION, Respondent	)	

MOTION TO QUASH COMMISSION SUBPOENA AND ORDER

This matter comes before the court pursuant to 12 U.S.C. § 3401 et. seq., Right to Financial Privacy Act of 1978. Petitioner, Donald A. Cooke, Jr., requests this court to quash a subpoena and order of the Federal Election Commission which seeks to obtain certain bank documents and information relating to accounts maintained by Petitioner.

In support of this application, Petitioner swears to the following:

1. Petitioner controlled and maintained accounts at the Blue Hill Credit Union of 429 Harvard Street, Brookline, Massachusetts 02146.

2. The Commission seeks financial records relating to the above accounts as part of its investigation pursuant to 2 U.S.C. § 437g.

3. Petitioner believes the Commission is not entitled to these records because

Donald A. Cooke, Jr.

9504260511

UNITED STATES DISTRICT COURT
FOR

DONALD A. COOKE, JR., **Petitioner**	)	
	)	**AFFIDAVIT**
v.	)	
THE FEDERAL ELECTION COMMISSION, **Respondent**	)	

AFFIDAVIT

[ ] County)
[State])

Donald A. Cooke, Jr., being duly sworn, makes the following his affidavit and states:

1. I hereby affirm that all of the statements in the Motion to Quash Commission Supoena/Order are true and accurate to the best of my knowledge and belief.

2. Further the affiant sayeth not.

_____
Donald A. Cooke, Jr.

Subscribed and sworn to before me this _____ day of _____, 19___.

_____
Notary Public

My Commission expires _____.

2504365-1-2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 24, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randolph Savings Bank
129 N. Main Street
Randolph, Massachusetts 02368

RE: MUR 2717
Dennis M. Cooke

Dear Sir or Madam:

Enclosed is a Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to the Randolph Savings Bank. The Right to Financial Privacy Act of 1978 permits the customer whose records are sought 10 days from the date of receipt of the Subpoena and Order to move to quash them. Upon the expiration of this period, the Commission will notify you that it has complied with the Right to Financial Privacy Act. In the absence of judicial intervention, it is your obligation to comply with the terms of the Subpoena and Order in the absence of judicial intervention. See 12 U.S.C. §§ 3405 and 3411.

Please be advised that 2 U.S.C. § 437g(a)(12) prohibits making public any Commission investigation without the written consent of the person with respect to whom such investigation is made. You are advised that no such consent has been given in this case.

If you have any questions please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures
Subpoena and Order with Attachment

2504365113

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Randolph Savings Bank
129 N. Main Street
Randolph, Massachusetts 02368

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 the Commission's Certification of Compliance with the Right to Financial Privacy Act.

2043651-4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 22nd day of May, 1990.

Lee Ann Elliott

Lee Ann Elliott, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504365115

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504351176

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 the 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.

2504365117

ATTACHMENT TO SUBPOENA AND ORDER

The attached Subpoena to Produce Documents and Order to Submit Written Answers to Questions has been issued by the Federal Election Commission under the authority of 2 U.S.C. § 437d(a)(1) and (3) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2). You are required to submit written answers to the questions and the requested documents within 15 days of your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

You are hereby advised of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth answers in the spaces provided below each question (attaching supplemental pages as required) and return this original with an original affidavit signed by the appropriate bank official attesting to the truth of the answers. The affidavit must be sworn to and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not provide any information not requested by the questions.

1. Identify all accounts held or co-held by Dennis M. Cooke at the Randolph Savings Bank during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

Response:

2. Produce all records of financial activity in accounts held or co-held by Dennis M. Cooke from August 1, 1987 to October 30, 1987 at the Randolph Savings Bank. Include in your response copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity.

9504365117 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 24, 1990

BY AIRBORNE EXPRESS

Mr. Dennis M. Cooke
222 Bailey Street
Canton, MA 02021

RE: MUR 2717
Dennis M. Cooke

Dear Mr. Cooke:

Records or information concerning your transactions held by the financial institution named in the attached subpoena and order are being sought by this agency in accordance with the Right to Financial Privacy Act of 1978 for the following purpose: to investigate possible violations of the Federal Election Campaign Act of 1971, as amended, by you in connection with contributions made to Haig for President.

If you desire that such records or information not be made available, you must:

1. Fill out the accompanying motion paper and sworn statement or write one of your own, stating that you are the customer whose records are being requested by the Commission and either giving the reasons you believe that the records are not relevant to the legitimate law enforcement inquiry stated in this notice or any other legal basis for objecting to the release of the records.

2. File the motion and statement by mailing or delivering them to the clerk of any one of the following United States District Courts: the United States District Court for the District of Massachusetts or the United States District Court for the District of Columbia.

2504365179

3. Serve the Commission by mailing or delivering a copy of your motion and statement to: Federal Election Commission, Office of the General Counsel, 999 E Street, N.W., Washington, D.C. 20463.

4. Be prepared to come to court and present your position in further detail.

5. You do not need a lawyer, although you may wish to employ one to represent and protect your rights.

If you do not follow the above procedures, upon the expiration of ten days from the date of service or 14 days from the date of mailing of this notice, the records or information requested therein will be made available. These records may be transferred to other Government authorities for legitimate law enforcement inquiries, in which event you will be notified after the transfer.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures
Subpoena and Order to Randolph Savings Bank
Motion to Quash Subpoena and Order
Affidavit

9504365110

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Randolph Savings Bank
129 N. Main Street
Randolph, Massachusetts 02368

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 the Commission's Certification of Compliance with the Right to Financial Privacy Act.

2504365141

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 22nd day of May, 1990.

Lee Ann Elliott

Lee Ann Elliott, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request and Questions

2504305114 2

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2504351143

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 the 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.

2504365114

ATTACHMENT TO SUBPOENA AND ORDER

The attached Subpoena to Produce Documents and Order to Submit Written Answers to Questions has been issued by the Federal Election Commission under the authority of 2 U.S.C. § 437d(a)(1) and (3) as part of a lawful investigation being conducted under the authority of 2 U.S.C. § 437g(a)(2). You are required to submit written answers to the questions and the requested documents within 15 days of your receipt of the Commission's Certification of Compliance with the Right to Financial Privacy Act.

You are hereby advised of the provisions of 2 U.S.C. § 437g(a)(12) which prohibits anyone from making public any Commission investigation and provides for a fine up to $5,000 for a violation of that provision.

Please set forth answers in the spaces provided below each question (attaching supplemental pages as required) and return this original with an original affidavit signed by the appropriate bank official attesting to the truth of the answers. The affidavit must be sworn to and notarized.

Considering the possible application of the Right to Financial Privacy Act of 1978, please do not provide any information not requested by the questions.

1. Identify all accounts held or co-held by Dennis M. Cooke at the Randolph Savings Bank during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

Response:

2. Produce all records of financial activity in accounts held or co-held by Dennis M. Cooke from August 1, 1987 to October 30, 1987 at the Randolph Savings Bank. Include in your response copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity.

UNITED STATES DISTRICT COURT
FOR

DENNIS A. COOKE Petitioner	)	MOTION TO QUASH COMMISSION SUBPOENA AND ORDER
v.	)	
THE FEDERAL ELECTION COMMISSION, Respondent	)	

MOTION TO QUASH COMMISSION SUBPOENA AND ORDER

This matter comes before the court pursuant to 12 U.S.C. § 3401 et. seq., Right to Financial Privacy Act of 1978. Petitioner, Dennis M. Cooke, requests this court to quash a subpoena and order of the Federal Election Commission which seeks to obtain certain bank documents and information relating to accounts maintained by Petitioner.

In support of this application, Petitioner swears to the following:

1. Petitioner controlled and maintained accounts at the Randolph Savings Bank of 129 N. Main Street, Randolph, Massachusetts 02368.

2. The Commission seeks financial records relating to the above accounts as part of its investigation pursuant to 2 U.S.C. § 437g.

9504365114

3. Petitioner believes the Commission is not entitled to these records because

Dennis M. Cooke

2504365117

UNITED STATES DISTRICT COURT
FOR

Dennis M. COOKE, Petitioner	)	
v.	)	AFFIDAVIT
THE FEDERAL ELECTION COMMISSION, Respondent	)	

AFFIDAVIT

[ ] County)
[State])

Dennis M. Cooke, being duly sworn, makes the following his affidavit and states:

1. I hereby affirm that all of the statements in the Motion to Quash Commission Supoena/Order are true and accurate to the best of my knowledge and belief.

2. Further the affiant sayeth not.

_____
Donald A. Cooke, Jr.

Subscribed and sworn to before me this _____ day of _____, 19___.

_____
Notary Public

My Commission expires _____.

2504351

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 7, 1990

June 7, 1990

Brian W. Fitzgerald, Esq.
Swidler and Berlin
3000 K Street, N.W.
Washington, DC 20007

RE: MUR 2717
Rabbi Milton Balkany

Dear Mr. Fitzgerald:

Enclosed is a check in the amount of $31.44 in payment of the witness fee and mileage expenses for the deposition of Rabbi Milton Balkany.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

Enclosure



United States Treasury 15-51/000 W 045,471,199

Check No.

06 05 90 79 WASHINGTON, DC 3007 21003086

621510 02 RABBI MILTON BAL 95350001

Pay to the order of F E C WASH DC

RABBI MILTON BALKANY

$*****31*44

VOID AFTER ONE YEAR

PO OAW123 WITNESS FEE

⑈300744⑈ ⑆000000518⑆ 210030865⑈ 010690

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 7, 1990

June 7, 1990

Paul E. Sullivan, Esq.
Wunder, Ryan, Cannon, & Thelan
1615 L Street, N.W.
Suite 650
Washington, DC 20036

RE: MUR 2688
Erol Ozdemir

Dear Mr. Sullivan:

Enclosed is a check in the amount of $39.60 in payment of the witness fee and mileage expenses for the deposition of Erol Ozdemir.

If you have any questions, please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Jonathan Bernstein
Assistant General Counsel

Enclosure



United States Treasury 15-51/000 W 045,471,200

06 05 90 60 WASHINGTON, DC 3007 21003087

621510 02 EROL OZDEMIR 95350001

Pay to the order of EROL OZDEMIR

F E C WASH DC

Check No.

$******39*60

VOID AFTER ONE YEAR

PO OAW123 WITNESS FEE

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 11, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Sir or Madam:

On May 24, 1990, you were notified of a Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to the Blue Hill Credit Union. Enclosed is a Certification of Compliance with the Right to Financial Privacy Act.

You are reminded that in the absence of judicial intervention, it is your obligation to comply with the terms of the Subpoena and Order. See 12 U.S.C. §§ 3405 and 3411. Accordingly, please forward the requested materials to this Office within ten (10) days.

If you have any questions please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure

9504351

CERTIFICATION OF COMPLIANCE WITH THE RIGHT TO FINANCIAL PRIVACY ACT

TO: Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

FROM: Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 2717

I hereby certify, pursuant to Section 1103(b) of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3403(b), that the provisions of the Act have been complied with as to the Subpoena to Produce Documents and Order to Submit Written Answers forwarded to you in the above-captioned matter, responses to which are being ordered pursuant to 12 U.S.C. §§ 3402 and 3405.

6/11/90
Date

Lawrence M. Noble
General Counsel

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 11, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randolph Savings Bank
129 N. Main Street
Randolph, Massachusetts 02368

RE: MUR 2717
Dennis M. Cooke

Dear Sir or Madam:

On May 24, 1990, you were notified of a Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to the Randolph Savings Bank. Enclosed is a Certification of Compliance with the Right to Financial Privacy Act.

You are reminded that in the absence of judicial intervention, it is your obligation to comply with the terms of the Subpoena and Order. See 12 U.S.C. §§ 3405 and 3411. Accordingly, please forward the requested materials to this Office within ten (10) days.

If you have any questions please contact Kenneth E. Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure

CERTIFICATION OF COMPLIANCE WITH
THE RIGHT TO FINANCIAL PRIVACY ACT

TO: Randolph Savings Bank
129 N. Main Street
Randolph, Massachusetts 02368

FROM: Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 2717

I hereby certify, pursuant to Section 1103(b) of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3403(b), that the provisions of the Act have been complied with as to the Subpoena to Produce Documents and Order to Submit Written Answers forwarded to you in the above-captioned matter, responses to which are being ordered pursuant to 12 U.S.C. §§ 3402 and 3405.

6/11/90
Date

Lawrence M. Noble
General Counsel

9504351154

RANDOLPH SAVINGS BANK

OGC 6620

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JUN 18 PM 8:40

June 13, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

90 JUN 18 PM 3:51

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

RE: Dennis M. Cooke
MUR 2717 - Subpeona and Order

Dear Sirs:

Attached please find our answers to your subpeona and the supporting documentation. If you require any further information, please do not hesitate to contact us.

1. Identify all accounts held or co-held by Dennis M. Cooke at the Randolph Savings Bank during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

Payroll Checking Account [redacted] Owned solely by Dennis M. Cooke
Opening Date: 5-15-87

Auto Loan [redacted] Dennis M. Cooke and
Donald A. Cooke Jr.
Opening Date: 12-14-87

2. Produce all records of financial activity in accounts held or co-held by Dennis M. Cooke from August 1, 1987 to October 30, 1987 at the Randolph Savings Bank. Include in your response copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity.
RESPONSE:

Attached you will find a copy of the signature card, and three savings account statements. This account was accessed solely by the Randolph Savings automated teller machines. Deposits were credited directly to the account thru NEACH.

The installment loan contract was signed on December 14, 1987 and I have attached a copy of the application, application for title and the loan note.

Very truly yours,

Jan Blomstrom-LeDonne

Jan Blomstrom-LeDonne
Operations Officer

RS

Lending Center/Corporate Headquarters • 10 Cabot Place, Stoughton 02072 *(617) 963-2100 or (617) 341-3920*
Main Office • 129 North Main Street, Randolph 02368 *to reach all locations*
1101 North Main Street, North Randolph 02368 • 15 Pleasant Street, Stoughton 02072 • 50 South Franklin Street, Holbrook 02343

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1990

BY TELECOPIER AND FIRST CLASS MAIL

Tom Hession
Blue Hill Credit Union
429 Harvard Street
Brookline, Massachusetts 02146

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Hession:

Pursuant to your request, I have enclosed a copy of the all the materials which were mailed to you on May 24, 1990. Please forward the materials requested by the Commission within ten (10) days.

If you have any questions please contact me at at (202) 376-8200.

Sincerely,

Kenneth E. Kellner
Attorney

Enclosures

2504365118

OGC 6870

Blue Hill
Federal Credit Union

FACSIMILE TRANSMISSION COVER PAGE

MUR 2717

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 JUL -5 PM 5:29

DATE: July 3, 1990

We are transmitting 7 pages including this cover page. If you do not receive the entire transmission, please contact the sender at the telephone number listed below.

SEND TO: Fax Number (202) 376-5280

Recipient's Name Kenneth E. Kellner, Attorney

Company Federal Election Commission

Department

Telephone Number ( ) Ext.

MESSAGE: This doesnot represent our response to the subpoena regarding Donald A Cooke, Jr. I have however provided copies of statements of his account. There are as you can see many checks and deposits. My question to you is do you need copies of every item or can we provide copies of items over a certain dollar amount?

FROM: Fax Number (617) 566-7841

Sender's Name Thomas P Hession

Company Blue Hill Federal Credit Union

Department

Telephone Number (617) 731-3910

9 5 0 4 3 6 5 1 1 5 7

BROOKLINE CORPORATE OFFICES 11 Green Street Brookline MA 02146

BROOKLINE 4290 Beacon Street Brookline MA 02146 (617) 731-3912

FRAMINGHAM Route 30 Main Framingham MA 01701 (508) 879-2436

STOUGHTON 601 Washington Street Stoughton MA 02072 (617) 828-7510

FRANKLIN Franklin Village Mall Franklin, MA 02038 (508) 520-0110

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

December 4, 1990

POSTMASTER
44 Roxbury Street
Roxbury, MA 02119

RE: MUR 2717
Bobby Cowart

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Mr. Bobby Cowart. According to our records, the address of Mr. Cowart was 98 Ward Street, Roxbury, Massachusetts, 02120 as of December 4, 1989.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

Mary P. Mastrobattista

BY: Mary P. Mastrobattista

Enclosure
Envelope

2504365117

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

December 6, 1990

Tom Hession
Blue Hill Credit Union
429 Harvard Street
Brookline, MA 02146

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Hession:

This is to confirm your telephone conversation yesterday with Mary P. Mastrobattista regarding the May 24, 1990 Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to the Blue Hill Credit Union.

In response to the Commission's Subpoena and Order, you requested clarification as to those documents which the Blue Hill Credit Union was required to produce. In accordance with the Commission's Subpoena and Order and your conversation with Ms. Mastrobattista, please provide the following information:

1. Identify all accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during 1987. Include in your answer the type and nature of each account, all owners of each account, and the date each account was opened.

2. Produce all records of financial activity in accounts held or co-held by Donald A. Cooke, Jr. at the Blue Hill Credit Union during the following time periods: March 1, 1987 to April 30, 1987 and August 1, 1987 to October 31, 1987.

3. Produce copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity in the amount of $100 and above for all accounts held or co-held by Donald A. Cooke, Jr. for the following time periods: March 1, 1987 to April 30, 1987 and August 1, 1987 to October 31, 1987.

2504365119

Your response should be submitted no later than 30 days from the date you receive this letter. If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2504365111

OGC 8933

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 DEC 11 AM 10:58

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 4, 1990

POSTMASTER
44 Roxbury Street
Roxbury, MA 02119

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 DEC 11 PM 3:43

RE: MUR 2717
Bobby Cowart

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Mr. Bobby Cowart. According to our records, the address of Mr. Cowart was 98 Ward Street, Roxbury, Massachusetts, 02120 as of December 4, 1989.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

He still receives mail at this address

Sincerely,

Lawrence M. Noble
General Counsel

Mary P. Mastrobattista

BY: Mary P. Mastrobattista

Enclosure
Envelope

BOSTON, MA ROXBURY STA. DEC 7 1990 USPS

9 5 0 4 3 6 5 1 1 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bobby Cowart
98 Ward Street
Roxbury, MA 02120

RE: MUR 2717
Bobby Cowart

Dear Mr. Cowart:

Enclosed please find materials which were originally mailed to you on October 13, 1989, and again on January 8, 1990, but were returned to this Office marked "unclaimed". Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Jonathan A. Bernstein
Assistant General Counsel

2504305111002

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 14, 1990

Jan Blostrom-LeDonne
Randolph Savings Bank
129 North Main Street
Randolph, MA 02368

RE: MUR 2717
Dennis M. Cooke

Dear Ms. Blostrom-LeDonne:

This is to confirm your recent telephone conversation with Mary P. Mastrobattista regarding the May 24, 1990 Federal Election Commission Subpoena to Produce Documents and Order to Submit Written Answers directed to Randolph Savings Bank.

In response to the Commission's Subpoena and Order, you provided documentation which included three statements for account [redacted] In accordance with the Commission's Subpoena and Order and your conversation with Ms. Mastrobattista, the following additional information is requested:

1. Copies of all bank statements, deposit and withdrawal slips, checks, account transfers, and all other documents evidencing financial activity for account [redacted] for the period of October 2, 1987 through October 31, 1987.

2. A copy of canceled check # 110, dated October 14, 1987, drawn on account [redacted]

3. A copy of the bank statement for account [redacted] evidencing a debit for check # 110.

2004351163

Please submit your response to this Office no later than 30 days from the date you receive this letter. If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

2504355114

MUR 2717

Blue Hill Federal Credit Union

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JAN 14 AM 11:43

January 11, 1991

Mary P. Mastrobattista, Esq.
Federal Election Commission
Washington, DC 20463

Re: MUR 2717
Donald A. Cooke, Jr.

Dear Ms. Mastrobattista:

Enclosed you will find copies of monthly checking account statements in the name of Donald A. Cooke, Jr. In addition, you will find copies of checks (front and back) of $100 or more drawn on this account. Unfortunately we were unable to locate some film; therefore, we are not able to provide all of the items requisitioned.

Should you require additional information, please contact me.

Sincerely,

Thomas P. Hession
Vice President

TPH:jh

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JAN 14 PM 3:57

2504351153

BROOKLINE
CORPORATE OFFICES
14 Green Street,
Brookline, MA 02146
(617) 731-3910

BROOKLINE
429 Harvard Street,
Brookline, MA 02146
(617) 731-3912

FRAMINGHAM
Route 30 Mall,
Framingham, MA 01701
(508) 879-2236

STOUGHTON
601 Washington Street,
Stoughton, MA 02072
(617) 828-7510

FRANKLIN
Franklin Village Mall,
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OFFICE OF GENERAL COUNSEL

91 JAN 17 PM 3:23

January 14, 1991

Lois G. Lerner
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2717
Dennis M. Cooke

Dear Ms. Lerner:

This is to inform you that we have researched the microfilm for November 4, 1987 and are unable to find a copy of canceled check #110 on account [redacted]

Enclosed please find copies of the October and November 1987 statements. If you have any questions, please call Jan LeDonne or Janet Fahey at 617-341-3920 or 617-963-2100. Thank you.

Sincerely,

Janet A Fahey

Janet A. Fahey
Manager
NOW/EFT Dept.

jaf
Enclosures

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Lending Center/Corporate Headquarters • 10 Cabot Place, Stoughton 02072
Main Office • 129 North Main Street, Randolph 02368
1101 North Main Street, North Randolph 02368 • 15 Pleasant Street, Stoughton 02072 • 50 South Franklin Street, Holbrook 02343
(617) 963-2100 or (617) 341-3920
to reach all locations

FEDERAL ELECTION COMMISSION
SECRETARIAT
91 JUN 21 PM 2:21

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	**SENSITIVE**
	)	
Olympic International Bank and Trust Company,	)	
Frank N. Cardullo, Victor A. Nicolazzo, Jr.	)	
Dominic J. Saraceno, Judith S. Curtin,	)	
Matthew L. Curtin, Peter S. Donadio,	)	
Susan M. Fraser, Jon A. Lichter,	)	MUR 2717
Joseph G. Maloney, Nora F. Moran,	)	
Joann M. O'Brien, William J. O'Brien,	)	
Heidi Saraceno, Ingeborg Saraceno,	)	
Kurt Saraceno, Pauline Saraceno,	)	
Cynthia Sneider, Joseph Sneider,	)	
David Spiegel, Michael Tierney	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that Olympic International Bank and Trust Company ("Olympic Bank") violated 2 U.S.C. § 441b and § 441f in connection with certain contributions made to the Haig for President Committee ("the Committee"). The Commission also found reason to believe that the following directors, officers, and employees of Olympic Bank and their relatives violated 2 U.S.C. § 441f: Frank N. Cardullo, Victor Nicolazzo, Dominic J. Saraceno, Judith S. Curtin, Matthew L. Curtin, Peter S. Donadio, Susan M. Fraser, Jon A. Lichter, Joseph G. Maloney, Nora F. Moran, Joann M. O'Brien, William J. O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, Cynthia Sneider, Joseph Sneider, David Spiegel, and Michael Tierney. In addition, the Commission found reason to believe that Frank N. Cardullo, Victor Nicolazzo, and Dominic J. Saraceno

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violated 2 U.S.C. § 441a(a)(1)(A) for making excessive contributions to the Committee.[1]

Responses to the Commission's reason to believe notification were received from these Respondents and are attached to this Report as Attachment 1.[2] In addition, this Office conducted depositions of Joseph G. Maloney, Joann O'Brien, Judith Curtin, and Matthew Curtin pursuant to Subpoenas issued by the Commission. This Report will summarize the investigation into this matter regarding these Respondents, as well as make additional recommendations.

II. ANALYSIS

A. Introduction

The Commission's findings against these Respondents were based upon the possibility of corporate reimbursement of contributions or corporate facilitation of contributions to the Haig Committee. This Report will first discuss the evidence regarding corporate reimbursement of contributions to the Haig Committee. Next, this Report will discuss evidence regarding reimbursement of contributions from other sources. Finally, the

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1. This matter also includes several other patterns of contributions to the Haig Committee, involving Rabbi Milton Balkany, Trade Winds Systems, the Fellows Corp., and Crown Controls Corp.

2. On December 28, 1989, Olympic Bank submitted a supplemental response to the Commission's subpoena to produce written documents and order to submit written answers. (Attachment 1, pages 114 - 125). As part of this supplemental response, Olympic Bank produced copies of payroll records, W-2 forms, and copies of canceled checks representing payments to the Respondents associated with Olympic Bank for the years 1987 and 1988. These additional documents are available for review by the Commission in OGC Docket.

Report will address the issue of corporate facilitation.

B. Corporate Reimbursement

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. Under 2 U.S.C. § 441b, it is unlawful for any corporation to make a contribution in connection with a federal election or for a political committee to knowingly accept or receive a contribution from any corporation.

The Commission's reason to believe findings in this matter were based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions totaling $17,475 from 20 individuals who were identified as a director, officer, or employee of Olympic Bank, or a relative of an Olympic Bank director, officer, or employee.

Dominic J. Saraceno, a Respondent in this matter, is a director of Olympic Bank and also serves as the Committee's treasurer. Olympic Bank extended a line of credit to the Committee in the amount of $375,000, which is the subject of MUR 2903. Olympic Bank also served as the Committee's depository for matching payments. The 28 contributions at issue in this matter were referred by the Audit Division because Olympic Bank may have made contributions in the names of the Respondents associated with the Bank, or otherwise may have facilitated the contributions, in violation of 2 U.S.C. §§ 441b and 441f.

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The investigation into this matter thus far has not revealed information which demonstrates that Olympic Bank reimbursed the Respondents for their contributions to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to the Respondents in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that the following Respondents, who are spouses or children of bank officers or directors, received no monies from Olympic Bank in 1987 or 1988: Matthew L. Curtin, Nora F. Moran, Joann O'Brien, Heidi Saraceno, Ingeborg Saraceno, Kurt Saraceno, Pauline Saraceno, and Cynthia Sneider.[3] The remaining twelve Respondents (all of whom are either employees, directors, or officers of Olympic Bank) received payments from Olympic Bank in 1987 and 1988 in the form of salary, director's fees, fees for

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3. In her response to the Commission's reason to believe notification, Cynthia Sneider stated that she did not make any contribution to the Haig for President Committee. (Attachment 1, pages 82-83). Her husband Joseph Sneider, a Senior Vice-President of Olympic Bank, stated that he made a $500 contribution to the Committee on May 6, 1987, and enclosed with his response a copy of his contribution check. (Attachment 1, pages 78-81). The check was drawn on a joint account which bore the names of Joseph G. Sneider and Cynthia A. Sneider, but was signed only by Joseph Sneider. However, the Committee produced a statement redesignating one-half of Joseph Sneider's contribution to his wife. The statement of redesignation, dated June 8, 1987, appears to have been signed by Cynthia Sneider. The Haig Committee reported receipt of two contributions in the amount of $250 each from Joseph Sneider and Cynthia Sneider on May 6, 1987. Thus, it appears that Cynthia Sneider did make a contribution to the Haig Committee in the amount of $250.

attending committee meetings, and reimbursement of business expenses. A review of the payments made by Olympic Bank to these directors, officers, and employees indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to the directors, officers, and employees, and the dates and amounts of their individual contributions to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to the officers, directors, and employees represented reimbursement for contributions made to the Committee.

Further, three of these Respondents denied having been reimbursed for their contributions to the Committee. When Joseph Maloney, a director of Olympic Bank, was asked whether anyone offered to reimburse him for his contribution, he stated "Never." (Attachment 2, page 40). Joseph Maloney further testified that no meetings were ever held at Olympic Bank to discuss contributions to the Haig Committee. (Attachment 2, pages 41-42). Joann O'Brien and Judith Curtin also denied being reimbursed for their contributions. (Attachment 2, pages 3; 21-22).

In summary, there is insufficient evidence to conclude that Olympic Bank reimbursed individual contributions to the Committee. Thus, this Office will forward briefs to the following individuals regarding their liability in this matter: Heidi Saraceno, Ingeborg Saraceno, Pauline Saraceno, Peter S. Donadio, Joseph G. Maloney, Nora F. Moran, Cynthia Sneider, Joseph Sneider, David Spiegel, Michael Tierney,

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Joann O'Brien, William O'Brien, Jon Lichter, and Frank N. Cardullo.

There remains outstanding the liability of Victor A. Nicolazzo, Jr., Susan M. Fraser, Judith S. Curtin, Matthew L. Curtin, Kurt Saraceno, Dominic Saraceno, and Olympic Bank. It appears that the contributions made by Victor A. Nicolazzo, Susan M. Fraser, Judith S. Curtin, and Matthew L. Curtin were made in violation of 2 U.S.C. § 441f, as discussed in the following section. We will report to the Commission upon receipt of further information regarding Olympic Bank's possible involvement with these contributions which appear to have been reimbursed by Bank employees.[4] This Office will not forward a brief or make additional recommendations at this time regarding the liability of Kurt Saraceno or Dominic Saraceno.

Finally, there are other outstanding questions which remain to be resolved regarding

4. This Office also intends to conduct further investigation regarding Olympic Bank's role in contributions made to the Haig Committee from individuals associated with the Fellows Corporation. On August 12, 1987, Olympic Bank issued ten treasurer's checks payable to the Committee in the amount of $1,000 each, which represented contributions from ten individuals associated with the Fellows Corporation.

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Dominic Saraceno's liability in this matter, as noted at footnote 6 of this Report.

C. Individual Reimbursement

The investigation into this matter has revealed that two of the 28 contributions from 20 individuals associated with Olympic Bank were made to the Committee in violation of 2 U.S.C. § 441f. The first involved a $250 contribution from Susan Fraser, Olympic Bank's assistant corporate secretary, on September 24, 1987. In response to the Commission's Subpoena and Order, Susan Fraser gave the following account of the $250 contribution: "On or before September 24, 1987, Victor A. Nicolazzo, Jr. [Olympic Bank's Chairman of the Board of Directors] asked me if, he later reimbursed me, I would send a check for $250.00 on his behalf to the Haig for President Campaign . . . . Mr. Nicolazzo later reimbursed me the $250.00." (Attachment 1, pages 68-69). Included with Susan Fraser's response was a copy of her personal check, dated September 24, 1987 and drawn on her Olympic Bank account, to Haig for President in the amount of $250. (Attachment 1, page 70).

In his response to the Commission's Subpoena and Order, Victor Nicolazzo stated: "On September 24, 1987, Susan Fraser, at my request and on my behalf, sent an additional contribution in the amount of $250.00. I later reimbursed Ms. Fraser this $250.00." (Attachment 1, page 63). Although Victor Nicolazzo stated that he reimbursed Susan Fraser for the $250 contribution made on September 24, 1987, Victor Nicolazzo did not provide a

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copy of a check, money order, or other written instrument by which he reimbursed Susan Fraser. In addition, Victor Nicolazzo did not indicate the source of funds used to reimburse Susan Fraser or where he got the idea to make a contribution in Susan Fraser's name. Accordingly, this Office intends to pursue this matter further through additional investigation.

The second individual contribution made to the Committee in violation of 2 U.S.C. § 441f involves Judith Curtin and Matthew Curtin. Through depositions of these two Respondents, this Office discovered that Judith Curtin, a former Olympic Bank Vice-President for Marketing, made a $1,000 contribution to the Committee in the name of her son Matthew on September 22, 1987. At the time of the contribution, Matthew Curtin was 18 years of age and was a student at Northeastern University. Judith Curtin had previously made two contributions to the Committee totaling $1,000. The first contribution was made on March 27, 1987, by personal check in the amount of $250. The second contribution was made on April 20, 1987 by personal check in the amount of $750.

Later, on September 22, 1987, Judith Curtin wrote a personal check to Olympic Bank in the amount of $1,000. The purpose of this check was to purchase a treasurer's check from Olympic Bank made payable to Haig for President in the amount of $1,000, dated September 22, 1987. At the top of the treasurer's check was printed: "Matthew L. Curtin (Student, Age 18, from Trust acc't.)" along with Matthew Curtin's home address. During the deposition conducted by this Office, Judith Curtin stated

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that she had purchased the treasurer's check with funds from Matthew Curtin's "trust account" and that she had printed the information at the top of the treasurer's check. (Attachment 2, pages 24-25). When asked why she purchased a treasurer's check for $1,000 in her son's name, Judith Curtin responded:

> Well, I purchased it -- I -- I wanted to make a donation from his account on his behalf, and I was the signer on the account, and I -- but I don't know why I did it in the form of a treasurer's check, as opposed to a direct check from his account.

(Attachment 2, page 24).

During the course of the deposition, it was determined that the account which Judith Curtin used to purchase the treasurer's check in her son's name was not a trust account. Rather, Judith Curtin referred to the account as a trust account because "I kept the funds separate for him, as distinct from my own personal checking account and household funds." (Attachment 2, page 26). Funds deposited into the account were supplied by both Judith Curtin and Matthew Curtin. The account was in Judith Curtin's name and she had exclusive control over the account. Judith Curtin testified that she told her son that she had taken $1,000 out of the account to make the contribution in his name after the fact. (Attachment 2, pages 28-30).

During Matthew Curtin's deposition with this Office, Matthew Curtin stated that he had no knowledge of the $1,000 contribution until after it had been made. (Attachment 2, page 6). Matthew Curtin stated that he had no intention of making a contribution to the Committee, and that he had no

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access to the account from which funds were used to purchase the treasurer's check. (Attachment 2, pages 8-9, 10-12). It does appear that Matthew Curtin signed the contributor information card which was mailed to him by the Committee. The contributor information card was for trust, escrow, and estate accounts, and contained the following printed statement: "This is to verify that I have equitable ownership of the account described above. The account on which the contribution is drawn represents my personal funds." (Attachment 4, page 1). Matthew Curtin stated that he signed the contributor information card at his mother's request. (Attachment 2, pages 7-8). Judith Curtin confirmed that her son had signed the contributor information card, but did not recognize any of the handwriting on the card other than her son's signature. (Attachment 2, pages 30-31).

The information received thus far indicates that Judith Curtin made a $1,000 contribution in the name of Matthew Curtin on September 22, 1987, without his prior knowledge or consent. Although Matthew Curtin did sign the contributor information card which the Committee later mailed to him, he did so at his mother's request. In MUR 2576, the Commission took no further action against a minor daughter who had no knowledge of or involvement with a contribution made in her name by her mother. See General Counsel's Report dated April 15, 1991, at p. 4. While it appears that Matthew Curtin was more involved with the contribution than the minor child in MUR 2576, considering the circumstances of Matthew Curtin's limited involvement in this matter, this Office recommends that

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the Commission take no further action against Matthew Curtin.

With respect to the liability of Judith Curtin, there remain several issues which require further investigation. The first issue concerns the September 22, 1987 contribution which Judith Curtin made in her son's name. Subsequent to her deposition, Judith Curtin provided this Office with copies of her check register and bank statements which reflect her personal contributions to the Committee. Judith Curtin's check register for the account which she referred to as her son's "trust account" shows that check no. 120 was written to "Haig for President" in the amount of $1,000 on September 22, 1987, and then voided. (Attachment 1, page 135). Immediately following this entry, the check register reflects that check no. 121 was written to "Olympic Bank" in the amount of $1,000 on the same date. (Attachment 1, page 135). This sequence of events suggests that Judith Curtin may have advised by a third person to make the $1,000 contribution to the Committee by a treasurer's check in her son's name instead of a personal check.

The second issue which requires further investigation concerns the $750 contribution made by Judith Curtin to the Committee on April 20, 1987. Judith Curtin's check register for this period reflects a balance of [redacted]. (Attachment 1, page 132). Her check register then shows a "transfer" into her account of $750, followed by check no. 786 to "Haig for Pres. (Donation)" for $750. (Attachment 1, page 132). The balance immediately following check no. 786 was [redacted] Judith Curtin's bank statement for the month of April 1987 also shows a deposit

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into her account in the amount of $750. (Attachment 1, page 131). Through further investigation, this Office intends to ask Judith Curtin about the source of funds for the $750 "transfer" into her account which enabled her to make the $750 contribution.

In summary, further information is needed regarding contributions made to the Committee by Susan Fraser, Victor Nicolazzo, and Judith Curtin. Upon receipt of further information concerning these contributions, this Office will report to the Commission with additional recommendations with respect to these Respondents.

D. Corporate Facilitation

With respect to the issue of corporate facilitation, the investigation into this matter has not revealed information which establishes that Olympic Bank facilitated the making of contributions to the Committee. It does not appear, from available information, that any meetings took place for the purpose of soliciting contributions which involved the use of Olympic Bank's facilities, personnel, or other resources. (Attachment 2, pages 41-42; 32-34). There is no evidence which suggests that Olympic Bank sponsored any fundraising activities for the Committee. There is no evidence that any memoranda or correspondence were issued on Olympic Bank stationery. In response to the Commission's request for the production of all documents which refer, relate or pertain to the making, reimbursement, or refund of contributions to Haig for President by Olympic Bank or any individual or entity associated with

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Olympic Bank, Olympic Bank responded: "None." (Attachment 1, page 57).

It is apparent that Dominic Saraceno, a director of Olympic Bank and treasurer of the Committee, solicited contributions from Olympic Bank personnel. During Joann O'Brien's deposition, Mrs. O'Brien testified "I think some of the directors made contributions because Dom [Saraceno] is on the board, and he asked his friends on the board to make contributions."[5] (Attachment 2, page 2). Joseph Maloney and Judith Curtin both testified that Dominic Saraceno had extended invitations to them to attend fundraising events. (Attachment 2, pages 36, 39; 15, 18-19). However, it does not appear that Dominic Saraceno used Olympic Bank's facilities or resources to solicit contributions to the Committee. Neither Joseph Maloney nor Judith Curtin recalled any conversations at Olympic Bank concerning fundraisers or contributions to the Committee. (Attachment 2, pages 41-42; 17-18, 20).

Furthermore, it appears that several of the contributions coincide with Haig Committee fundraising events which were held in the Boston area in the spring and fall of 1987. In the Committee's response to the Commission's Subpoena and Order, the following two fundraising events were listed: (1) April 28, 1987, fundraiser hosted by Dominic Saraceno, Newton,

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5. Of Olympic Bank's nineteen directors, a total of ten directors or their relatives made contributions to the Haig Committee. Of Olympic Bank's twelve officers, a total of five officers or their relatives made contributions to the Haig Committee.

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Massachusetts; and (2) September 26, 1987, Salute to Al Haig Reception, Mr. and Mrs. Dominic Saraceno, Boston, Massachusetts. These dates approximately coincide with 18 of the contributions at issue in this matter. Fourteen of the contributions were made between April 20, 1987 and April 30, 1987. Four of the contributions were made between September 21, 1987 and September 24, 1987. During depositions with this Office, both Joseph Maloney and Judith Curtin recalled attending Committee fundraisers, although the testimony was inconclusive as to whether other Olympic Bank officers, directors, or employees attended the events. (Attachment 2, pages 38-39; 14-17, 20).

In Frank Cardullo's response to the Commission's Subpoena and Order, Mr. Cardullo submitted a copy of a letter regarding a September 26, 1987 "special salute to Al Haig Reception" at Faneuil Hall in Boston, Massachusetts. (Attachment 1, page 105). This letter was printed on "Haig Leadership for America" stationery and was signed by Dom Saraceno, Treasurer, Haig for President. The letter invites the reader to become a sponsor for the special salute to Al Haig Reception by contributing $1,000 to the Haig campaign. The letter references Dominic Saraceno's appointment as national campaign treasurer for the Committee, but does not make any reference to Olympic Bank or to Dominic Saraceno's position as a Bank Director. In summary, it does not appear that Olympic Bank allowed the use of corporate facilities, personnel, or other resources for the purpose of soliciting contributions to the Committee. However, as stated earlier, this Office intends to

pursue through further investigation Olympic Bank's role in certain other contributions which appear to have been made in violation of 2 U.S.C. § 441f. Upon receipt of additional information, this Office will report to the Commission regarding Olympic Bank's liability in this matter.

E. Excessive Contributions

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committee with respect to any election for federal office which, in aggregate, exceed $1,000. This limitation applies separately with respect to each election, except that all elections held in any calendar year for the office of President (other than a general election for such office) are considered to be one election. 2 U.S.C. § 441a(a)(6).

It appears that three of the Respondents in this matter, Victor Nicolazzo, Dominic Saraceno, and Frank Cardullo, made excessive contributions to the Committee in violation of 2 U.S.C. § 441a(a)(1)(A). The first excessive contribution referred to this Office from the Audit Division was a $1,750 contribution from Victor Nicolazzo. In response to the Commission's Subpoena and Order, Victor Nicolazzo gave the following explanation regarding the $1,750 contribution: "I sent a check to the 'Haig for President' campaign on April 28, 1987 in the amount of $1,750.00. This check . . . represented two contributions: $1,000.00 from my wife, and $750.00 from me. This dual contribution was pointed out to the Haig campaign at the time." (Attachment 1, page 63). However, Victor Nicolazzo

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offered no written evidence that $1,000 of the $1,750 contribution check represented a contribution from his wife, either in the form of a written statement signed by his wife at the time the contribution was made, or a written reattribution. Furthermore, Victor Nicolazzo's response did not mention an earlier contribution which he had made on March 30, 1987 by personal check payable to "Alexander Haig - Exploratory" in the amount of $250. Accordingly, it appears that Victor Nicolazzo made two contributions to the Committee totaling $2,000, in addition to the $250 contribution he made in the name of Susan Fraser. Through further investigation, this Office intends to ask Victor Nicolazzo about the $250 contribution which he made on March 30, 1987.

The second excessive contribution referred to this Office in connection with this matter involves Dominic Saraceno. A review of Committee records revealed the following contributions from Dominic Saraceno:

Date of Contribution	Amount
03-04-87	$225.00
03-26-87	$250.00
04-29-87	$750.00
11-10-87	$ 50.00

Dominic Saraceno became the Committee's treasurer on July 20, 1987. In his response to the Commission's Subpoena and Order, Dominic Saraceno stated that he made a $250 contribution to the "Committee for Al Haig - Exploratory" on March 26, 1987, and a $750 contribution to "Haig for President" on April 22, 1987. Dominic Saraceno submitted with his response copies of

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these two contribution checks. With respect to the $225 contribution, Dominic Saraceno stated:

> On February 6, 1987, prior to Mr. Haig's candidacy announcement, I sent a check to him personally which was to be used for him to become a member of the World War II Glider Pilots Association (Silent Wings). . . . It appears from the endorsement that one of the pre-campaign employees inadvertently deposited the check into the Haig for President Committee account. This was clearly an error. This check was a personal gift to my long-time friend General Haig, and not made in connection with the campaign.

(Attachment 1, pages 6-7).

Dominic Saraceno enclosed with his response a copy of a check dated February 6, 1987 for $225 payable to "A M Haig". The notation on the memo line of the check read "Silent Wings". Dominic Saraceno also enclosed with his response a copy of a check in the amount of $500 dated May 11, 1987 payable to the "Silent Wings Museum", which represented a personal donation to the organization. Dominic Saraceno stated that he submitted a copy of this check "to demonstrate commonalty." (Attachment 1, page 7). Dominic Saraceno further stated that "there is no connection between the Silent Wings Association other than the admiration and respect of all its members for General Haig." (Attachment 1, page 7).

Although Dominic Saraceno's response regarding the $225 contribution appears to be plausible, there are several questions which remain to be answered. First, it is unclear how the Committee received the check which Dominic Saraceno claims was intended as a personal gift to the candidate. Secondly, if the Committee did mistakenly deposit the $225 check as a

contribution, the Committee should have notified Dominic Saraceno that his $750 contribution on April 29, 1987 resulted in an excessive contribution. Also, Dominic Saraceno's response did not address the $50.00 contribution which he made on November 10, 1987. Furthermore, additional investigation is necessary to determine Dominic Saraceno's involvement in the contributions made by Victor Nicolazzo and Judith Curtin in violation of 2 U.S.C. § 441f, as well as Dominic Saraceno's involvement in the contributions made from individuals associated with other corporate Respondents in this matter.[6] For these reasons, this Office is not making additional recommendations as to Dominic Saraceno at this time.

The third excessive contribution referred to this Office in connection with this matter concerns two contributions to the Committee from Frank Cardullo totaling $1,100. In his response to the Commission's Subpoena and Order, Frank Cardullo, an Olympic Bank director, stated that he made two contributions to the Committee totaling $1,100. The first contribution was made on April 22, 1987 by personal check in the amount of $1,000. The second contribution was made on October 20, 1987 by personal

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6. This Office has learned through investigation that the Fellows Corporation is owned indirectly by the Goldman Financial Group Inc. David Goldman is the President and Treasurer of Goldman Financial Group Inc. According to Judith Curtin, who left Olympic Bank in 1988 to work for Goldman Financial, David Goldman was an Olympic Bank customer. It also appears that Dominic Saraceno and David Goldman were friends. In the Committee's response to the Commission's reason to believe notification, Dominic Saraceno stated: "Mr. Goldman is a friend of mine and I recall his seeking advice on this question after the contributions had been received." (Attachment 3, page 5).

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check in the amount of $100. Frank Cardullo stated that he "inadvertenly (sic) exceeded the $1,000.00 limit by $100.00, when I sent the additional contribution in October." (Attachment 1, page 104). The Committee refunded the $100 excessive contribution to Frank Cardullo on January 29, 1988. Thus, although the Committee did ultimately refund the excessive contribution, the refund was not made within 60 days of receipt of the excessive contribution as required by 11 C.F.R. § 103.3(b)(3). Notwithstanding the small amount of the excessive contribution, the Commission made findings against Frank Cardullo on this basis, as well as for a possible violation of 2 U.S.C. § 441f. As stated earlier, we intend to forward a no probable cause brief to Frank Cardullo regarding his liability under section 441f of the Act. Therefore, this Office will make appropriate recommendations regarding Frank Cardullo once the section 441f issue is briefed.

III. RECOMMENDATIONS

1. Take no further action against Matthew Curtin and close the file as it pertains to this Respondent.

2. Approve the appropriate letter.

6/21/91
Date

Lawrence M. Noble
General Counsel

Attachments
1. Responses of Respondents
2. Excerpts from Deposition Transcripts
3. Response from Haig Committee (without exhibits)
4. Contributor Information Card - Matthew L. Curtin

Staff assigned: Mary P. Mastrobattista

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Olympic International Bank and Trust Company;	)	
Frank N. Cardullo, Victor A. Nicolazzo, Jr.;	)	MUR 2717
Dominic J. Saraceno, Judith S. Curtin;	)	
Matthew L. Curtin, Peter S. Donadio;	)	
Susan M. Fraser, Jon A. Lichter;	)	
Joseph G. Maloney, Nora F. Moran;	)	
Joann M. O'Brien, William J. O'Brien;	)	
Heidi Saraceno, Ingeborg Saraceno;	)	
Kurt Saraceno, Pauline Saraceno;	)	
Cynthia Sneider, Joseph Sneider;	)	
David Spiegel, Michael Tierney;	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 26, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 2717:

1. Take no further action against Matthew Curtin and close the file as it pertains to this Respondent.

(continued)

2. Approve the letter, as recommended in the General Counsel's Report dated June 21, 1991.

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

Attest:

June 28, 1991
Date

Delores Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Friday, June 21, 1991 2:21 p.m.
Circulated to the Commission: Monday, June 24, 1991 4:00 p.m.
Deadline for vote: Wednesday, June 26, 1991 4:00 p.m.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 9, 1991

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Matthew Curtin

Dear Mr. Connelly:

On October 3, 1989, Matthew Curtin was notified that the Federal Election Commission found reason to believe that he violated 2 U.S.C. § 441f. On November 17, 1989, you submitted a response to the Commission's reason to believe finding and on December 20, 1989, your client appeared to give sworn testimony in connection with this matter.

After considering the circumstances of the matter, the Commission determined on June 26, 1991, to take no further action against Matthew Curtin, and closed the file as it pertains to Matthew Curtin. 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. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that knowingly permitting one's name to be used to make a contribution to a candidate for federal office is a violation of 2 U.S.C. § 441f. Your client should take immediate steps to insure that this activity does not occur in the future.

9504365118

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

95043511

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Joseph G. Maloney, Cynthia Sneider,	)	
Joseph Sneider, Michael Tierney,	)	MUR 2717
Joann O'Brien, William O'Brien,	)	
Nora Moran, Frank N. Cardullo,	)	
Peter S. Donadio, David Spiegel,	)	
Jon A. Lichter	)	

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Frank N. Cardullo, Peter S. Donadio, David Spiegel, and Jon A. Lichter, based on the assessment of the information presently available.

8-8-91
Date

LMNoble (JH)
Lawrence M. Noble
General Counsel

2004351170

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2717
Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Frank N. Cardullo, Peter S. Donadio, David Spiegel, Jon A. Lichter

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe were mailed on August 8, 1991. Following receipt of the respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Briefs (11)
2. Letters to respondents (6)

9 5 0 4 3 6 5 1 1 9 1

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

Jon A. Lichter
82 Hampshire Rd.
Wellesley, MA 02181

RE: MUR 2717
Jon A. Lichter

Dear Mr. Lichter:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

25043065113

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jon A. Lichter) MUR 2717
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Jon A. Lichter violated 2 U.S.C. § 441f in connection with a $100 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Jon A. Lichter for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Jon A. Lichter in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Jon A. Lichter received payments from Olympic Bank in 1987 and 1988 for attending meetings of the bank's Board of Directors and Audit Committee. A review of the payments made by Olympic Bank to Jon A. Lichter indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Jon A. Lichter and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Jon A. Lichter represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Jon A. Lichter for his contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Jon A. Lichter violated 2 U.S.C. § 441f.

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III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Jon A. Lichter violated 2 U.S.C. § 441f.

8/8/91
Date

Lawrence M. Noble
General Counsel

2504365116

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

David Spiegel
600 Mountain Street
Sharon, MA 02067

RE: MUR 2717
David Spiegel

Dear Mr. Spiegel:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LH)

Lawrence M. Noble
General Counsel

Enclosure
Brief

95043851198

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
David Spiegel	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that David Spiegel violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed David Spiegel for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to David Spiegel in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that David Spiegel received payments from Olympic Bank in 1987 and 1988 for attending meetings of the bank's Board of Directors and Nominating Committee. A review of the payments made by Olympic Bank to David Spiegel indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to David Spiegel and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to David Spiegel represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed David Spiegel for his contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that David Spiegel violated 2 U.S.C. § 441f.

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III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that David Spiegel violated 2 U.S.C. § 441f.

8/8/91
Date

LM Noble (LH)
Lawrence M. Noble
General Counsel

95043651201

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

Peter S. Donadio
280 Lyman Road
Milton, MA 02186

RE: MUR 2717
Peter S. Donadio

Dear Mr. Donadio:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

2504351203

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Peter S. Donadio	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Peter S. Donadio violated 2 U.S.C. § 441f in connection with a $1000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Peter S. Donadio for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Peter S. Donadio in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Peter S. Donadio received payments from Olympic Bank in 1987 and 1988 for attendance at meetings of the bank's Board of Directors and Executive Committee. A review of the payments made by Olympic Bank to Peter S. Donadio indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Peter S. Donadio and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Peter S. Donadio represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Peter S. Donadio for his contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Peter S. Donadio violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Peter S. Donadio violated 2 U.S.C. § 441f.

8/8/91
Date

LM Noble (JH)
Lawrence M. Noble
General Counsel

25043505126

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1991

Frank N. Cardullo
729 S. Main Street
Centerville, MA 02632

RE: MUR 2717
Frank N. Cardullo

Dear Mr. Cardullo:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattistа, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (LP)

Lawrence M. Noble
General Counsel

Enclosure
Brief

95043651208

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Frank N. Cardullo	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Frank N. Cardullo violated 2 U.S.C. § 441f in connection with two contributions totaling $1,100 made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Frank N. Cardullo for his contributions to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Frank N. Cardullo in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Frank N. Cardullo received payments from Olympic Bank in 1987 and 1988 for attending meetings of the bank's Board of Directors and Audit Committee. A review of the payments made by Olympic Bank to Frank N. Cardullo indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Frank N. Cardullo and the date and amount of his contributions to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Frank N. Cardullo represented reimbursement for the contributions which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Frank N. Cardullo for his contributions to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable

cause to believe that Frank N. Cardullo violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Frank N. Cardullo violated 2 U.S.C. § 441f.

8/8/91
Date

LMNoble (JH)
Lawrence M. Noble
General Counsel

9504305214

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

John E. Bradley, Esq.
Bradley, Barry & Tarlow, P.C.
101 Arch Street
Boston, MA 02110

RE: MUR 2717
Nora Moran

Dear Mr. Bradley:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that your client violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

LM Noble (TP)

Lawrence M. Noble
General Counsel

Enclosure
Brief

95043651213

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Nora F. Moran) MUR 2717
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Nora F. Moran violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Nora F. Moran for her contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Nora F. Moran in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Nora F. Moran received no monies from Olympic Bank in 1987 or 1988.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Nora F. Moran for her contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Nora F. Moran violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Nora F. Moran violated 2 U.S.C. § 441f.

Date

Lawrence M. Noble
General Counsel

95043651215

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 8, 1991

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Joseph G. Maloney,
Cynthia Sneider, Joseph Sneider,
Michael Tierney, Joann O'Brien,
and William O'Brien

Dear Mr. Connelly:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission found reason to believe that Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, and William O'Brien violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that any of these individuals violated section 441f of the Act.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures (6)
Brief

95043305121217

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Joseph G. Maloney	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Joseph G. Maloney violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Joseph G. Maloney for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Joseph G. Maloney in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Joseph G. Maloney received payments from Olympic Bank in 1987 and 1988 for attending meetings of the bank's Board of Directors and Executive Committee. A review of the payments made by Olympic Bank to Joseph G. Maloney indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Joseph G. Maloney and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Joseph G. Maloney represented reimbursement for the contribution which he made to the Committee. Further, Joseph G. Maloney denied having been reimbursed for his contribution to the Committee during a deposition conducted by this Office.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Joseph G. Maloney for his contribution to the Committee. Therefore, the Office of the General Counsel

is prepared to recommend that the Commission find no probable cause to believe that Joseph G. Maloney violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Joseph G. Maloney violated 2 U.S.C. § 441f.

8/8/91
Date

LMNoble (ZX
Lawrence M. Noble
General Counsel

25043512750

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Cynthia Sneider	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Cynthia Sneider violated 2 U.S.C. § 441f in connection with a $250 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

9504305128

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Cynthia Sneider for her contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Cynthia Sneider in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Cynthia Sneider received no monies from Olympic Bank in 1987 or 1988.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Cynthia Sneider for her contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Cynthia Sneider violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Cynthia Sneider violated 2 U.S.C. § 441f.

8/8/91
Date

Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Joseph Sneider	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Joseph Sneider violated 2 U.S.C. § 441f in connection with a $250 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Joseph Sneider for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Joseph Sneider in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Joseph Sneider received payments from Olympic Bank in 1987 and 1988 in the form of salary and reimbursement business expenses. A review of the payments made by Olympic Bank to Joseph Sneider indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Joseph Sneider and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Joseph Sneider represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Joseph Sneider for his contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Joseph Sneider violated 2 U.S.C. § 441f.

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III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Joseph Sneider violated 2 U.S.C. § 441f.

8/8/91
Date

Lawrence M. Noble
General Counsel

9504365123

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Michael Tierney	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Michael Tierney violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Michael Tierney for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Michael Tierney in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Michael Tierney received payments from Olympic Bank in 1987 and 1988 for attending meetings of the bank's Board of Directors and Executive Committee, and also received payments from Olympic Bank in 1987 in the form of reimbursement of business expenses. A review of the payments made by Olympic Bank to Michael Tierney indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to Michael Tierney and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to Michael Tierney represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Michael Tierney for his contribution to the Committee. Therefore, the Office of the General Counsel is

prepared to recommend that the Commission find no probable cause to believe that Michael Tierney violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Michael Tierney violated 2 U.S.C. § 441f.

8/8/91
Date

Lawrence M. Noble
General Counsel

2504305128

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Joann O'Brien	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Joann O'Brien violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Joann O'Brien for her contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Joann O'Brien in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Joann O'Brien received no monies from Olympic Bank in 1987 or 1988. Further, Joann O'Brien denied having been reimbursed for her contribution to the Committee during a deposition conducted by this Office.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Joann O'Brien for her contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Joann O'Brien violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Joann O'Brien violated 2 U.S.C. § 441f.

8/8/91
Date

Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
William O'Brien	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that William O'Brien violated 2 U.S.C. § 441f in connection with a $250 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed William O'Brien for his contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to William O'Brien in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that William O'Brien received payments from Olympic Bank in 1987 and 1988 in the form of salary and reimbursement of business expenses. A review of the payments made by Olympic Bank to William O'Brien indicates that there is no correlation between the dates and amounts of the payments from Olympic Bank to William O'Brien and the date and amount of his contribution to the Committee. In summary, there was nothing in Olympic Bank's response which evidences that any of the payments made to William O'Brien represented reimbursement for the contribution which he made to the Committee.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed William O'Brien for his contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that William O'Brien violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that William O'Brien violated 2 U.S.C. § 441f.

8/8/91
Date

LM Noble (JL)
Lawrence M. Noble
General Counsel

95043051273

OGC 2954

TRADE WINDS SYSTEMS

HVAC Contractors & Engineers

MUR277

September 6, 1991

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Interrogatory Response

Attn: Colleen Miller

Dear Ms. Miller,

Please find below our statements relative to the above referenced.

1) This has been complied with except items C - M & P who are not now or ever were employees of Trade Winds Systems.

2) Maureen White and myself spent endless hours making photocopies of information as requested in item #1.

3) Complied with in February.

4) All has been executed as requested to the best of my knowledge.

Sincerely,

Donald A. Cooke, Jr.

COMMONWEALTH OF MASSACHUSETTS

County of Norfolk Date 9/26/91

Then personally appeared the above named Donald A. Cooke, Jr. of Trade Winds Systems Corpand acknowledged the foregoing instrument to be the free act and deed of said company, before me.

MY COMMISSION EXPIRES AUG. 1, 1997

Notary Public

Heating • Air Conditioning • Sheet Metal • Piping
P.O. Box 152 • Canton, MA 02021 • 617-828-5267

9504365127 4

DOC 3119

FEDERAL ELECTION COMMISSION

91 OCT 15 AM11:06

TRADE WINDS SYSTEMS

HVAC Contractors & Engineers

MUR2717

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 OCT 16 AM11:17

September 25, 1991

Federal Election Commission
999 E. St. N.W.
Washington, D.C. 20463

Re: Interrogatory Response

Attn: Colleen Miller

Dear Ms. Miller,

Pursuant to our most recent telephone conversation, please accept the following supplemental information relative to our September 6, 1991 letter.

Line Item #1

We stand corrected on this issue, Ms. Kimberly Stockus was a part time summer employee, but not during the time frame in question. Ms. Cooke and Ms. O'Hara are as stated originally.

Line Item #3

All relative documents have been produced and no other payments by Trade Winds have been made during the period in questions.

All has been executed as requested to the best of my knowledge.

Sincerely,

Donald A. Cooke, Jr.

MY COMMISSION EXPIRES AUG. 1, 1997

Heating • Air Conditioning • Sheet Metal • Piping
P.O. Box 152 • Canton, MA 02021 • 617-828-5267

RECEIVED
F.E.C.
SECRETARIAT
1991 NOV 13 PM 4:46

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	)	
	)	
Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Frank N. Cardullo, Peter S. Donadio, David Spiegel, Jon A. Lichter	)	MUR 2717

NOV 19 1991

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that Frank N. Cardullo, Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Peter S. Donadio, David Spiegel and Jon A. Lichter violated 2 U.S.C. § 441f. On that same date, the Commission also found reason to believe that Frank N. Cardullo violated 2 U.S.C. § 441a(a)(1)(A). On August 8, 1991, this Office forwarded briefs regarding probable cause to these Respondents. This report contains recommendations regarding probable cause and also recommends that the Commission take no further action against Frank N. Cardullo with respect to the section 441a(a)(1)(A) finding of reason to believe.

II. ANALYSIS

This Office's analysis of the Respondents' liability in this matter is contained in the General Counsel's briefs signed on August 8, 1991. None of the Respondents submitted a response to the General Counsel's brief. For the reasons stated in the briefs, this Office recommends that the Commission find no

probable cause to believe that Frank N. Cardullo, Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Peter S. Donadio, David Spiegel and Jon A. Lichter violated 2 U.S.C. § 441f.

On April 22, 1987, Frank N. Cardullo made a $1,000 contribution to Haig for President. On October 20, 1987, Frank N. Cardullo made a second contribution to Haig for President in the amount of $100. In response to the Commission's reason to believe notification, Frank N. Cardullo stated that he inadvertently exceeded the $1,000 contribution limitation by $100. The Committee refunded the $100 excessive contribution on January 29, 1988. In light of the relatively small amount of the excessive contribution, this Office now recommends that the Commission take no further action against Frank N. Cardullo with respect to this violation.

III. RECOMMENDATIONS

1. Find no probable cause to believe that Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Peter S. Donadio, David Spiegel and Jon A. Lichter violated 2 U.S.C. § 441f, and close the file as to these Respondents.

2. Find no probable cause to believe that Frank N. Cardullo violated 2 U.S.C. § 441f, take no further action with respect to the September 14, 1989 finding of reason to believe that Frank N. Cardullo violated 2 U.S.C. § 441a(a)(1)(A), and close the file as to this Respondent.

3. Approve the appropriate letters.

11/12/91
Date

Lawrence M. Noble
General Counsel

Staff Assigned: Mary P. Mastrobattista

9504365217

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2717
Joseph G. Maloney; Cynthia Sneider;	)	
Joseph Sneider; Michael Tierney;	)	
Joann O'Brien; William O'Brien;	)	
Nora Moran; Frank N. Cardullo;	)	
Peter S. Donadio; David Spiegel;	)	
Jon A. Lichter.	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on November 19, 1991, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Find no probable cause to believe that Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien, William O'Brien, Nora Moran, Peter S. Donadio, David Spiegel and Jon A. Lichter violated 2 U.S.C. § 441f, and close the file as to these Respondents.

2. Find no probable cause to believe that Frank N. Cardullo violated 2 U.S.C. § 441f, take no further action with respect to the September 14, 1989 finding of reason to believe that Frank N. Cardullo violated 2 U.S.C. § 441a(a)(1)(A), and close the file as to this Respondent.

(continued)

3. Approve the appropriate letters as recommended in the General Counsel's report dated November 12, 1991.

Commissioners Aikens, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioners Elliott and McDonald were not present.

Attest:

11-19-91
Date

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

9504305132

FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

November 25, 1991

Jon A. Lichter
82 Hampshire Rd.
Wellesley, MA 02181

RE: MUR 2717
Jon A. Lichter

Dear Mr. Lichter:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

November 25, 1991

David Spiegel
600 Mountain Street
Sharon, MA 02067

RE: MUR 2717
David Spiegel

Dear Mr. Spiegel:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

9504365241

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 25, 1991

Peter S. Donadio
280 Lyman Road
Milton, MA 02186

RE: MUR 2717
Peter S. Donadio

Dear Mr. Donadio:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

2504365124 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 25, 1991

John E. Bradley, Esq.
Bradley, Barry & Tarlow, P.C.
101 Arch Street
Boston, MA 02110

RE: MUR 2717
Nora Moran

Dear Mr. Bradley:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe Nora Moran violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to your client.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 25, 1991

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Joseph G. Maloney,
Cynthia Sneider, Joseph Sneider,
Michael Tierney, Joann O'Brien
and William O'Brien

Dear Mr. Connelly:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien and William O'Brien violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to these Respondents.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

9504365124

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 25, 1991

Frank N. Cardullo
729 S. Main Street
Centerville, MA 02632

RE: MUR 2717
Frank N. Cardullo

Dear Mr. Cardullo:

This is to advise you that on November 19, 1991, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. On that same date, the Commission also determined, after considering the circumstances of this matter, to take no further action against you with respect to the Commission's finding of reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

You are reminded that under 2 U.S.C. § 441a(a)(1)(A), it is unlawful for any person to make contributions to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed $1,000. You should take immediate steps to ensure future compliance with this provision.

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If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

95043651216

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 22, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald A. Cooke, Jr.
P.O. Box 152
Canton, MA 02021

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Cooke:

On October 3, 1989, you were notified that the Federal Election Commission had found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended.

Pursuant to its investigation of this matter, the Commission has issued the attached subpoena requiring you to appear and give sworn testimony on December 12, 1991, which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $30.00, plus mileage. Subsequent to the deposition, you will be sent a check for the witness fee and mileage.

9504351227

Within two days of your receipt of this notification, please confirm the scheduled appearance with Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
Associate General Counsel

Enclosure
Subpoena

95043651218

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

SUBPOENA

TO: Donald A. Cooke, Jr.
P.O. Box 152
Canton, MA 02021

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to certain contributions made by you and other persons associated with Trade Winds Systems to the Haig for President Committee. Notice is hereby given that the deposition is to be taken on December 12, 1991, in the 10th Floor Conference Room at the John W. McCormack Federal Building, USPO and Courthouse, Boston, Massachusetts, 02109, beginning at 10:00 a.m. and continuing each day thereafter as necessary.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C., on this 21st day of November, 1991.

John Warren McGarry
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

9504365129

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Richard M. Clegg
39 Church Street
Berkley, MA 02779

RE: MUR 2717
Richard M. Clegg

Dear Mr. Clegg:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Bobby Cowart
98 Ward Street
Roxbury, MA 02120

RE: MUR 2717
Bobby Cowart

Dear Mr. Cowart:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

2504351251

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717
Anthony DiBona

Dear Mr. DiBona:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista
Attorney

Enclosure

9504351252

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Arsene E. Frappier, Jr.
243 Everett Street
Middleboro, MA 02346

RE: MUR 2717
Arsene E. Frappier, Jr.

Dear Mr. Frappier:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

9504351253

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Gregory Gagnon
66 Roxbury Avenue
Apt. 10
Weymouth, MA 02188

RE: MUR 2717
Gregory Gagnon

Dear Mr. Gagnon:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

David W. Hess, Esq.
Nixon, Hall & Hess, P.A.
80 Merrimack Street
Manchester, NH 03101

RE: MUR 2717
Richard Knowlton

Dear Mr. Hess:

On September 14, 1989, the Federal Election Commission found reason to believe your client violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista
Attorney

Enclosure

2504365125

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Dennis Morancy
15 South Park Lane
P. O. Box 462
Mansfield, MA 02048

RE: MUR 2717
Dennis Morancy

Dear Mr. Morancy:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

2504365125

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Daniel F. O'Hara, Jr.
P. O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Daniel F. O'Hara, Jr.

Dear Mr. O'Hara:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

February 26, 1992

Mary B. O'Hara
P. O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Mary B. O'Hara

Dear Ms. O'Hara:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

9504351258

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

RE: MUR 2717
Frederick H. Shea, III

Dear Mr. Shea:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista
Attorney

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Kimberly A. Stockus

Dear Ms. Stockus:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

2504351210

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Nancy D. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Nancy D. Stockus

Dear Ms. Stockus:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

2504351241

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Maureen Becker Taylor
501 North Central Street
East Bridgewater, MA 02333

RE: MUR 2717
Maureen Becker Taylor

Dear Ms. Taylor:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista
Attorney

Enclosure

2504365122

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 26, 1992

Maureen A. White
20 Beal Street
Canton, MA 02021

RE: MUR 2717
Maureen A. White

Dear Ms. White:

On September 14, 1989, the Federal Election Commission found reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. After conducting an investigation into this matter, the Office of the General Counsel is prepared to move to the next stage of the enforcement process. For your information, I have enclosed a brief description of the Commission's procedures for handling possible violations of the Act.

If you have any questions, or any additional information you would like to bring to the attention of the Commission, please immediately contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

9504365123

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 1992

Dennis Morancy
15 South Park Lane
Mansfield, MA 02048

RE: MUR 2717
Dennis Morancy

Dear Mr. Morancy:

Pursuant to our telephone conversation on March 2, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista

Enclosures
Declaration
Envelope

9504351244

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Dennis Morancy makes the following declaration:

1. I reside at 15 South Park Lane, Mansfield, Massachusetts, 02048.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 23, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution, I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 23, 1987, in the amount of $250.

d. On or about September 23, 1987, Donald E. Cooke, Jr. gave me $250 in cash as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Dennis Morancy

Executed on March _____, 1992.

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FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

March 10, 1992

Donald A. Cooke, Jr.
P.O. Box 152
Canton, MA 02021

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Cooke:

Enclosed please find a check in the amount of $61.00 in payment of the witness fee, mileage and parking expenses for your deposition of December 12, 1991.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosure

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United States Treasury 15-51/000 W 061,768,344

Check No.

03 09 92 96 WASHINGTON, DC 3007 80541065

769086 0 DONALD A COOKE 95350001

Pay to the order of DONALD A COOKE F E C WASH DC

$******61*00

VOID AFTER ONE YEAR

PO NO 2AW033 WITNESS FEE

⑈300764⑈ ⑆000000518⑆ 80541065⑈ 010392

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F.E.C.
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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	)	
	)	
Heidi Saraceno, Ingeborg Saraceno and Pauline Saraceno	)	MUR 2717
	)	

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to Heidi Saraceno, Ingeborg Saraceno and Pauline Saraceno based on the assessment of the information presently available.

3/11/92
Date

Lawrence M. Noble
General Counsel

2504365123

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 12,1992

Heidi Saraceno
197 Blake Street
Newton, MA 02160

RE: MUR 2717
Heidi Saraceno

Dear Ms. Saraceno:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

2504365129

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

95043651270

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Heidi Saraceno	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Heidi Saraceno violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Heidi Saraceno for her contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Heidi Saraceno in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Heidi Saraceno received no monies from Olympic Bank in 1987 or 1988.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Heidi Saraceno for her contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Heidi Saraceno violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Heidi Saraceno violated 2 U.S.C. § 441f.

3/11/92
Date

Lawrence M. Noble
General Counsel

2504365127 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 12, 1992

Ingeborg Saraceno
15 Surrey Road
Newton, MA 02159

RE: MUR 2717
Ingeborg Saraceno

Dear Mrs. Saraceno:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

2504351274

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Ingeborg Saraceno	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Ingeborg Saraceno violated 2 U.S.C. § 441f in connection with two contributions totaling $1,000 made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Ingeborg Saraceno for her contributions to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Ingeborg Saraceno in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Ingeborg Saraceno received no monies from Olympic Bank in 1987 or 1988.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Ingeborg Saraceno for her contributions to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Ingeborg Saraceno violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Ingeborg Saraceno violated 2 U.S.C. § 441f.

3/11/92
Date

Lawrence M. Noble
General Counsel

2504365127 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 12, 1992

Pauline Saraceno
553 Winthrop Street
W. Medford, MA 02155

RE: MUR 2717
Pauline Saraceno

Dear Ms. Saraceno:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

95043651273

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Pauline Saraceno	)	MUR 2717
	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Commission found reason to believe that Pauline Saraceno violated 2 U.S.C. § 441f in connection with a $1,000 contribution made to the Haig for President Committee ("the Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon the Audit Division's review of contributions submitted by the Committee for matching payment purposes. This review revealed, inter alia, 28 contributions from individuals who were identified as a director, officer, or employee of Olympic International Bank & Trust Company ("Olympic Bank"), or a relative of an Olympic Bank director, officer, or employee. These contributions raise the possibility that Olympic Bank may have made contributions in the name of the individuals associated with the Bank in violation of 2 U.S.C. § 441f. Dominic J. Saraceno, the Committee's treasurer, is a director of Olympic Bank. In addition, Olympic Bank extended a line of credit to the Committee in the amount of $375,000 and also

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served as the Committee's depository for matching payments.

The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed Pauline Saraceno for her contribution to the Committee. Specifically, a Commission subpoena requested Olympic Bank to list by date and amount all payments, advancements, reimbursements, or other benefits provided to Pauline Saraceno in 1987 and 1988, and to describe the purpose of each. The subpoena also requested Olympic Bank to produce a copy of all related documents. In its sworn response, Olympic Bank stated that Pauline Saraceno received no monies from Olympic Bank in 1987 or 1988.

Based upon the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that Olympic Bank reimbursed Pauline Saraceno for her contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that Pauline Saraceno violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find no probable cause to believe that Pauline Saraceno violated 2 U.S.C. § 441f.

3/11/92
Date

Lawrence M. Noble
General Counsel

9 5 0 4 3 6 5 1 2 3 0

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Mar 23 11 21 AM '92

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 17, 1992

POSTMASTER

Hull, MA 02045

MUR 2717

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Gregory Gagnon

LAST KNOWN ADDRESS: 102 Revere Street
Hull, MA 02045

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

92 MAR 23 PM 4:12
RECEIVED
FEDERAL ELECTION COMMISSION

Lois G. Lerner
Associate General Counsel

FOR POST OFFICE USE ONLY

( ) Mail is Delivered to Above Address
( ) Moved, left no forwarding address
( ) No such address
(X) Other (Please Specify)
forwarding order expired

New Address : _____

9504351231

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

March 17, 1992

POSTMASTER

Hull, MA 02045

MUR 2717

ADDRESS INFORMATION REQUEST

Pursuant to 39 C.F.R. § 265.6(d)(1), please furnish this agency with a new address, if available, for the individual or entity listed below, or verify whether the address given below is one at which mail for this individual or entity is currently being delivered.

NAME: Gregory Gagnon

LAST KNOWN ADDRESS: 102 Revere Street
Hull, MA 02045

Under 39 C.F.R. § 265.8(g)(5)(i), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted. A return envelope is enclosed for your convenience.

Lois G. Lerner
Associate General Counsel

FOR POST OFFICE USE ONLY

( ) Mail is Delivered to Above Address
( ) Moved, left no forwarding address
( ) No such address
( ) Other (Please Specify)

New Address : _____

_____

2504345-2502

NIXON, HALL AND HESS
PROFESSIONAL ASSOCIATION
Attorneys at Law
Eighty Merrimack Street
Manchester, New Hampshire 03101

TELEPHONE 603-669-8080
WATS 1-800-343-1263
FAX 603-669-0903

DAVID L. NIXON
MICHAEL P. HALL
DAVID W. HESS
FRANK E. KENISON
EDWARD W. STEWART, JR.
LESLIE C. NIXON
FRANCIS G. MURPHY, JR.
JOSEPH F. KEEFE
NICHOLAS D. BROWN
KATHRYN B. JOHNSTON

ROBERT E. RAICHE,
Of Counsel

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March 17, 1992

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OFFICE OF GENERAL COUNSEL

Mary P. Mastrobattista, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2717
Richard Knowlton

Dear Attorney Mastrobattista:

I recently received correspondence from you dated February 26, 1992, pertaining to the referenced individual. Please be advised that Mr. Knowlton is no longer a client of this office and we have had no contact with him since June 7, 1990. At that time, his residential address was 23 Bay Road, Center Ossipee, NH 03814.

Very truly yours,

David W. Hess

DWH:dak

cc: Richard Knowlton

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MAIL ROOM

Mar 17 10 44 AM '92

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

92 MAR 17 PM 3:27

RECEIVED
FEDERAL ELECTION COMMISSION

DECLARATION

Pursuant to 28 U.S.C. § 1746, Dennis Morancy makes the following declaration:

1. I reside at 15 South Park Lane, Mansfield, Massachusetts, 02048.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 23, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution, I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 23, 1987, in the amount of $250.

d. On or about September 23, 1987, Donald E. Cooke, Jr. gave me $250 in cash as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

9504351284

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dennis Morancy

Executed on March 12, 1992.

9504351285

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 11, 1992

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717
Anthony DiBona

Dear Mr. DiBona:

Pursuant to our telephone conversation on May 6, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

In addition, per your request, I have enclosed a copy of the Commission's Campaign Guide for Congressional Candidates and Committees. I hope you find it helpful.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Campaign Guide
Envelope

2504351256

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 2717
)

DECLARATION

Pursuant to 28 U.S.C. § 1746, Anthony DiBona makes the following declaration:

1. I reside at 22 Twilight Drive, Foxboro, Massachusetts, 02035.

2. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

d. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

3. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

9504365128 7

4. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Anthony DiBona

Executed on May _____, 1992.

2504351203

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 11, 1992

Maureen A. White
20 Beal Street
Canton, MA 02021

RE: MUR 2717
Maureen A. White

Dear Ms. White:

Pursuant to our telephone conversation on May 6, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Envelope

9504365128 9

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 2717
)

DECLARATION

Pursuant to 28 U.S.C. § 1746, Maureen A. White makes the following declaration:

1. I reside at 20 Beal Street, Canton, Massachusetts, 02021.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 25, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 25, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 25, 1987, in the amount of $250.

d. On or about September 25, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504351200

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Maureen A. White

Executed on May _____, 1992.

9504351211

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 11, 1992

Richard M. Clegg
39 Church Street
Berkley, MA 02779

RE: MUR 2717
Richard M. Clegg

Dear Mr. Clegg:

Pursuant to our telephone conversation on May 7, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

You are reminded that the confidentiality provisions of 2 U.S.C. § 437g(a)(12) remain in effect until the entire matter has been closed. Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Envelope

9504365122

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Richard M. Clegg makes the following declaration:

1. I reside at 39 Church Street, Berkley, Massachusetts, 02779.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 23, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 23, 1987, in the amount of $250.

c. On or about September 23, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

9504351203

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Richard M. Clegg

Executed on May _____, 1992.

2504351204

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 11, 1992

Gregory Gagnon
35 Audubon Road
Weymouth, MA 02188

RE: MUR 2717
Gregory Gagnon

Dear Mr. Gagnon:

Pursuant to our telephone conversation on May 7, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Envelope

2504365512205

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Gregory Gagnon makes the following declaration:

1. I reside at 35 Audubon Road, Weymouth, Massachusetts, 02188.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

d. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504351236

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Gregory Gagnon

Executed on May _____, 1992.

9504351207

OGC 4675

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MAY 12 10 57 AM '92

NIXON, HALL AND HESS
PROFESSIONAL ASSOCIATION
Attorneys at Law
Eighty Merrimack Street
Manchester, New Hampshire 03101
TELEPHONE 603-669-8080
WATS 1-800-343-1263
FAX 603-669-0903

DAVID L. NIXON
MICHAEL P. HALL
DAVID W. HESS
FRANK E. KENISON
EDWARD W. STEWART, JR.
LESLIE C. NIXON
FRANCIS G. MURPHY, JR.
JOSEPH F. KEEFE
NICHOLAS D. BROWN
KATHRYN B. JOHNSTON

ROBERT E. RAICHE,
Of Counsel

May 6, 1992

92 MAY 12 PM 3:06
FEDERAL ELECTION COMMISSION

Mary P. Mastrobattista, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2717
Richard Knowlton

Dear Attorney Mastrobattista:

I am writing following up my March 17, 1992 letter to you to advise you that I have again been contacted by Mr. Knowlton who has again asked me to represent him regarding the referenced matter. I don't know what the Commission is pursuing at this time. However, the Commission's records should contain the enclosed Affidavit and attachments which were submitted to the Commission on behalf of Mr. Knowlton by this office on January 26, 1990.

Please advise what should be expected in the future on this matter. Kindest regards.

Very truly yours,

David W. Hess

DWH:dak
Enclosure

cc: Richard Knowlton

AFFIDAVIT

NOW COMES Richard Knowlton who, after being duly sworn, deposes and says:

1. My name is Richard Knowlton. I reside at 23 Bay Road, Center Ossipee, NH 03814. I am presently employed as a salesman by Buckley Associates, Inc.

2a. I was employed as a draftsman by Tradewind Systems from March, 1986 to June, 1988.

b. My duties consisted of assisting design engineers in designing HVAC systems.

3a. On or about September 24, 1987, I made a $250.00 contribution to Alexander Haig's presidential campaign.

b. This contribution was made by check #121 drawn on my Fleetline Visa, account [redacted] As per the credit card RC attached, I have requested a copy of that check and will forward it as soon as I receive it, Attachment 1.

4. I consulted my attorney, David W. Hess, in responding to your subpoena.

And further Affidavit sayeth not.

Richard Knowlton

STATE OF New Hampshire
COUNTY OF Hillsborough

Before me, the undersigned officer, personally appeared the above-named Richard Knowlton and acknowledged that the foregoing statements made by her are true to the best of her knowledge and belief.

NOTARY PUBLIC / JUSTICE OF THE PEACE

2504351209

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3717

NAME OF COUNSEL: DAVID W. HESS, ESQ.

ADDRESS: NIXON, HALL & HESS P.A
80 MERRIMACK ST.
MANCHESTER N.H. 03101

TELEPHONE: 603-669-8080

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.

January 26, 1990
Date

Richard Knowlton
Signature

RESPONDENT'S NAME: RICHARD KNOWLTON

ADDRESS: 23 BAY RD.
P.O. BOX 827
CTR. OSSIPEE, NH 03814

HOME PHONE: [redacted]

BUSINESS PHONE: (603) 669-3566

9504351300

TO: FLEET NATIONAL BANK
BANK CARD CENTER
P.O. BOX 366
PROVIDENCE, R.I. 02901-0366

1/22/90

I Richard Knowlton hereby request copies of both sides of check #121 written on september 24, 1987 drawn from FLEETLINE VISA account [redacted]

Please be aware that this account was closed out during May 1989. The information requested should be sent to my current address (see below).

If you have any questions you may contact me at my home phone #(603) 539-5791.

sincerely,

Richard Knowlton
P.O. Box 827
Ctr. Ossipee, N.H. 03814

ATTACHMENT

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 20, 1992

Richard M. Clegg
39 Church Street
Berkley, MA 02779

RE: MUR 2717
Richard M. Clegg

Dear Mr. Clegg:

On May 11, 1992, I forwarded to you a declaration attesting to the circumstances of your contribution to Haig for President. During our telephone conversation on May 18, 1992, you indicated that the declaration accurately reflects the facts of this matter. Upon receipt of the signed declaration, this Office is prepared to recommend that the Commission take no further action against you in this matter. As we discussed, however, this recommendation must be approved by the Commission. Thank you for your cooperation in this matter. If you have any questions, please contact me at my local number (202) 219-3690 or the toll free number (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

2504365130 2

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OFFICE OF GENERAL COUNSEL

92 MAY 21 PM 3:09

#4698

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Maureen A. White makes the following declaration:

1. I reside at 20 Beal Street, Canton, Massachusetts, 02021.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 25, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 25, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 25, 1987, in the amount of $250.

d. On or about September 25, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Maureen A White

Maureen A. White

Executed on May 19, 1992.

2504365130 4

OGC #4696
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FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAY 21 12 03 PM '92

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 2717
)

DECLARATION

92 MAY 21 PM 3:09
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Pursuant to 28 U.S.C. § 1746, Gregory Gagnon makes the following declaration:

1. I reside at 35 Audubon Road, Weymouth, Massachusetts, 02188.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was legal.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

d. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504365135

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Gregory G. Gagnon

Gregory Gagnon

Executed on May 19, 1992.

95043651306

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 2, 1992

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717
Anthony DiBona

Dear Mr. DiBona:

Pursuant to our telephone conversation on June 2, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Accordingly, I have made the changes that we discussed and I am submitting the declaration to you for your signature. Please sign it and return it to me within ten days. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosure
Declaration

2504365137

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 2717
)

DECLARATION

Pursuant to 28 U.S.C. § 1746, Anthony DiBona makes the following declaration:

1. I reside at 22 Twilight Drive, Foxboro, Massachusetts, 02035.

2. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was proper to the best of his knowledge.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

d. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

3. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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4. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Anthony DiBona

Executed on June _____, 1992.

2504365139

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 2, 1992

Frederick H. Shea, III
1439 Central St.
Stoughton, MA 02072

RE: MUR 2717
Frederick H. Shea, III

Dear Mr. Shea:

Pursuant to our telephone conversation on May 29, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, contact me immediately so that I can make any necessary changes. If the declaration is accurate, sign it and return it to me within ten days of receipt in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosures
Declaration
Envelope

2504363513 10

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF	)	MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Frederick H. Shea, III makes the following declaration:

1. I reside at 1439 Central Street, Stoughton, Massachusetts, 02072.

2. I formerly was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Dennis Morancy, an employee of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts. It is my understanding that Mr. Morancy was asking me to contribute to Haig for President at the request of Donald E. Cooke, Jr., President of Trade Winds Systems.

b. In response to the offer of reimbursement, I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Dennis Morancy gave me $250 in cash from Donald E. Cooke, Jr. as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. through Dennis Morancy represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504351511

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Frederick H. Shea, III

Executed on June _____, 1992.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

May 22, 1992

Arsene E. Frappier, Jr.
243 Everett Street
Middleboro, MA 02346

RE: MUR 2717
Arsene E. Frappier, Jr.

Dear Mr. Frappier:

Pursuant to our telephone conversation on May 20, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days of receipt in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Envelope

9504351313

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Arsene E. Frappier, Jr. makes the following declaration:

1. I reside at 243 Everett Street, Middleboro, Massachusetts, 02346.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Arsene E. Frappier, Jr.

Executed on May _____, 1992.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 3, 1992

David W. Hess, Esq.
Nixon, Hall and Hess
80 Merrimack Street
Manchester, N.H. 03101

RE: MUR 2717
Richard Knowlton

Dear Mr. Hess:

I am writing to follow up on our telephone conversation of June 2, 1992 concerning the status of MUR 2717. As we discussed, the investigation regarding your client's liability in this matter has concluded. This Office is prepared to recommend that the Commission take no further action against your client upon receipt of a signed declaration attesting to the circumstances of your client's contribution to Haig for President. Please note that the recommendation must be approved by the Commission and the Commission has not yet approved it. I have enclosed a draft declaration for your review.

Alternatively, the Office of the General Counsel is prepared to move to the next stage of the enforcement process -- probable cause. For your information, I have enclosed a description of Commission procedures for processing possible violations of the Act. The enclosure describes the procedures of the probable cause stage of the enforcement process.

In lieu of proceeding to probable cause, you may request pre-probable cause conciliation on behalf of your client. If interested in pursuing this alternative, you must request pre-probable cause conciliation in writing before the General Counsel's probable cause brief is mailed. The enclosure also describes the procedures for pre-probable cause conciliation.

If you have any questions, or wish to discuss this matter further, please contact me at (800) 424-9530.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosures (2)

9504351315

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Richard Knowlton makes the following declaration:

1. I reside at 23 Bay Road, Center Ossipee, New Hampshire, 03814.

2. I formerly was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Richard Knowlton

Executed on June _____, 1992.

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BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
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) MUR 2717
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DECLARATION

Pursuant to 28 U.S.C. § 1746, Arsene E. Frappier, Jr. makes the following declaration:

1. I reside at 243 Everett Street, Middleboro, Massachusetts, 02346.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Arsene E. Frappier, Jr.

Executed on May 30, 1992.

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BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Richard M. Clegg makes the following declaration:

1. I reside at 39 Church Street, Berkley, Massachusetts, 02779.

2. I am employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 23, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 23, 1987, in the amount of $250.

c. On or about September 23, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Richard M. Clegg

Executed on ~~May~~ JUNE 3, 1992.

PLEASE NOTE I WAS TOLD WHAT WAS being Done WAS not ILLEGAL RMC 6-3-92

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	
Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke, Crown Equipment Corporation, Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Victor Nicolazzo, Susan Fraser, Judith Curtin, Joseph Smith and David Goldman	MUR 2717

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that the following respondents violated 2 U.S.C. § 441f in connection with certain contributions to the Haig for President Committee (the "Committee"): Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke, Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker, Susan Fraser and Judith Curtin. On that same date, the Commission also found reason to believe that Victor Nicolazzo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. In addition, the Commission found reason to believe the Crown Controls Corporation violated 2 U.S.C. §§ 441b and 441f.[1]

1. The Crown Controls Corporation changed its name to the Crown Equipment Corporation in 1988. Therefore, Crown Equipment Corporation is a respondent in this matter in place of Crown Controls Corporation.

II. ANALYSIS

A. Introduction

This matter concerns five items referred to this Office from the Committee's Interim Audit Report. The first item concerns contributions to the Committee from persons associated with the Crown Equipment Corporation. The second item concerns contributions to the Committee from persons associated with the Fellows Corporation. The third item concerns contributions from persons associated with Olympic International Bank and Trust Company ("Olympic Bank"). The fourth item concerns contributions delivered to the Committee by the Rabbi Milton Balkany. The final item concerns contributions to the Committee from persons associated with Trade Winds Corporation. This Report will address the following three items: Crown Equipment Corporation, Fellows Corporation and Olympic Bank contributions.[2]

Section B of this Report addresses the investigation relating to the contributions from individuals associated with the Crown Equipment Corporation. This section concludes with a recommendation that the Commission take no further action and close the file as to these respondents.

Section C of this Report addresses the investigation thus far into contributions from individuals associated with the Fellows Corporation. This section concludes with a

---

2. A report addressing the contributions made to the Committee by the Rabbi Milton Balkany and persons associated with the Trade Winds Corporation will be forwarded to the Commission as soon as possible.

recommendation that the Commission take no further action and close the file as to these respondents. This Office also recommends that the Commission find reason to believe that Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f and that David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

Section D of this Report addresses the investigation relating to contributions to the Committee from three individuals associated with Olympic Bank. At the conclusion of Section D, this Office recommends that the Commission take no further action against Susan Fraser, and enter into conciliation with Judith Curtin and Victor Nicolazzo prior to a finding of probable cause to believe.

B. Crown Equipment Corporation

The Commission's reason to believe findings against Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke and the Crown Equipment Corporation were based upon evidence which suggested the possibility of corporate reimbursement of contributions made to the Committee. The Interim Audit Report revealed two series of consecutively numbered checks totaling $4,750 from six members of the Dicke family. Each of these checks was written on the same account, First National Bank of Sidney, Ohio, account [redacted]. This Office recommended that the Commission find reason to believe that the six members of the Dicke family violated 2 U.S.C. § 441f, and that the Crown Equipment Corporation violated 2 U.S.C. §§ 441b and 441f, in order to determine whether these

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respondents used corporate funds to make contributions to the Committee in the name of another. For the reasons stated below, this Office now recommends that the Commission take no further action and close the file as to these respondents.

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. Under 2 U.S.C. § 441b, it is unlawful for any corporation to make a contribution in connection with a federal election or for a political committee to knowingly accept or receive a contribution from any corporation.

The investigation into this matter has revealed that the account on which the contribution checks were drawn was held under the name of Dicke Consolidated. Dicke Consolidated is not a corporation, business, or other separate entity. According to the response of the Crown Equipment Corporation to the Commission's interrogatories and request for the production of documents, the Dicke Consolidated account had 22 account owners. (Attachment 1, pages 18-21). These account owners included the six members of the Dicke family who are respondents in this matter and the Crown Equipment Corporation, as well as another individual, various partnerships, sole proprietorships and other corporations. (Attachment 1, pages 18-21).

In the Crown Equipment Corporation's response to the Commission, the corporation described the Dicke Consolidated account as follows:

> More specifically, Dicke Consolidated is a multi-party, "zero-balance", joint checking account through which the personal and business funds of twenty-two entities (businesses and individuals), including specifically James F. Dicke, Eilleen W. Dicke, James F. Dicke II, Janet S. Dicke, Dane W. Dicke and Kerry Dicke disburse funds. It is in every sense an account of each owner, just like any other joint checking account. Dicke Consolidated was created and it used in this matter for accounting reasons.
>
> As a "zero-balance" account, Dicke Consolidated exists for accounting purposes only. It serves as a clearinghouse for funds from its owners' accounts. Checks drawn on this account are covered either simultaneously or in advance by funds from the personal account (in the case of individuals) or business account of the entity for whom the Dicke Consolidated check is being drawn. The Dicke Consolidated check is signed by one of three authorized signatories: Bradley Smith, Cynthia Carter, and Jeri Carey. By bookkeeping detail, the separate accounts of each entity reflect their individuals deposits to and disbursements from this account. This procedure provides a significant convenience to the owners of the account, most whose principals travel extensively.

(Attachment 1, page 23). According to the Crown Equipment Corporation's response, each of the account owners reimbursed Crown Equipment Corporation $100 per month for this service. (Attachment 1, page 23).

The responses of the individual respondents demonstrate that Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II and Janet Dicke made twelve contributions to the Haig Committee in 1987 from the Dicke Consolidated account. Further, Eilleen Dicke made an additional $250 contribution to the Committee from her personal checking account. None of these respondents contributed in excess of $1,000 to the Committee. According to counsel for these respondents, the members of the

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Dicke family are personal friends of Alexander Haig. Counsel stated that Eilleen Dicke asked her family to make contributions to the Haig Committee in 1987. (Attachment 1, page 285). Included with the respondents' response to the request for the production of documents was a letter from Pat Roberts, the Committee's campaign manager, to James Dicke enclosing a "contributions guideline" and a contributor information card. (Attachment 1, page 123).

The testimony of Cindy Carter as a non-respondent witness in this matter was consistent with the responses submitted by the members of the Dicke family and the Crown Equipment Corporation.[3] According to Cindy Carter's testimony, once the decision was made to contribute to the Haig Committee, Cindy Carter and Jeri Carey were directed to prepare and sign the contribution checks from the Dicke Consolidated account. (Attachment 2, pages 3-5; 25-27). Cindy Carter and Jeri Carey were employed by the Crown Equipment Corporation as accountants, and have signature authority for the Dicke Consolidated account as well as the personal accounts of the members of the Dicke family. (Attachment 1, page 22; Attachment 2, page 8). Cindy Carter prepared the first series of contribution checks from the Dicke Consolidated account, dated June 26, 1987. Cindy Carter also prepared contributor information cards for

3. The Commission also authorized subpoenas to depose Dane Dicke and Janet Dicke. Because the testimony of Cindy Carter was complete regarding the details of the contributions made to the Haig Committee by the members of the Dicke family, however, this Office did not depose Dane Dicke or Janet Dicke.

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five of these six contributions. (Attachment 2, pages 14-20). Jeri Carey then prepared checks from the personal accounts of James and Eilleen Dicke, James and Janet Dicke, and Dane Dicke to reimburse the Dicke Consolidated account for the contributions to the Committee and other expenses during that time period.[4] These checks were dated June 30, 1987. (Attachment 1, pages 27- 29). The checks from the respondents' personal accounts were deposited into the Dicke Consolidated account as part of a large deposit dated June 30, 1987, and stamped as received by the First National Bank of Sidney, Ohio on July 6, 1987. (Attachment 1, page 26). Four of the six contribution checks dated June 30, 1987 were paid by the First National Bank on July 3, 1987. The other two checks were paid by the First National Bank on July 13, 1987.

Jeri Carey prepared the second series of contribution checks from the Dicke Consolidated account. These contribution checks were dated October 27, 1987. (Attachment 1, pages 65-76). Jeri Carey also prepared checks from the personal accounts of James and Eilleen Dicke, James and Janet Dicke, and Dane Dicke to reimburse the Dicke Consolidated account for the contributions to the Committee and other expenses during that time period. These checks were dated October 30, 1987 and were deposited into the Dicke Consolidated account by a deposit slip dated October 30, 1987. (Attachment 1, pages 30-33). This

---

4. Kerry Dicke and Dane Dicke are husband and wife. The account is listed in Dane Dicke's name alone. The funds for both of Kerry Dicke's contributions to the Haig Committee came from Dane Dicke's account.

deposit was stamped as received by the First National Bank of Sidney, Ohio on November 3, 1987. All six contribution checks dated October 29, 1987 were paid by the First National Bank on November 4, 1987.

The investigation into this matter has revealed that each of the contributions from the individual respondents associated with the Crown Equipment Corporation was made with the individual contributors' personal funds. In each instance, however, the funds were deposited into the Dicke Consolidated account several days after the date of the contribution checks. Apparently, the Dicke Consolidated account had sufficient funds from the 22 account owners to cover any delay from the time the contribution checks were cashed to the time the personal checks were deposited into the Dicke Consolidated account. (Attachment 1, page 286; Attachment 2, pages 21-24; 28-30). The funds from the respondents' personal accounts included salaries, other sources of income, and loans from the Crown Equipment Corporation. (Attachment 1, page 287). According to counsel for the respondents, the loans from the Crown Equipment Corporation to the individuals were made pursuant to a written secured note. (Attachment 1, page 287).

At this time, this Office recommends that the Commission take no further action against these respondents. This recommendation is based upon several factors. First, the investigation has demonstrated that the source of funds for the contributions was the personal funds of the individual contributors, even though the contributors' personal funds were

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deposited into the Dicke Consolidated account several days after the contribution checks were issued. Further, the names of the individual contributors were clearly identified on the checks from the Dicke Consolidated account. There was no intent to conceal the identity of the contributors. Finally, it appears that the Dicke Consolidated account was closed as a result of the Commission's reason to believe findings in this matter. During her deposition with this Office, Cindy Carter testified that the Dicke Consolidated account was scheduled to be closed in January of 1990. (Attachment 2, pages 6-7). As a result of this matter, the officers of Crown Equipment Corporation determined to maintain 22 separate accounts instead of one consolidated account.

For the reasons stated above, this Office recommends that the Commission take no further action against Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke and the Crown Equipment Corporation, and close the file as to these respondents. Should the Commission approve this recommendation, this Office intends to send admonishment letters to the respondents, reminding them of the prohibitions of 2 U.S.C. § 441b.

C. Fellows Corporation

The Commission's reason to believe findings against Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker were based upon evidence which suggested the possibility of corporate

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reimbursement of contributions by the Fellows Corporation. Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker requested pre-probable cause conciliation. On May 8, 1990, the Commission denied these requests for pre-probable cause conciliation because of the need for further investigation. For the reasons stated below, this Office now recommends that the Commission take no further action and close the file as to all ten individual respondents associated with the Fellows Corporation. Additionally, we recommend that the Commission find reason to believe Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f and that David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker are represented by the same counsel in this matter. In their sworn responses to the Commission's interrogatories and request for the production of documents, Donald Chabot, Henry Swierczynski, Carl Johnson and Erich Tlaker each admitted that he each wrote a check in the amount of $2,000 to Haig for President in response to Joseph Smith's direction to do so during a meeting held at the Fellows Corporation.[5] Donald Chabot, Henry Swierczynski, Carl Johnson and Erich Tlaker

5. These responses, as well as the responses of Jeffrey Allen, Allyson Allen and the Fellows Corporation, were attached to the General Counsel's Report dated April 27, 1990.

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were vice-presidents of the Fellows Corporation at the time. Joseph Smith was the President of the Fellows Corporation. The $2,000 checks were intended to represent $1,000 contributions from each of the five vice-presidents and their spouses. The four contribution checks from Donald Chabot, Henry Swierczynski, Carl Johnson and Erich Tlaker were delivered to Joseph Smith.

During a deposition conducted by this Office, Jeffrey Allen, another vice-president for the Fellows Corporation, testified that he also was present at the meeting when Joseph Smith directed the vice-presidents to write contribution checks to the Committee. Jeffrey Allen testified that he did not recall writing a contribution check to Haig for President in response to the request by Joseph Smith. (Attachment 3, pages 2-5).

These contribution checks were solicited in connection with a $1,000 a plate fundraising dinner. The fundraiser was held on August 15, 1987 at the home of David Goldman, the President of the Goldman Financial Group Inc. The Fellows Corporation is owned indirectly by the Goldman Financial Group Inc. David Goldman also was a friend and business associate of Dominic Saraceno, the Committee's treasurer.[6] Each of the five vice-presidents received written invitations to attend the fundraising dinner at David Goldman's home. (Attachment 4, pages 2-4). Erich Tlaker testified that the vice-presidents of

6. In the Committee's response to the Commission, a schedule of campaign events lists the August 15, 1987 event as "Fundraiser - hosted by Dom Saraceno and David Goldman."

the Fellows Corporation were invited to attend the fundraising dinner because " . . . Mr. Goldman made some sort of commitment to the campaign of General Haig and asked for support from us." (Attachment 4, page 6).

During his deposition with this Office, Jeffrey Allen testified that Joseph Smith had indicated that the vice-presidents would be reimbursed for their contributions to the Committee by David Goldman:

> A: There was an indication that somehow we would be reimbursed for whatever we put into it.
>
> Q: What was the indication?
>
> A: That the company or Goldman would make us whole, would reimburse us.
>
> Q: That's what Mr. Smith told you?
>
> A: Yes.
>
> Q: Where did this take place?
>
> A: At Fellows.

(Attachment 3, page 5). Erich Tlaker, however, denied that he was offered reimbursement for the contribution check that he had written to the Committee. (Attachment 4, pages 7-8). As explained below, the vice-presidents were not reimbursed for contribution checks that they had written to the Committee.

Within several days after the four contribution checks were delivered to Joseph Smith, Joseph Smith returned the checks to the four vice-presidents who had written them. Joseph Smith informed the four vice-presidents that the contributions to the Committee would be handled in some other way. Apparently,

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David Goldman directed Joseph Smith to return the contribution checks to the vice-presidents. Jeffrey Allen testified:

> My recollection is that the others turned in checks; that shortly after the checks were received Mr. Smith turned the checks back and said Mr. Goldman would handle the money some other way.

(Attachment 3, page 10).

Joseph Smith, Jeffrey and Allyson Allen, Donald and June Chabot, Henry and Nora Swierczynski, Carl and Linda Johnson, and Erich and Jean Tlaker attended the fundraiser at David Goldman's home on August 15, 1987. (Attachment 4, pages 3-4). The Fellows Corporation reimbursed the vice-presidents for the travel expenses associated with the trip to attend the fundraising dinner at David Goldman's home. (Attachment 3, pages 12-13).

By treasurer's checks dated August 12, 1987, ten contributions were made to the Committee in the amount of $1,000 each. The treasurer's checks were consecutively numbered, with one exception. The names and addresses of the contributors were uniformly typed on the treasurer's checks. The treasurer's checks were made in the names of Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker and Jean Tlaker.[7]

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7. The treasurer's check which was in the name of Allison (sic) Allen listed her occupation as a CPA with Arthur Andersen & Co. Jeffrey Allen testified that his wife was never employed with Arthur Andersen and that the firm was one of the auditors for the Fellows Corporation. (Attachment 3, page 16).

Information obtained from Olympic Bank has revealed that David Goldman purchased the ten treasurer's checks from the bank. In response to an interrogatory asking Olympic Bank to identify the individual who requested the issuance of the treasurer's checks and the circumstances involved in the preparation of the treasurer's checks, Olympic Bank stated:

> (a) David Goldman, a customer of the Bank, requested the treasurer's checks on August 12, 1987. Each check was in the amount of $1,000.00, and each was made payable to "Haig for President". The Bank charged Mr. Goldman's checking account to offset the total amount of these checks.
>
> (b) Rita M. (Booth) Hotin, one of the Bank's customer service representatives, was requested to prepare the treasurer's checks and to debit Mr. Goldman's checking account. This was the Bank's customary practice. Ms. Hotin complied with Mr. Goldman's request, debited his account, and issued the treasurer's checks.

(Attachment 1, pages 53-54, General Counsel's Report dated June 21, 1991).

By letter dated September 4, 1987, the Haig Committee wrote to the five vice-presidents and their spouses to thank them for their contributions, and to request their signatures on copies of the treasurer's checks. The text of this letter is as follows:

> Thank you for your very generous contribution to the Haig for President Campaign.
>
> I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please

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> sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.
>
> We appreciate your help and prompt attention to this very necessary step in your contribution.

The letter was signed by Pauli Kirby, "Fundraising Special Events".

Each of these respondents has denied ever making a contribution to the Committee, even though each signed the copy of the treasurer's check that was enclosed with the letter from the Committee. It is unclear why each of the respondents signed a copy of the treasurer's check in response to the Committee's request to do so. When asked to explain why he had signed the treasurer's check, Erich Tlaker testified:

> I was puzzled because we did not quite know how to handle that matter. We had made a commitment to the Haig for President campaign and issued a check against our account to cover it. That check had been returned to us with the remark that perhaps some other ways may be found to do that, and I did not know whether or not this was another way to do that. My commitment was still there to cover that check.
>
> Our intent here was to inform the Haig for President Committee that I would be liable for this amount to pay to them. I have not -- I don't know who the Olympic International Bank and Trust are. I had not given anyone permission to pay any amount for me to the Haig Campaign.

(Attachment 4, pages 11-12). Later in the deposition, Erich Tlaker provided the following explanation of why he had signed the copy of the treasurer's check in response to the Committee's request:

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> Yeah, this commitment was made, right. And the check was made out initially. And that was my interpretation of this, of this form, that anyone could come back to me at this point and request for me to pay to the Haig Campaign $1,000 at that point. I had not given my permission to use my name and to pay that amount to anyone. I confirmed -- I thought I confirmed my intent to support the campaign to that amount.

(Attachment 4, page 16). Jeffrey Allen was unable to recall signing the copy of the treasurer's check, although he did testify that: "I recall at one point . . . that there was some kind of a document . . . a coupon or something, that would have said words to the effect I agree to contribute $1000 or something like that." (Attachment 3, page 15). Apparently, the respondents were under the impression that they were making a pledge to contribute to the Committee by signing the copy of the treasurer's checks. Part of the confusion resulted from the earlier solicitation of contributions to attend the fundraising dinner and subsequent return of the contribution checks by Joseph Smith.

In summary, the investigation has revealed that Joseph Smith solicited and collected contributions in the name of another, but later returned the contribution checks at the direction of David Goldman. Approximately one week later, David Goldman purchased ten treasurer's checks from Olympic Bank for the purpose of making contributions in the name of another

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in connection with a fundraising dinner held at his home.[8] The ten treasurer's checks were accepted by the Committee as contributions from the ten individuals whose names appeared on the treasurer's check. For these reasons, this Office recommends that the Commission find reason to believe that Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f and that David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. This Office also recommends that the Commission approve the attached subpoenas for deposition to Joseph Smith and David Goldman.

The investigation also has revealed that the five vice-presidents of the Fellows Corporation and their spouses allowed their names to be used to make a contribution by signing copies of the treasurer's checks at the Committee's request. However, given the age of the violations at issue and of this matter, this Office now recommends that the Commission take no further action against these individual respondents and close the file as to them. This recommendation is further supported by the fact that this Office intends to pursue David Goldman and Joseph Smith, the principals involved in the making of contributions to the Committee in the name of employees of the Fellows Corporation. If the Commission approves the recommendation to take no further action against the five

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8. Information obtained from Olympic Bank suggests that the treasurer's checks were purchased with funds from David Goldman's account. However, it is unclear whether corporate or personal funds were used to purchase the treasurer's checks. Through investigation, this Office intends to pursue this issue further.

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vice-presidents and their spouses, this Office intends to send admonishment letters to these respondents, reminding them of the prohibitions of 2 U.S.C. § 441f.

D. Olympic Bank

The Commission's reason to believe findings against Susan Fraser, Victor Nicolazzo, Judith Curtin and seventeen other individuals associated with Olympic Bank were based upon evidence which suggested that Olympic Bank may have reimbursed these individuals for contributions to the Committee. On June 26, 1991, the Commission determined to take no further action against Matthew Curtin and closed the file as it pertains to this Respondent. On November 19, 1991, the Commission found no probable cause to believe that Jon A. Lichter, David Spiegel, Peter S. Donadio, Nora Moran, Joseph G. Maloney, Cynthia Sneider, Joseph Sneider, Michael Tierney, Joann O'Brien and William O'Brien violated 2 U.S.C. § 441f. On that same date, the Commission determined to take no further action against Frank N. Cardullo with respect to the Commission's finding of reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), and also determined that there was no probable cause to believe Frank N. Cardullo violated 2 U.S.C. § 441f. On March 12, 1992, this Office circulated to the Commission no probable cause briefs for Heidi Saraceno, Ingeborg Saraceno and Pauline Saraceno.

The remaining individual respondents in this matter who are associated with Olympic Bank are Susan Fraser, Victor Nicolazzo, Judith Curtin, Kurt Saraceno and Dominic Saraceno. This section

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of this Report recommends that the Commission take no further action against Susan Fraser and close the file as to this respondent. The Office also recommends that the Commission enter into pre-probable cause conciliation with Victor Nicolazzo and Judith Curtin.[9]

The evidence available thus far demonstrates that Victor Nicolazzo reimbursed Susan Fraser for a $250 contribution which she made to the Committee in her name on September 24, 1987. See General Counsel's Report dated June 21, 1991. In response to the Commission's interrogatories and request for the production of documents, Susan Fraser admitted that Victor Nicolazzo asked her to make a $250 contribution "on [his] behalf" and later reimbursed her for the contribution.[10] Victor Nicolazzo also admitted that he asked Susan Fraser to make a $250 contribution to the Committee in her name, and later reimbursed her for the contribution.

This Office recommends that the Commission take no further action against Susan Fraser for allowing her name to be used to make a contribution in violation of 2 U.S.C. § 441f, in light of the small amount of this contribution. If the Commission

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9. This Office does not make any recommendations as to Kurt Saraceno and Dominic Saraceno at this time, as these individuals are included in the list of contributors in MUR 3367 who may have made contributions to the Committee in violation of the Act. Further, no recommendation is made as to Olympic Bank at this time, pending further investigation as to Olympic Bank's involvement with contributions made to the Committee by David Goldman.

10. The responses of Susan Fraser, Victor Nicolazzo and Judith Curtin were attached to the General Counsel's Report dated June 21, 1991.

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approves this recommendation, this Office intends to send an admonishment letter to Susan Fraser reminding her of the prohibitions of 2 U.S.C. § 441f.

The Commission also made reason to believe findings against Victor Nicolazzo for making excessive contributions to the Committee. 2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any election for federal office which, in the aggregate, exceed $1,000. This limitation applies separately with respect to each election, except that all elections held in any calendar year for the office of President (other than a general election for such office) are considered to be one election. 2 U.S.C. § 441a(a)(6).

The investigation into this matter has revealed that Victor Nicolazzo made the following contributions to the Committee:

Date	Amount	Nature of Contribution
3-30-87	$ 250	check to Alexander Haig - Exploratory
4-28-87	$1,750	check to Haig for President
9-24-87	$ 250	check from Susan Fraser, later reimbursed by Victor Nicolazzo
	$2,250	Total

In response to the Commission's interrogatories and request for the production of documents, Victor Nicolazzo stated that the $1,750 check dated April 28, 1987 represented a $1,000 contribution from his wife and a $750 contribution from himself. Although Victor Nicolazzo stated that "this dual contribution

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was pointed out to the Haig campaign at the time", there is no written evidence that $1,000 of the $1,750 contribution represented a contribution from his wife. Victor Nicolazzo did not provide any evidence of a written statement signed by his wife or a written reattribution. Accordingly, the entire $1,750 contribution should be attributed to Victor Nicolazzo. 11 C.F.R. § 110.1(k).

In summary, the investigation into this matter supports the Commission's finding of reason to believe that Victor Nicolazzo violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. In order to expedite the resolution of this matter, this Office recommends that the Commission offer to enter into conciliation with Victor Nicolazzo prior to a finding of probable cause to believe. A proposed conciliation agreement is attached for Commission approval and is discussed in Section III of this Report.

The investigation regarding Judith Curtin established that Judith Curtin violated 2 U.S.C. § 441f by making a $1,000 contribution to the Committee in the name of her son, Matthew Curtin, on September 22, 1987. See General Counsel's Report dated June 21, 1991. This contribution was made in the form of a treasurer's check in her son's name. Judith Curtin purchased the treasurer's check from Olympic Bank with funds from a checking account held in her name.

In addition, Judith Curtin made two other contributions to the Committee totaling $1,000. The first contribution was made on March 27, 1987, by personal check in the amount of $250. The

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second contribution was made on April 20, 1987, by personal check in the amount of $750.

The source of funds for $750 contribution which Judith Curtin made to the Committee on April 20, 1987 is unclear. After this Office deposed Judith Curtin, she submitted copies of her bank statements and check register for this time period. (Attachment 1, pages 131-132, General Counsel's Report dated June 21, 1991). Immediately preceding the $750 contribution to the Committee, the balance in Judith Curtin's checking account was $6.31. Her check register then shows a "transfer" of $750 into her account. The next transaction reflected in her check register is check no. 786 to "Haig for Pres. (Donation)" in the amount of $750. The balance immediately following this check was $6.31. Judith Curtin's bank statement for this period shows a deposit of $750 into her account. The source of funds for the $750 transfer into Judith Curtin's checking account remains uncertain.

In an effort to proceed with the resolution of this matter, this Office recommends that the Commission offer to enter into conciliation with Judith Curtin prior to a finding of probable cause to believe.

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While it is possible that the funds for the $750 contribution came from another source, there is no direct evidence that Judith Curtin was reimbursed for the $750 contribution. Olympic Bank records do not indicate that Judith Curtin was reimbursed by the Bank for the $750 contribution. Furthermore, Judith Curtin denied that she was offered any reimbursement for either the $250 or the $750 contributions that she made to the Committee during her deposition with this Office.[11] For these reasons, this Office recommends that the Commission offer to enter into pre-probable cause conciliation with Judith Curtin with respect to the $1,000 contribution that she made in violation of 2 U.S.C. § 441f.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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11. Judith Curtin's deposition was taken prior to the receipt of her bank statements and check register.

IV. RECOMMENDATIONS

1. Take no further action against Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke, Crown Equipment Corporation, Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker and Susan Fraser, and close the file as to these respondents.

2. Find reason to believe Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f and David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

3. Enter into conciliation with Judith Curtin and Victor Nicolazzo prior to a finding of probable cause to believe.

4. Approve the attached proposed conciliation agreements, factual and legal analyses, subpoenas and the appropriate letters.

5/28/92
Date

Lawrence M. Noble
General Counsel

Attachments
1. Initial and supplemental responses of Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke, Crown Equipment Corporation and Cindy Carter (as a non-respondent witness)
2. Excerpts from deposition of Cindy Carter
3. Excerpts from deposition of Jeffrey Allen
4. Excerpts from deposition of Erich Tlaker
5. Factual and legal analyses (2)
6. Subpoenas for deposition to Joseph Smith and David Goldman
7. Proposed conciliation agreements (2)

Staff assigned: Mary P. Mastrobattista

2504365-1345

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Kerry Dicke, Dane Dicke, Eilleen Dicke,	)	
James Dicke, James Dicke II, Janet Dicke,	)	
Crown Equipment Corporation, Jeffrey Allen,	)	
Allyson Allen, Donald Chabot, June Chabot,	)	MUR 2717
Henry Swierczynski, Nora Swierczynski,	)	
Carl Johnson, Linda Johnson, Erich Tlaker,	)	
Jean Tlaker, Victor Nicolazzo, Susan Fraser,	)	
Judith Curtin, Joseph Smith and David Goldman.	)	

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 3, 1992, the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Take no further action against Kerry Dicke, Dane Dicke, Eilleen Dicke, James Dicke, James Dicke II, Janet Dicke, Crown Equipment Corporation, Jeffrey Allen, Allyson Allen, Donald Chabot, June Chabot, Henry Swierczynski, Nora Swierczynski, Carl Johnson, Linda Johnson, Erich Tlaker, Jean Tlaker and Susan Fraser, and close the file as to these respondents.

(Continued)

2. Find reason to believe Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f and David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

3. Enter into conciliation with Judith Curtin and Victor Nicolazzo prior to a finding of probable cause to believe.

4. Approve the proposed conciliation agreements, factual and legal analyses, subpoenas and the appropriate letters, as recommended in the General Counsel's Report dated May 28, 1992.

Commissioners Aikens, Elliott, McGarry and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote and Commissioner Potter recused himself from this matter.

Attest:

6-3-92
Date

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

Received in the Secretariat: Thurs., May 28, 1992 4:43 p.m.
Circulated to the Commission: Fri., May 29, 1992 12:00 p.m.
Deadline for vote: Wed., June 3, 1992 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 19, 1992

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Victor Nicolazzo and
Judith Curtin

Dear Mr. Connelly:

On October 3, 1989, Victor Nicolazzo and Judith Curtin were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441f. On November 16, 1989, you submitted a response to the Commission's reason to believe findings. The investigation into this matter regarding Victor Nicolazzo and Judith Curtin is completed. In order to proceed with the resolution of this matter, the Commission determined on June 3, 1992 to enter into negotiations directed towards reaching conciliation agreements in settlement of Victor Nicolazzo's and Judith Curtin's liability in this matter prior to a finding of probable cause to believe. Enclosed are conciliation agreements that the Commission has approved.

If you are interested in proceeding with the resolution of this matter by pursuing pre-probable cause conciliation, please review the enclosed conciliation agreements. If your clients agree with the provisions of the enclosed agreements, please sign and return them to the Commission, along with the civil penalties. 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 agreements, or if you wish to arrange a meeting in connection

with mutually satisfactory conciliation agreements, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosures
Conciliation Agreements (2)

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 19, 1992

John P. Connelly, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Susan Fraser

Dear Mr. Connelly:

On October 3, 1989, Susan Fraser was notified that the Federal Election Commission found reason to believe that she violated 2 U.S.C. § 441f. On November 16, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on June 3, 1992, to take no further action against Susan Fraser, and closed the file as it pertains to her. 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 concerning Susan Fraser, 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. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that under 2 U.S.C. § 441f it is unlawful for any person to make a contribution in the name of another person or knowingly permit her name to be used to effect

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such a contribution. Your client should take immediate steps to ensure future compliance with this provision of the Act.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 19, 1992

Thomas P. Salmon, Esq.
Salmon & Nostrand
P.O. Box 535
Bellows Falls, Vermont 05101

RE: MUR 2717
Donald Chabot, June Chabot,
Henry Swierczynski,
Nora Swierczynski,
Carl Johnson, Linda Johnson,
Erich Tlaker and Jean Tlaker

Dear Mr. Salmon:

On October 3, 1989, your clients were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441f. On October 26, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on June 3, 1992, to take no further action against your clients, and closed the file as it pertains to them. 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. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that under 2 U.S.C. § 441f it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect

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such a contribution. Your clients should take immediate steps to ensure future compliance with this provision of the Act.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 19, 1992

Robert F. Bauer, Esq.
Perkins Coie
607 14th Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 2717
Jeffrey Allen and Allyson Allen

Dear Mr. Bauer:

On October 3, 1989, your clients were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441f. On December 15, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on June 3, 1992, to take no further action against your clients, and closed the file as it pertains to them. 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. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that under 2 U.S.C. § 441f it is unlawful for any person to make a contribution in the name of another person or knowingly permit his name to be used to effect

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such a contribution. Your clients should take immediate steps to ensure future compliance with this provision of the Act.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 19, 1992

Gordon M. Strauss, Esq.
Thompson, Hine and Flory
312 Walnut Street
14th Floor
Cincinnati, Ohio 45202-4029

RE: MUR 2717
Crown Equipment Corporation
Kerry Dicke, Dane Dicke,
Eilleen Dicke, James Dicke,
James Dicke II and Janet Dicke

Dear Mr. Strauss:

On October 3, 1989, your clients were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441f. On October 27, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on June 3, 1992, to take no further action against your clients, and closed the file as it pertains to them. 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. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that under 2 U.S.C. § 441b(a) it is unlawful for any corporation to make a contribution in connection with a federal election. Your clients

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should take immediate steps to ensure future compliance with this provision of the Act.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 19, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Goldman
Goldman Financial Group Inc.
100 Federal Street
25th Floor
Boston, MA 02110

RE: MUR 2717
David Goldman

Dear Mr. Goldman:

On June 3, 1992, the Federal Election Commission found that there is reason to believe you knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

Furthermore, pursuant to its investigation of this matter, the Commission has issued the attached subpoena requiring you to appear and give sworn testimony on July 17, 1992. You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise 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 or other communications from the Commission.

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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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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. Within two days of your receipt of this notification, please confirm the scheduled appearance with Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

2504351359

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2717)

SUBPOENA

TO: David Goldman
Goldman Financial Group Inc.
100 Federal Street
25th Floor
Boston, MA 02110

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to certain contributions to Haig for President. Notice is hereby given that the deposition is to be taken on July 17, 1992, at the Federal Building, 11 Elmwood Avenue, Burlington, Vermont 05401, beginning at 9:00 a.m. and continuing each day thereafter as necessary.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this Eighteenth day of June, 1992.

Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: David Goldman MUR: 2717

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained that there was a possibility of a violation of the Federal Election Campaign Act of 1971, as amended, (the "Act") by David Goldman. This possible violation concerns contributions made to the Haig for President Committee (the "Committee") in 1987.

The Commission has learned that contributions to the Committee were reported from ten individuals associated with the Fellows Corporation. Four of the individuals who were reported as contributors admitted that they each wrote a check in the amount of $2,000 to Haig for President in response to Joseph Smith's direction to do so during a meeting held at the Fellows Corporation. These four individuals were vice-presidents of the Fellows Corporation at the time. Joseph Smith was the President of the Fellows Corporation. The $2,000 checks were intended to represent $1,000 contributions from each of the vice-presidents and their spouses. The four contribution checks were delivered to Joseph Smith.

One individual testified that he was present at the meeting when Joseph Smith directed the vice-presidents to write contribution checks to the Committee, but did not recall writing a contribution check to Haig for President in response to the request by Joseph Smith.

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The information available indicates that these contribution checks were solicited in connection with a $1,000 a plate fundraising dinner. The fundraiser was held on August 15, 1987 at the home of David Goldman, the President of the Goldman Financial Group Inc. The Fellows Corporation is owned indirectly by the Goldman Financial Group Inc. Each of the five vice-presidents received written invitations to attend the fundraising dinner at David Goldman's home. One individual testified that the vice-presidents of the Fellows Corporation were invited to attend the fundraising dinner because " . . . Mr. Goldman made some sort of commitment to the campaign of General Haig and asked for support from us."

One individual testified that Joseph Smith had indicated that the vice-presidents would be reimbursed for their contributions to the Committee:

> A: There was an indication that somehow we would be reimbursed for whatever we put into it.
>
> Q: What was the indication?
>
> A: That the company or Goldman would make us whole, would reimburse us.
>
> Q: That's what Mr. Smith told you?
>
> A: Yes.
>
> Q: Where did this take place?
>
> A: At Fellows.

As explained below, the vice-presidents were not reimbursed for contribution checks that they had written to the Committee.

Within several days after the four contribution checks were

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delivered to Joseph Smith, Joseph Smith returned the checks to the four vice-presidents who had written them. Joseph Smith informed the four vice-presidents that the contributions to the Committee would be handled in some other way. Apparently, David Goldman directed Joseph Smith to return the contribution checks to the vice-presidents. One individual testified:

> My recollection is that the others turned in checks; that shortly after the checks were received Mr. Smith turned the checks back and said Mr. Goldman would handle the money some other way.

Joseph Smith and the ten individuals associated with the Fellows Corporation attended the fundraiser at David Goldman's home on August 15, 1987. The Fellows Corporation reimbursed the vice-presidents for the travel expenses associated with the trip to attend the fundraising dinner at David Goldman's home.

By treasurer's checks dated August 12, 1987, ten contributions were made to the Committee in the amount of $1,000 each. The treasurer's checks were issued by Olympic International Bank and Trust Company ("Olympic Bank") in Boston, Massachusetts, and consecutively numbered, with one exception. The names and addresses of the contributors were uniformly typed on the treasurer's checks. On each treasurer's check, "Haig for President" was uniformly typed on the payee line.

The Commission has learned that David Goldman purchased the ten treasurer's checks from the bank on August 12, 1987. Olympic Bank charged David Goldman's checking account, at his request, to offset the total amount of the treasurer's checks.

Under 2 U.S.C. § 441f, it is unlawful for a person to

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contribute to a political committee in the name of another person, or for a person to knowingly permit his name to be used to effect such a contribution. Under 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committee with respect to any election for federal office which, in the aggregate, exceed $1,000.

From the information available thus far, it appears that Joseph Smith solicited and collected contributions in the name of another, but later returned the contribution checks at the direction of David Goldman. Approximately one week later, David Goldman purchased ten treasurer's checks from Olympic Bank for the purpose of making contributions in the name of another in connection with a fundraising dinner held at his home. The ten treasurer's checks were accepted by the Committee as contributions from the ten individuals whose names appeared on the treasurer's check.

In summary, it appears that David Goldman actively participated in the scheme to induce employees of the Fellows Corporation and their spouses to make political contributions to the Haig for President Committee by an offer of reimbursement for such contributions. Furthermore, it appears that David Goldman actively participated in the making of contributions in the names of five employees of the Fellows Corporation and their spouses in the form of ten treasurer's checks issued by Olympic Bank. It appears that David Goldman engaged in the above activities in order to circumvent the prohibitions of 2 U.S.C. §§ 441a(a)(1)(A) and 441f. Therefore,

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there is reason to believe David Goldman knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

June 19, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Smith
The Fellows Corporation
Precision Drive
P.O. Box 851
Springfield, Vermont 05156

RE: MUR 2717
Joseph Smith

Dear Mr. Smith:

On June 3, 1992, the Federal Election Commission found that there is reason to believe you knowingly and willfully violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

Furthermore, pursuant to its investigation of this matter, the Commission has issued the attached subpoena requiring you to appear and give sworn testimony on July 16, 1992. You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise 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 or other communications from the Commission.

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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, requests for pre-probable cause conciliation will not be entered after briefs on probable cause have been mailed to the respondent.

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. Within two days of your receipt of this notification, please confirm the scheduled appearance with Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens
Chairman

Enclosures
Subpoena
Factual and Legal Analysis
Procedures
Designation of Counsel Form

3504351347

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
)

SUBPOENA

TO: Joseph Smith
The Fellows Corporation
Precision Drive
P.O. Box 851
Springfield, Vermont 05156

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to certain contributions to Haig for President. Notice is hereby given that the deposition is to be taken on July 16, 1992 at the Federal Building, 11 Elmwood Avenue, Burlington, Vermont 05401, beginning at 11:00 a.m. and continuing each day thereafter as necessary.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this 18th day of June, 1992.

Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joseph Smith MUR: 2717

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained that there was a possibility of a violation of the Federal Election Campaign Act of 1971, as amended, (the "Act") by Joseph Smith. This possible violation concerns contributions made to the Haig for President Committee (the "Committee") in 1987.

The Commission has learned that contributions to the Committee were reported from ten individuals associated with the Fellows Corporation. Four of the individuals who were reported as contributors admitted that they each wrote a check in the amount of $2,000 to Haig for President in response to Joseph Smith's direction to do so during a meeting held at the Fellows Corporation. These four individuals were vice-presidents of the Fellows Corporation at the time. Joseph Smith was the President of the Fellows Corporation. The $2,000 checks were intended to represent $1,000 contributions from each of the vice-presidents and their spouses. The four contribution checks were delivered to Joseph Smith.

One individual testified that he also was present at the meeting when Joseph Smith directed the vice-presidents to write contribution checks to the Committee, but did not recall writing a contribution check to Haig for President in response to the request by Joseph Smith.

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The information available indicates that these contribution checks were solicited in connection with a $1,000 a plate fundraising dinner. The fundraiser was held on August 15, 1987 at the home of David Goldman, the President of the Goldman Financial Group Inc. The Fellows Corporation is owned indirectly by the Goldman Financial Group Inc. Each of the five vice-presidents received written invitations to attend the fundraising dinner at David Goldman's home. One individual testified that the vice-presidents of the Fellows Corporation were invited to attend the fundraising dinner because " . . . Mr. Goldman made some sort of commitment to the campaign of General Haig and asked for support from us."

One individual testified that Joseph Smith had indicated that the vice-presidents would be reimbursed for their contributions to the Committee:

> A: There was an indication that somehow we would be reimbursed for whatever we put into it.
>
> Q: What was the indication?
>
> A: That the company or Goldman would make us whole, would reimburse us.
>
> Q: That's what Mr. Smith told you?
>
> A: Yes.
>
> Q: Where did this take place?
>
> A: At Fellows.

As explained below, the vice-presidents were not reimbursed for contribution checks that they had written to the Committee.

Within several days after the four contribution checks were

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delivered to Joseph Smith, Joseph Smith returned the checks to the four vice-presidents who had written them. Joseph Smith informed the four vice-presidents that the contributions to the Committee would be handled in some other way. Apparently, David Goldman directed Joseph Smith to return the contribution checks to the vice-presidents. One individual testified:

> My recollection is that the others turned in checks; that shortly after the checks were received Mr. Smith turned the checks back and said Mr. Goldman would handle the money some other way.

Joseph Smith and ten individuals associated with the Fellows Corporation attended the fundraiser at David Goldman's home on August 15, 1987. The Fellows Corporation reimbursed the vice-presidents for the travel expenses associated with the trip to attend the fundraising dinner at David Goldman's home.

By treasurer's checks dated August 12, 1987, ten contributions were made to the Committee in the amount of $1,000 each. The treasurer's checks were issued by Olympic International Bank and Trust Company ("Olympic Bank") in Boston, Massachusetts, and were consecutively numbered, with one exception. The names and addresses of the contributors were uniformly typed on the treasurer's checks. On each treasurer's check, "Haig for President" was uniformly typed on the payee line.

Under 2 U.S.C. § 441f, it is unlawful for a person to contribute to a political committee in the name of another person, or for a person to knowingly permit his name to be used to effect such a contribution.

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From the information available thus far, it appears that Joseph Smith solicited and collected contributions in the name of another, but later returned the contribution checks. Approximately one week later, ten treasurer's checks were purchased from Olympic Bank for the purpose of making contributions in the name of another in connection with a fundraising dinner held at his home. The ten treasurer's checks were accepted by the Committee as contributions from the ten individuals whose names appeared on the treasurer's check.

In summary, it appears that Joseph Smith actively participated in the scheme to induce employees of the Fellows Corporation and their spouses to make political contributions to the Haig for President Committee by an offer of reimbursement for such contributions. Furthermore, it appears that Joseph Smith actively participated in the scheme to make contributions in the names of five employees of the Fellows Corporation and their spouses in the form of ten treasurer's checks issued by Olympic Bank. It appears that Joseph Smith engaged in the above activities in order to circumvent the prohibitions of 2 U.S.C. § 441f. Therefore, there is reason to believe Joseph Smith knowingly and willfully violated 2 U.S.C. § 441f.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Heidi Saraceno) MUR 2717
Pauline Saraceno)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that Heidi Saraceno and Pauline Saraceno violated 2 U.S.C. § 441f. On March 12, 1992, this Office forwarded briefs regarding probable cause to these respondents. This Report contains a recommendation regarding probable cause.

II. ANALYSIS

This Office's analysis of the respondents' liability in this matter is contained in the General Counsel's briefs signed on March 11, 1992. Neither of the respondents submitted a response to the General Counsel's brief. As stated in the briefs, the investigation has not revealed information which demonstrates that Olympic Bank reimbursed Heidi Saraceno or Pauline Saraceno for their contributions to the Haig for President Committee. Therefore, this Office recommends that the Commission find no probable cause to believe Heidi Saraceno and Pauline Saraceno violated 2 U.S.C. § 441f.

III. RECOMMENDATIONS

1. Find no probable cause to believe that Heidi Saraceno and Pauline Saraceno violated 2 U.S.C. § 441f and close the file as it pertains to these respondents.

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2. Approve the appropriate letters.

6/2/92
Date

Lawrence M. Noble
General Counsel

Staff Assigned: Mary P. Mastrobattista

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Heidi Saraceno;	)	MUR 2717
Pauline Saraceno.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 8, 1992, the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Find no probable cause to believe that Heidi Saraceno and Pauline Saraceno violated 2 U.S.C. 441f and close the file as it pertains to these respondents.

2. Approve the appropriate letters, as recommended in the General Counsel's Report dated June 3, 1992.

Commissioners Elliott, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioners Aikens and Potter did not cast votes.

Attest:

6-8-92
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., June 3, 1992 10:02 a.m.
Circulated to the Commission: Wed., June 3, 1992 11:00 a.m.
Deadline for vote: Mon., June 8, 1992 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 1992

Heidi Saraceno
197 Blake Street
Newton, MA 02160

RE: MUR 2717
Heidi Saraceno

Dear Ms. Saraceno:

This is to advise you that on June 8, 1992, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 1992

Pauline Saraceno
553 Winthrop Street
W. Medford, MA 02155

RE: MUR 2717
Pauline Saraceno

Dear Ms. Saraceno:

This is to advise you that on June 8, 1992, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 441f. Accordingly, the file in this matter has been closed as it pertains to you.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ingeborg Saraceno) MUR 2717 **SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that Ingeborg Saraceno violated 2 U.S.C. § 441f. On March 12, 1992, this Office forwarded Ingeborg Saraceno a brief regarding probable cause. For the reasons stated below, this Office recommends that the Commission take no action at this time regarding a probable cause finding against Ingeborg Saraceno.

II. ANALYSIS

On March 12, 1992, this Office forwarded Ingeborg Saraceno a brief recommending that the Commission find no probable cause to believe that she violated 2 U.S.C. § 441f. Ingeborg Saraceno did not submit a response to the General Counsel's brief. The analysis in the General Counsel's brief was based upon the fact that the investigation in this matter had not revealed information demonstrating that Ingeborg Saraceno was reimbursed by Olympic Bank for her contribution to the Haig for President Committee.

During the course of reviewing the Audit Referral for MUR 3367, this Office discovered that Ingeborg Saraceno also contributed to Dole for President, and possibly had been reimbursed for her contributions to Haig for President and Dole

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for President by Saracen Investments or Kurt Saracen Associates. Accordingly, this Office recommends that the Commission take no action regarding a probable cause finding against Ingeborg Saraceno until we have completed our review of available evidence in MUR 3367.

III. RECOMMENDATIONS

1. Take no action regarding a probable cause to believe finding against Ingeborg Saraceno at this time.

2. Approve the appropriate letter.

Date 6/3/92

Lawrence M. Noble
General Counsel

Staff Assigned: Mary P. Mastrobattista

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ingeborg Saraceno.) MUR 2717

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 8, 1992, the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Take no action regarding a probable cause to believe finding against Ingeborg Saraceno at this time, as recommended in the General Counsel's Report dated June 3, 1992.

2. Approve the appropriate letter, as recommended in the General Counsel's Report dated June 3, 1992.

Commissioners Elliott, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioners Aikens and Potter did not cast votes.

Attest:

6-8-92
Date

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

Received in the Secretariat: Wed., June 3, 1992 10:02 a.m.
Circulated to the Commission: Wed., June 3, 1992 11:00 a.m.
Deadline for vote: Mon., June 8, 1992 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 23, 1992

Ingeborg Saraceno
15 Surrey Road
Newton, MA 02159

RE: MUR 2717
Ingeborg Saraceno

Dear Mrs. Saraceno:

This is to advise you that on June 8, 1992, the Federal Election Commission determined to take no action regarding a probable cause to believe finding against you at this time. The Commission's determination was based upon information in another matter that indicates that you may have committed a violation of the Federal Election Campaign Act of 1971, as amended. This Office will notify you as soon as the Commission has made a determination regarding the other matter.

If you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 19, 1992

Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

RE: MUR 2717
Frederick H. Shea, III

Dear Mr. Shea:

Pursuant to our telephone conversation on June 10, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Accordingly, I have made the changes that we discussed and I am submitting the declaration to you for your signature. Please sign it and return it to me within ten days. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Enclosure
Declaration

0504351302

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Frederick H. Shea, III makes the following declaration:

1. I reside at 1439 Central Street, Stoughton, Massachusetts, 02072.

2. I formerly was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Dennis Morancy, an employee of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts. It is my understanding that Mr. Morancy was asking me to contribute to Haig for President on behalf of Donald E. Cooke, Jr., President of Trade Winds Systems.

b. In response to the offer of reimbursement, I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Dennis Morancy gave me $250 in cash on behalf of Donald E. Cooke, Jr. as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. through Dennis Morancy represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Dennis Morancy, Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Frederick H. Shea, III

Executed on June _____, 1992.

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OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF)
) MUR 2717
)

DECLARATION

Pursuant to 28 U.S.C. § 1746, Anthony DiBona makes the following declaration:

1. I reside at 22 Twilight Drive, Foxboro, Massachusetts, 02035.

2. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 23, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. Prior to making the contribution I asked Donald E. Cooke, Jr. whether this transaction was proper. In response to my question, Donald E. Cooke, Jr. told me that this transaction was proper to the best of his knowledge.

c. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

d. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

3. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

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4. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Anthony DiBona

Executed on June 16, 1992.

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Federal Election Commission
Washington D.C.

June 16 1992

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUN 19 PM 3:44

Attn: Tamara Kapper
R.E.: Declaration MUR 2717

Dear Ms. Kapper

I wanted to enclose this note as part of my declaration to record also the items we spoke of in May 1992 when you called me.

Basically that would be that you said to me that other working associates I knew at Trade Winds had also furnished you with the same signed declarations already.

Also to reiterate that I have no other allegiance to Donald Cooke other than the truth, and along that line I must again tell you that in all the time I knew him he was one of the most non political persons I ever knew. His interest was the survival of his business. I offer this in the spirit that whatever obligation I felt to "do the required thing", it is my feeling that Mr Cooke was under the same

invisible but oppressive weight.

Respectfully
Anthony P. DiSanza

P.S.

As you have stated and as I would expect, this transaction ends all further pursuit of ~~the~~ Federal Election Commission.

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BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

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OFFICE OF GENERAL COUNSEL
92 JUN 29 PM 3:47

DECLARATION

Pursuant to 28 U.S.C. § 1746, Richard Knowlton makes the following declaration:

1. I reside at 23 Bay Road, Center Ossipee, New Hampshire, 03814.

2. I formerly was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Richard Knowlton

Executed on June 24, 1992.

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NIXON, HALL AND HESS
PROFESSIONAL ASSOCIATION
Attorneys at Law
Eighty Merrimack Street
Manchester, New Hampshire 03101

TELEPHONE 603-669-8080
WATS 1-800-343-1263
FAX 603-669-0903

DAVID L. NIXON
MICHAEL P. HALL
DAVID W. HESS
FRANK E. KENISON
EDWARD W. STEWART, JR.
LESLIE C. NIXON
FRANCIS G. MURPHY, JR.
JOSEPH F. KEEFE
NICHOLAS D. BROWN
KATHRYN B. JOHNSTON

ROBERT E. RAICHE,
Of Counsel

June 26, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUN 29 PM 3:47

Mary P. Mastrobattista, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2717
Richard Knowlton

Dear Attorney Mastrobattista:

Enclosed please find a Declaration executed by Mr. Knowlton as per your correspondence of June 3, 1992. Would you please copy me on your office's recommendation to the Federal Election Commission and the action, if any, that the Commission will take on it.

Thank you for your attention to this request.

Very truly yours,

David W. Hess

David W. Hess jec.

DWH:jec
Enclosure

2504365130

GCC 5081

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

JUL 6 4 35 PM '92

HUTCHINS & WHEELER
COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

June 30, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL -7 AM 10:41

Mary P. Mastrobattista, Esquire
Office of The General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 2717; Victor Nicolazzo and Judith Curtin

Dear Attorney Mastrobattista:

Based on our telephone conversation yesterday, I am writing to request a one week extension, until August 3, 1992, to respond to the Federal Election Commission's offer to resolve MUR 2717 concerning Victor Nicolazzo and Judith Curtin by pursuing pre-probable cause conciliation. I request this extension because John P. Connelly, the attorney formerly working on this case, is no longer with this firm. I have recently become involved with this case, and require one additional week to become familiar with the facts and respond to the Conciliation Agreements proposed by the Federal Election Commission.

As I indicated on the telephone, we are interested in proceeding with a resolution of this matter, and believe that the additional week will facilitate such resolution. Thank you for your consideration of this request. I look forward to hearing from you.

You should also know that Olympic International Bank and Trust Company ("Olympic") was put into receivership by the FDIC on Friday, June 26, 1992 at 4:30 p.m. Accordingly, this firm will no longer be representing Olympic in connection with any further proceedings against Olympic by the Federal Election Commission.

Very truly yours,

Jo Anne Rosenblum

JAR:ssb/1075r

cc: John D. Hughes, Esq.

2504365131

CHC 5104

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE SECRETARY
92 JUL 8 PM 5:06

LAW OFFICES

SONOSKY, CHAMBERS, SACHSE & ENDRESON

SUITE 1000
1250 EYE STREET, N.W.
WASHINGTON, D.C. 20005
(202) 682-0240
TELECOPIER (202) 682-0249

MARVIN J. SONOSKY
HARRY R. SACHSE
REID PEYTON CHAMBERS
WILLIAM R. PERRY
LLOYD BENTON MILLER
DONALD J. SIMON
DOUGLAS B.L. ENDRESON*
MYRA M. MUNSON**
ANNE D. NOTO
KAY E. MAASSEN GOUWENS**
JAMES K. KAWAHARA***
RICHARD A. POULIN****

OF COUNSEL
TASSIE M.K. HANNA
ROGER W. DuBROCK**

*WISCONSIN BAR
**ALASKA BAR
***CALIFORNIA BAR
****COLORADO BAR

ANCHORAGE OFFICE
SUITE 700
900 WEST FIFTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 258-6377
TELECOPIER (907) 272-8332

LLOYD BENTON MILLER
KAY E. MAASSEN GOUWENS
RICHARD A. POULIN

JUNEAU OFFICE
229 FOURTH STREET
JUNEAU, ALASKA 99801
(907) 586-5880
TELECOPIER (907) 586-5883

MYRA M. MUNSON

July 8, 1992

HAND DELIVERED

Mary Mastrobattista, Esquire
Office of the General Counsel
Room 643
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2717

Dear Ms. Mastrobattista:

As we discussed in our telephone conversation today, I am representing Joseph Smith in the above-captioned matter. I am enclosing a Designation of Counsel form from Mr. Smith.

As I explained in our conversation, Mr. Smith retired from the Fellows Corporation in early 1991 and moved to Florida. The Commission's letter to him of June 19, 1992 was sent to his former place of employment at Fellows in Vermont. Mr. Smith did not sign for the letter upon its receipt by Fellows, and Mr. Smith did not actually receive the letter until July 6, 1992, after it was forwarded by Fellows.

I am writing to request a continuance of the deposition of Mr. Smith, scheduled for July 16, 1992. As I explained to you, Mr. Smith has a recent history of serious cardiac illness,

Under these circumstances, we request that Mr. Smith's deposition be continued until his

2504365132

health reasonably permits him to review the matters at issue here and to undergo the rigors of deposition testimony.

I also note that the notice contemplates Mr. Smith's deposition will be taken in Vermont. Because he is now retired from Fellows and resides in Florida, I request that any future deposition be conducted in Florida, at a location convenient to Mr. Smith's current residence.

Thank you for your consideration of these matters.

Sincerely,

Donald J. Simon

DJS/cmt
Enclosure
Copy to:
Mr. Joseph W. Smith

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

92 JUL -8 PM 5:06

MUR 2717

NAME OF COUNSEL: DONALD J. Simon (SONOSKY, CHAMBERS & SACHSE)

ADDRESS: SUITE 1000, 1250 EYE STREET N.W.
WASHINGTON, D.C. 20005

TELEPHONE: 202-682-0240

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.

JULY 7, 1992
Date

Joseph W. Smith
Signature

RESPONDENT'S NAME: JOSEPH W. SMITH

ADDRESS: 3437 WINDING OAKS DRIVE
LONGBOAT KEY, FLORIDA 34228

HOME PHONE: 813-383-8278

~~BUSINESS PHONE~~: FAX AT HOME 813-383-5917

95043551304

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

JUL 10 1 55 PM '92

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

July 9, 1992

JAN WITOLD BARAN
(202) 429-7330

FACSIMILE
(202) 429-7049
TELEX 248349 WYRN UR

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 14 AM 11:57

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

Re: MUR 2717 (David Goldman)

Dear Mr. Noble:

This letter confirms my telephone conversation on this date with Ms. Mary Mastrobattista of your staff. Please be advised that this office represents Mr. David Goldman in the above-captioned Matter. Enclosed please find an executed Designation of Counsel form.

I have been advised that Mr. Goldman is out of the country on a business-related trip and will not be returning until July 29, 1992. Accordingly, he will not appear for deposition on July 17, 1992 as requested in the subpoena of June 18, 1992.

I expect to confer with Mr. Goldman upon his return to the United States and thereafter apprise your office about his availability.

Sincerely,

Jan Witold Baran

rpb
Encl.

9504361365

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2717

NAME OF COUNSEL: Jan W. Baran

ADDRESS: Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

TELEPHONE: (202) 429-7330

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.

7/1/92
Date

Signature

RESPONDENT'S NAME: David L. Goldman

ADDRESS: Goldman Financial Group, Inc.
One Post Office Square
Suite 4100
Boston, MA 02109

HOME PHONE:

BUSINESS PHONE:

2504351336

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 17, 1992

Jo Anne Rosenblum, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Victor Nicolazzo
Judith Curtin

Dear Ms. Rosenblum:

This is in response to your letter dated June 30, 1992, which we received on July 7, 1992, requesting an extension of one week to the thirty day period for pre-probable cause conciliation for Victor Nicolazzo and Judith Curtin. Pursuant to our telephone conversation on July 17, 1992, it is my understanding that you are forwarding to this Office a signed conciliation agreement and civil penalty check for Victor Nicolazzo. After considering the circumstances presented in your letter and our subsequent telephone conversation, the Office of the General Counsel has granted the requested extension for Judith Curtin. Accordingly, your response is due by the close of business on August 3, 1992.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504365130 7

HUTCHINS & WHEELER
COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

July 17, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
92 JUL 21 PM 3:17

Mary P. Mastrobattista, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 2717; Victor Nicolazzo

Dear Mary:

In response to your letter dated June 19, 1992, in which you, on behalf of the Federal Election Commission, offered to pursue pre-probable cause conciliation, I enclose an executed Conciliation Agreement on behalf of Victor Nicolazzo as well as a check in the amount of $750.00. Once Lawrence M. Noble, General Counsel, executes this Conciliation Agreement, please send a copy of the Conciliation Agreement to me.

Very truly yours,

Jo Anne Rosenblum

Jo Anne Rosenblum

JAR:ssb/1460r

Enclosures

cc: John D. Hughes, Esquire (w/out enclosures)
Mr. Victor A. Nicolazzo, Jr. (w/enclosures)

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
JUL 21 11 08 AM '92

To Her Copy

OGC 5256

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 21, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 21 PM 3:16

TWO WAY MEMORANDUM

TO: Virginia Whitted
OGC, Docket

FROM: Philomena Brooks
Accounting Technician

SUBJECt: Account Determination for Funds Received

We recently received a check from HUTCHINS & WHEELER, check number 4447, dated JULY 16, 1992, and in the amount of $ 750.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician

FROM: Virginia Whitted
OGC, Docket

In reference to the above check in the amount of $ 750.00, the MUR number is 2717 and in the name of VICTOR NICOLAZZO. The account into which it should be deposited is indicated below:

xxx Budget Clearing Account (OGC), 95F3875.16

__ Civil Penalties Account, 95-1099.160

__ Other: _____

Virginia Whitted
Signature

July 21,1992
Date

HUTCHINS & WHEELER

COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MA 02110

5-123/110

4447

PAY EXACT 75000 CTS DOLLARS

DATE	TO THE ORDER OF
7/16/92	Federal Election Commission (Decology)

CHECK AMOUNT
750.00

HUTCHINS & WHEELER
ATTORNEYS ACCOUNT

BOSTON SAFE DEPOSIT AND TRUST COMPANY
BOSTON, MASSACHUSETTS

⑈004447⑈ ⑆011001234⑆ 14⑉417⑉7⑈

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 30, 1992

Daniel F. O'Hara, Jr.
P.O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Daniel F. O'Hara, Jr.

Dear Mr. O'Hara:

Pursuant to our telephone conversation on July 28, 1992, enclosed please find a declaration attesting to the circumstances of your contribution to Haig for President. Please review the declaration carefully to ensure that it accurately reflects the facts of this matter. If the declaration is not accurate, please contact me immediately so that I can make any necessary changes. If the declaration is accurate, please sign it and return it to me within ten days of receipt in the enclosed pre-addressed envelope. It is not necessary to have the declaration notarized.

Thank you for your cooperation in this matter. If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Tamara Kapper

Tamara Kapper

Enclosures
Declaration
Envelope

2504365141

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Daniel F. O'Hara, Jr., makes the following declaration:

1. I reside at 373 Great Road, Lincoln, Rhode Island, 02865.

2. I was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504351402

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

_____
Daniel F. O'Hara, Jr.

Executed on August _____, 1992.

0504365143

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Aug 5 12 46 PM '92

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

92 AUG -5 PM 4: 13

RECEIVED
FEDERAL ELECTION COMMISSION

DECLARATION

Pursuant to 28 U.S.C. § 1746, Frederick H. Shea, III makes the following declaration:

1. I reside at 1439 Central Street, Stoughton, Massachusetts, 02072.

2. I formerly was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Dennis Morancy, an employee of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts. It is my understanding that Mr. Morancy was asking me to contribute to Haig for President on behalf of Donald E. Cooke, Jr., President of Trade Winds Systems.

b. In response to the offer of reimbursement, I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Dennis Morancy gave me $250 in cash on behalf of Donald E. Cooke, Jr. as reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. through Dennis Morancy represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

9504365144

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Dennis Morancy, Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Frederick H. Shea, III

Executed on ~~June~~ aug 3, 1992.

95043651405

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Aug 7 2 24 PM '92

HUTCHINS & WHEELER
COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 951-6600
TELECOPIER (617) 951-1295
TELEX 94-0691

IN FALMOUTH
159 TOWN HALL SQUARE
FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 540-6303

August 5, 1992

Mary P. Mastrobattista, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 2717; Judith Curtin

Dear Mary:

In connection with the Federal Election Commission's ("FEC") investigation of Judith Curtin, I enclose the Conciliation Agreement proposed by the FEC, executed by Judith Curtin together with this firm's check in the amount of $500.00. Once Lawrence M. Noble, General Counsel, executes this Conciliation Agreement, please forward a copy of the Conciliation Agreement to me.

Please call me at (617) 951-6916 if you have any questions.

Very truly yours,

Jo Anne Rosenblum

JAR:ssb/1857r

Enclosures

cc: Ms. Judith Curtin (w/enclosure)
John D. Hughes, Esquire (w/out enclosure)

OGC 6042

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 10, 1992

TWO WAY MEMORANDUM

TO: Virginia Whitted
OGC, Docket

FROM: Philomena Brooks
Accounting Technician

SUBJECt: Account Determination for Funds Received

We recently received a check from Hutchins & Wheeler, check number 4489, dated August 4, 1992, and in the amount of $ 500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

==========

TO: Philomena Brooks
Accounting Technician

FROM: Virginia Whitted
OGC, Docket

In reference to the above check in the amount of $ 500.00, the MUR number is 2717 and in the name of Judith Curtin. The account into which it should be deposited is indicated below:

xxxx Budget Clearing Account (OGC), 95F3875.16

__ Civil Penalties Account, 95-1099.160

__ Other: _____

Virginia Whitted
Signature

8/10/92
Date

95034351427

5-123/110

4489

HUTCHINS & WHEELER

COUNSELLORS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
101 FEDERAL STREET
BOSTON, MA 02110

PAY EXACTLY 500 00 CTS DOLLARS

DATE	TO THE ORDER OF
8/4/92	Federal Election Commission Judith Easton

CHECK AMOUNT
500 00

HUTCHINS & WHEELER
ATTORNEYS ACCOUNT

BOSTON SAFE DEPOSIT AND TRUST COMPANY
BOSTON, MASSACHUSETTS

⑈004489⑈ ⑆011001234⑆ 14⑈417⑈ 7⑈

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Aug 12 12 05 PM '92

92 AUG 12 PM 3:20
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF) MUR 2717

DECLARATION

Pursuant to 28 U.S.C. § 1746, Daniel F. O'Hara, Jr., makes the following declaration:

1. I reside at 373 Great Road, Lincoln, Rhode Island, 02865.

2. I was employed at Trade Winds Systems, 79 Cedar Street, Canton, Massachusetts, 02021.

3. On or about September 24, 1987, while employed at Trade Winds Systems, I made a $250 contribution to Haig for President. The circumstances of this contribution are as follows:

a. On or about September 24, 1987, Donald E. Cooke, Jr., President of Trade Winds Systems, initiated a conversation during which he offered to reimburse me if I would make a contribution to Haig for President in connection with a fundraising event to be held at Faneuil Hall in Boston, Massachusetts.

b. In response to the offer of reimbursement from Donald E. Cooke, Jr., I wrote a check to Haig for President, dated September 24, 1987, in the amount of $250.

c. On or about September 24, 1987, Donald E. Cooke, Jr. gave me $250 in cash as a reimbursement for my check to Haig for President.

4. The $250 I received from Donald E. Cooke, Jr. represented reimbursement for my check to Haig for President and was not a gift, loan, bonus, gratuity, or compensation for employment.

2504351469

5. At no time did I consider the $250 reimbursement to be a loan, or that I was under any obligation to repay Donald E. Cooke, Jr. or Trade Winds Systems for the $250 received from Donald E. Cooke, Jr.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Daniel F. O'Hara, Jr.

Executed on August 8, 1992.

9504365410

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 21, 1992

Jan Witold Baran, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2717
David Goldman

Dear Mr. Baran:

On June 19, 1992, your client was notified that the Commission found reason to believe he knowingly and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. On that same date, the Commission issued a subpoena ordering your client to appear for a deposition on July 17, 1992.

At your request, the deposition was postponed due to your client's travel out of the country. In your letter of July 9, 1992, you stated that you would confer with your client upon his return to the United States and contact this Office regarding his availability. Since the time of your request, you have not contacted this Office to re-schedule your client's deposition. Accordingly, you are requested to contact me at (202) 219-3400 upon receipt of this letter so that we may re-schedule the deposition at a mutually agreeable time and location.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504365141

RECEIVED
F.E.C.
SECRETARIAT
92 AUG 20 PM 4:53

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717 **SENSITIVE**
Judith Curtin)
Victor Nicolazzo)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are conciliation agreements which have been signed by Judith Curtin and counsel for Victor Nicolazzo.

The attached agreements contain no changes from the agreements approved by the Commission on June 3, 1992. A check in the amount of $500.00 has been received for Judith Curtin's civil penalty. A check in the amount of $750 has been received for Victor Nicolazzo's civil penalty.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreements with Judith Curtin and Victor Nicolazzo.

2. Close the file as to these respondents.

3. Approve the appropriate letters.

August 20, 1992
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Attachments
1. Conciliation Agreements
2. Photocopy of civil penalty checks

Staff Assigned: Mary P. Mastrobattista

2504365-412

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Judith Curtin;	)	MUR 2717
Victor Nicolazzo.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 26, 1992, the Commission decided by a vote of 5-0 to take the following actions in MUR 2717:

1. Accept the conciliation agreements with Judith Curtin and Victor Nicolazzo, as recommended in the General Counsel's Report dated August 20, 1992.

2. Close the file as to these respondents.

3. Approve the appropriate letters, as recommended in the General Counsel's Report dated August 20, 1992.

Commissioners Aikens, Elliott, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioner Potter recused himself from this matter.

Attest:

8-26-92
Date

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

Received in the Secretariat: Thurs., August 20, 1992 4:53 p.m.
Circulated to the Commission: Fri., August 21, 1992 12:00 p.m.
Deadline for vote: Wed., August 26, 1992 4:00 p.m.

dr

2504365141 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 2, 1992

Jo Anne Rosenblum, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Judith Curtin and
Victor Nicolazzo

Dear Ms. Rosenblum:

On August 26, 1992, the Federal Election Commission (the "Commission") accepted the signed conciliation agreement and civil penalty submitted on behalf of Judith Curtin in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). On that same date, the Commission also accepted the signed conciliation agreement and civil penalty submitted on behalf of Victor Nicolazzo in settlement of a violation of 2 U.S.C. §§ 441a(a)(1)(A) and 441f. Accordingly, the file has been closed in this matter as it pertains to Judith Curtin and Victor Nicolazzo.

This matter will become public within 30 days after it has been closed with respect to all other respondents involved. 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 agreements, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

2504351414

Enclosed you will find a copy of the fully executed conciliation agreements for your files. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

Enclosures
Conciliation Agreements (2)

9504365141

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Judith Curtin	)	MUR 2717
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Judith Curtin ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the 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, Judith Curtin, is an individual.

2. Respondent made a $1,000 contribution to Haig for President in the name of her son, Matthew Curtin, on September 22, 1987.

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3. This contribution was made by an Olympic Bank treasurer's check dated September 22, 1987 in the amount of $1,000 payable to Haig for President.

4. Respondent purchased the treasurer's check in the name of her son with her personal check #121, dated September 22, 1987, in the amount of $1,000.

5. Respondent printed the following information at the top of the treasurer's check: "Matthew L. Curtin (Student, Age 18, from Trust Acc't.), 39 Maugus Hill Road, Wellesley Hills, Ma. 02181."

6. The source of funds for the $1,000 contribution was Respondent's personal checking account, and not a trust account in the name of Matthew Curtin.

7. 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

V. Respondent made a contribution to a candidate for federal office in the name of another person in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of five hundred dollars ($500), 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

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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 have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

9/1/92
Date

FOR THE RESPONDENT:

Judith I. Curtin
Name
Position

July 25, 1992
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Victor Nicolazzo) MUR 2717
)

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CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Victor Nicolazzo ("Respondent") violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

NOW, THEREFORE, the Commission and the 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, Victor Nicolazzo, is an individual.

2. Respondent made three contributions to Haig for President totaling $2,250. The first contribution was made on

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March 30, 1987 by personal check in the amount of $250. The second contribution was made on April 28, 1987 by personal check in the amount of $1,750.

3. Respondent also made a $250 contribution to Haig for President on September 24, 1987 in the name of Susan Fraser.

4. On or before September 24, 1987, Respondent asked Susan Fraser to make a $250 contribution to Haig for President in her name and stated that he would later reimburse her for the contribution. In response to Respondent's request, Susan Fraser wrote a personal check (# 110) to Haig for President, dated September 24, 1987, in the amount of $250.

5. Respondent later reimbursed Susan Fraser for the $250 contribution that she had made to Haig for President.

6. 2 U.S.C. § 441a(a)(1)(A) provides that no person shall make a contribution to any candidate and his authorized political committees with respect to any election for federal office which, in aggregate, exceed $1,000.

7. 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

V. 1. Respondent contributed $2,250 to Haig for President, resulting in an excessive contribution of $1,250 in violation of 2 U.S.C. § 441a(a)(1)(A).

2. Respondent made a contribution to Haig for President in the name of another person in violation of 2 U.S.C. § 441f.

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VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of seven hundred fifty dollars ($750), 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 have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

Date 9/1/92

FOR THE RESPONDENT:

Name: John D. Hughes, Esquire
Position: Counsel for Respondent

Date 7/14/92

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 4, 1992

Donald J. Simon, Esq.
Sonosky, Chambers, Sachse & Endreson
Suite 1000
1250 Eye Street, N.W.
Washington, D.C. 20005

RE: MUR 2717
Joseph Smith

Dear Mr. Simon:

I am writing to confirm the deposition scheduled for your client on September 24, 1992. The deposition will take place in the second floor conference room of the Federal Building, 111 South Orange Ave., Sarasota, Florida beginning at 10:00 a.m.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

September 11, 1992

JAN WITOLD BARAN
(202) 429-7330

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(202) 429-7049
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RECEIVED
FEDERAL ELECTION COMMISSION

Mary P. Mastrobattista, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2717
David Goldman

Dear Ms. Mastrobattista:

This letter is to confirm our telephone conversation today at which time I advised you that my client, Mr. David Goldman, if he were to appear for a deposition at the request of the Commmission at this time, would assert his constitutional right not to testify.

I understand that the subpoena of June 18, 1992, has not been withdrawn. I further understand that, at this time, there is no time, date or place established at which your office expects Mr. Goldman to appear personally.

I trust that this accurately summarizes our conversation today.

Sincerely,

Jan Witold Baran

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 17, 1992

Donald J. Simon, Esq.
Sonosky, Chambers, Sachse & Endreson
Suite 1000
1250 Eye Street, N.W.
Washington, D.C. 20005

RE: MUR 2717
Joseph Smith

Dear Mr. Simon:

Pursuant to our conversation today, Joseph Smith's deposition, which was scheduled to take place on September 24, 1992, is postponed by mutual agreement. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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OGC 6465

LAW OFFICES
SONOSKY, CHAMBERS, SACHSE & ENDRESON
SUITE 1000
1250 EYE STREET, N.W.
WASHINGTON, D.C. 20005
(202) 682-0240
TELECOPIER (202) 682-0249

MARVIN J. SONOSKY
HARRY R. SACHSE
REID PEYTON CHAMBERS
WILLIAM R. PERRY
LLOYD BENTON MILLER
DONALD J. SIMON
DOUGLAS B.L. ENDRESON*
MYRA M. MUNSON**
ANNE D. NOTO
KAY E. MAASSEN GOUWENS**
JAMES K. KAWAHARA***
RICHARD A. POULIN****

OF COUNSEL
TASSIE M.K. HANNA
ROGER W. DuBROCK**

*WISCONSIN BAR
**ALASKA BAR
***CALIFORNIA BAR
****COLORADO BAR

ANCHORAGE OFFICE
SUITE 700
900 WEST FIFTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 258-6377
TELECOPIER (907) 272-8332

LLOYD BENTON MILLER
KAY E. MAASSEN GOUWENS
RICHARD A. POULIN

JUNEAU OFFICE
229 FOURTH STREET
JUNEAU, ALASKA 99801
(907) 586-5880
TELECOPIER (907) 586-5883

MYRA M. MUNSON

September 16, 1992

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FEDERAL ELECTION COMMISSION
RECEIVED
OFFICE OF GENERAL COUNSEL

HAND DELIVERED

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

Re: MUR 2717

Dear Ms. Mastrobattista:

This letter is to confirm the telephone discussion we had this morning concerning the scheduled deposition of Joseph Smith in the above-captioned MUR. It is Mr. Smith's position that he will assert his Fifth Amendment privilege in response to any inquiries at this time.

Sincerely,

Donald J. Simon

DJS/cmt

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Maureen Becker Taylor, Richard Clegg,	)	
Mary E. Cooke, Dennis M. Cooke,	)	
Donald A. Cooke, Jr., Bobby Cowart,	)	
Anthony DiBona, Arsene E. Frappier, Jr.,	)	
Gregory Gagnon, Richard Knowlton,	)	MUR 2717
Dennis Morancy, Daniel F. O'Hara, Jr.,	)	
Mary B. O'Hara, Frederick H. Shea, III,	)	
Nancy D. Stockus, Kimberly A. Stockus,	)	
Maureen A. White, Trade Winds Systems,	)	
and Olympic International Bank and Trust Company	)	

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GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 14, 1989, the Commission found reason to believe that the following respondents violated 2 U.S.C. § 441f in connection with certain contributions to the Haig for President Committee (the "Committee"): Maureen Becker Taylor, Richard Clegg, Mary E. Cooke, Dennis M. Cooke, Donald A. Cooke, Jr., Bobby Cowart, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus and Maureen A. White. On that same date, the Commission also found reason to believe Trade Winds Systems and Olympic International Bank and Trust Company ("Olympic Bank") violated 2 U.S.C. § 441b and 441f.

II. ANALYSIS

A. Trade Winds Systems

The Commission's reason to believe findings against Trade Winds Systems and the individual respondents associated

with Trade Winds Systems were based upon evidence which suggested the possibility of corporate reimbursement of contributions made to the Committee. For the reasons stated below, this Office now recommends that the Commission take no further action and close the file as to Nancy D. Stockus, Kimberly A. Stockus, Maureen Becker Taylor, Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, and Maureen A. White. Additionally, this Office intends to proceed to the next stage of the enforcement process with respect to Donald A. Cooke, Jr., Dennis M. Cooke, Mary E. Cooke and Bobby Cowart. Further, this Office makes no recommendation at this time concerning Trade Winds Systems.

The Interim Audit Report noted contributions to the Committee from seventeen individuals associated with Trade Winds Systems. Sixteen contributions were in the amount of $250. The other contribution, from Donald A. Cooke, Jr., was for $1,000.

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. Under 2 U.S.C. § 441b, it is unlawful for any corporation to make a contribution in connection with a federal election.

Donald Cooke is the president of Trade Winds Systems, a Massachusetts corporation. The investigation into this matter has revealed that Donald Cooke solicited $250 contributions to the Committee from Trade Winds Systems employees and their

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relatives. Donald Cooke then reimbursed these individuals in cash. The contributions were solicited in connection with a "salute to Al Haig" fundraiser held on September 26, 1987 at Faneuil Hall in Boston, Massachusetts.

During the investigation into this matter, this Office deposed Nancy Stockus, the former office manager for Trade Winds Systems. Nancy Stockus testified that she had worked for Trade Winds Systems for over ten years and had known Donald Cooke for twenty years. (Attachment 1, pages 2 and 5). Nancy Stockus described the details of the solicitation as follows:

> . . . [Donald Cooke] came out of his office and asked me -- you know, he told me about the -- the -- the fund raiser that they were holding for Haig. Would I be interested in going, and, obviously, I did not have $250.00. I wouldn't have -- Haig was not my candidate for President anyway.
>
> Would I write the check for him and Billy D. Williams was suppose (sic) to be at the campaign fund raiser, and he said, ya, you get to see Billy D. Williams and whatever, and he had me write the check and gave me the money for it, and I went home, had my daughter write the check, and came back, and he gave me the money for that.

(Attachment 1, pages 8-9). Nancy Stockus and her daughter, Kimberly Stockus, both wrote personal checks to Haig for President for $250 in response to Donald Cooke's request. Kimberly Stockus, who was nineteen years old, was not a Trade Winds Systems employee at the time she wrote her contribution check to the Committee. Nancy Stockus further testified that Donald Cooke reimbursed her in cash for her contribution and her daughter's contribution. (Attachment 1, pages 12-13, 24).

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Neither Nancy Stockus nor her daughter attended the fundraiser. (Attachment 1, pages 11 and 24).

Nancy Stockus testified that other Trade Winds Systems employees also wrote checks to the Committee for the fundraiser at Faneuil Hall at Donald Cooke's request. (Attachment 1, pages 14-16). Nancy Stockus also testified that Donald Cooke refused to accept a check from one employee. (Attachment 1, pages 17-18). Nancy Stockus stated: "He had the check, and Don didn't want it or didn't need it or whatever, and he didn't take it. So he ripped it up and that was it." (Attachment 1, page 18). Nancy Stockus only recalled one Trade Winds Systems employee, Anthony DiBona, who attended the fundraiser. (Attachment 1, page 23).

The investigation into this matter also has revealed that Dominic Saraceno, the treasurer of the Haig Committee, hosted the September 26, 1987 fundraiser at Faneuil Hall in Boston. Dominic Saraceno is the owner of Kurt Saracen Associates. Nancy Stockus testified that Trade Winds Systems had worked on various contracts for Kurt Saracen Associates for approximately six years. (Attachment 1, pages 20-22). Nancy Stockus testified that Dominic Saraceno was interested in a large turnout for the fundraiser:

> Q: Did Mr. Cook tell you, at the time, that what you were doing was proper?
>
> A: No, he -- I didn't ask him about it. He didn't -- all he -- like I said, all he told me was that they were interested in a good show at that -- the rally and would I write the check. I mean, that was -- that was about it.

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> Q: Who was interested in a good show at the rally?
>
> A: The guy that put on the -- the fund raiser, the Dom Seracino (sic).

(Attachment 1, page 19). Thus, Nancy Stockus' testimony indicates that Donald Cooke solicited the contributions to the Committee at the request of Dominic Saraceno.

This Office also deposed Maureen Becker Taylor, who was employed at Trade Winds Systems as a receptionist/secretary. Maureen Becker Taylor described the details of the solicitation as follows:

> The day that -- the day it happened, I was only in there for a few minutes. I went in, and Don Cooke and come up to me and asked if I would write a check for $250, and he gave me the cash for it.
>
> He said to write it out to Haig for President, and I said sure. I didn't think there was anything -- a problem at the time or anything.
>
> I just didn't even think of it. I was on my way out the door, so I had written out the check, and he had gave me the money, and that day -- I think I was out the rest of that day.

(Attachment 2, pages 2-3). Maureen Becker Taylor testified that she then went to the bank with the $250 in cash and "covered the check." (Attachment 2, page 3).

The testimony of Nancy Stockus and Maureen Becker Taylor indicates that Donald Cooke reimbursed Trade Winds Systems employees and their relatives in cash for the $250 contributions they made to the Committee. Donald Cooke's testimony, however, directly conflicts with their testimony. When this Office deposed Donald Cooke, he denied that he had reimbursed employees

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of Trade Winds Systems for their contributions to the Committee. Donald Cooke described the solicitation of contributions to the Committee as follows:

> Well, it was basically -- I think he was putting on a fund raiser here at Fanieul (sic) Hall, and we had learned that Billy D. Williams was going to be there. You know, free food, cocktails, chance to meet the would be president. That type of situation.
>
> I forget exactly. I know there was a con -- contribution involved, if you wanted to go to this affair at Fanieul (sic) Hall. So, you know, we brought it up. I brought it up, personally.
>
> When I say a meeting, it wasn't a type of, you know, we were all sitting in a room type situation and we're discussing, you know, pro and con of this guy and that type of thing.
>
> It was basically, you know, hey, there is a time going -- being held at Fanieul (sic) Hall, Alexander Haig is going to be there, again, Billy D. Williams. The whole thing sounds like a nice affair. Would you like to go. It involves a campaign contribution. I don't remember what it was at the time, whether it was $200.00 or whatever it was. That was basically the context of the meeting.

(Attachment 3, pages 2-3).

Donald Cooke then testified that he personally loaned money to some of the employees at Trade Winds Systems so they would be able to attend the fundraiser:

> Q: Were employees of Trade Wind Systems reimbursed for their contributions to the Haig Committee?
>
> A: Some.
>
> Q: Which employees?
>
> A: That I don't remember. I don't remember specific names, okay, Mary. I believe the course of events were some of the people said, gee, I'd love to go, but I just can't come up

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> with the hundred or two hundred bucks or whatever it was to go. I had said, well, look it, you know, I have personal money of my own. I'll make that -- you know, I'll give you the money to be able to do it, all right, and then pay me back, you know, 50 bucks a week, 10 bucks a week, you know, until it's cleared up. Some of them did it that way.
>
> Q: So you expected the employees to reimburse you for the money that you gave them to be able to attend the fund raiser?
>
> A: Yeah. There -- there was -- I don't remember who it was now, specifically, who did it, but there were some that did.
>
> Q: Did you ask the employees to sign a written loan agreement when you did this?
>
> A: No.

(Attachment 3, pages 15-16). Donald Cooke estimated that approximately twelve Trade Winds Systems employees contributed to the Committee in connection with the fundraiser. Of these twelve, Donald Cooke estimated that he loaned money to "three or four." (Attachment 3, pages 16-17). After reading a list of names of the Trade Winds Systems employees who had contributed to the Committee in connection with the fundraiser, Donald Cooke was able to identify only two employees who may have "borrowed" money from him to attend the fundraiser: Bobby Cowart and Frederick Shea. (Attachment 3, pages 19-21). Donald Cooke testified that none of the employees who "borrowed" money from him had paid him back. (Attachment 3, page 18). Furthermore, Donald Cooke testified that he had not asked any of these employees to repay him. (Attachment 3, page 19). After being reminded that he was under oath, Donald Cooke again denied that he, personally or as President of Trade Winds Systems,

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reimbursed any Trade Winds Systems employees for their contributions to the Committee. (Attachment 3, pages 32-34, 35-37).

Donald Cooke's deposition also focused on his relationship with Dominic Saraceno. Donald Cooke testified that he met Dominic Saraceno while working on a project for Kurt Saracen Associates. (Attachment 3, pages 3-4). Donald Cooke testified that he had "a couple" of telephone conversations with Dominic Saraceno concerning contributions to the Committee. (Attachment 3, pages 5-6). Donald Cooke testified that he attended a fundraiser for Alexander Haig at Dominic Saraceno's home, and made a contribution to the Committee in connection with that fundraiser.[1] (Attachment 3, pages 6-9). Donald Cooke also testified that he also learned of the fundraiser at Faneuil Hall through Dominic Saraceno. (Attachment 3, page 3).

Later in the deposition, Donald Cooke testified that he collected the contribution checks after asking the employees to contribute to the Committee. Donald Cooke was unable to recall what he did with the checks after he collected them, but he did recall filling out some forms in connection with the contribution checks:

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1. Donald Cooke made a $1,000 contribution to the Committee by check dated April 29, 1987. According to Committee records, Dominic Saraceno hosted a fundraiser in his home in Newton, Massachusetts on April 28, 1987. Donald Cooke testified that he attended the fundraiser at Dominic Saraceno's home with his girlfriend, Abigail Allard. A review of the Commission's contributor index indicates that Abigail Allard contributed $1,000 to the Committee on September 30, 1987. This Office does not intend to make a reason to believe recommendation as to Abigail Allard at this time.

> Q: And what did you do with [the checks]?
>
> A: I don't know. We had a -- I think we had to fill out some forms and stuff. I forget now. Let me see. I know there were some forms that had to be filled out. I think the checks were attached to the forms or something and put altogether, and then I think they were sent off to Washington or something. I really don't remember.

(Attachment 3, page 12). Donald Cooke testified that Dominic Saraceno had given Donald Cooke the contributor information cards "in order to keep everything the way things should be . . . ."[2] (Attachment 3, pages 27-29). Donald Cooke also testified that he delivered the "paperwork" associated with the contribution checks to Dominic Saraceno at Kurt Saracen Associates. (Attachment 3, page 13).

This Office believes that Donald Cooke's denial of reimbursing Trade Winds Systems employees and their relatives for their contributions to the Committee lacks credibility. As stated above, Donald Cooke's testimony directly conflicts with the testimony of Nancy Stockus and Maureen Becker Taylor. Furthermore, this Office has obtained declarations under oath from nine other employees who made contributions to the Committee. The following respondents signed declarations swearing that they were reimbursed in cash for the contributions they made to the Committee: Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton,

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2. Nancy Stockus and Maureen Becker Taylor both testified that they did not complete the contributor information cards for their contributions. (Attachment 1, pages 25-27; Attachment 2, page 5).

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Dennis Morancy, Daniel F. O'Hara, Jr., Frederick H. Shea, III, and Maureen A. White. (Attachment 4). Of these nine respondents, four are still employed at Trade Winds Systems. All nine respondents swore that they received $250 from Donald Cooke as reimbursement for their contributions to the Committee.[3] All nine respondents swore that the $250 they received from Donald Cooke was not a gift, loan, bonus, gratuity or compensation for employment. Thus, this Office has sworn testimony, through depositions and declarations, that twelve of the respondents who were associated with Trade Winds Systems were reimbursed for their contributions to the Committee by Donald Cooke.

Regarding the investigation of Dennis Cooke's liability in this matter, Dennis Cooke swore that he was not reimbursed for the $250 contribution he made to the Committee. During his deposition by this Office, Dennis Cooke testified that he made a contribution to the Committee to attend the fundraiser at Faneuil Hall. (Attachment 5, page 3). Dennis Cooke testified that he made the $250 contribution for the purpose of purchasing two tickets to attend the fundraiser, although he did not attend the fundraiser. (Attachment 5, pages 3-4). Dennis Cooke testified that he was invited to attend the fundraiser by his father, Donald Cooke, while he was working at Trade Winds

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3. In his declaration, Frederick H. Shea, III stated that he was solicited to contribute to the Committee by Dennis Morancy on behalf of Donald Cooke. (Attachment 4, page 17). Frederick H. Shea, III also stated that he received his reimbursement from Donald Cooke through Dennis Morancy. (Attachment 4, page 17).

Systems. (Attachment 5, pages 4-5). Dennis Cooke was employed at Trade Winds Systems at the time as a service technician. Dennis Cooke further testified that he wrote the contribution check while he was at home and gave the check to his father at work. (Attachment 5, pages 7-8). Dennis Cooke then denied that he was reimbursed for the contribution he made to the Committee. (Attachment 5, page 9). After being reminded that he was under oath, Dennis Cooke again denied that he was reimbursed for his contribution to the Committee. (Attachment 5, page 10).

Later in the deposition, Dennis Cooke testified that the source of the funds for his contribution was personal funds in his bank account:

> Q: Mr. Cooke, what funds did you use to cover the check you wrote to Haig for President?
>
> A: My personal bank account.
>
> Q: Did you have $250 in your bank account?
>
> A: Yes, I did.

(Attachment 5, page 11). Dennis Cooke later reiterated that the source of funds in his checking account that was used to write the contribution check to the Committee was his personal savings. (Attachment 5, pages 13-14).

Dennis Cooke's testimony is inconsistent with the testimony concerning twelve other respondents in this matter who were reimbursed for their contributions by Donald Cooke. Furthermore, Dennis Cooke's testimony conflicts with his bank statements obtained by this Office from Randolph Savings Bank. Dennis Cooke's bank statement for this period shows a deposit of

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$250 on October 26, 1987.[4] (Attachment 6, page 2). Dennis Cooke's account was debited on November 4, 1987 for the $250 check he wrote to the Committee. The beginning balance in Dennis Cooke's account for this period was $3.75. The ending balance for this period was $28.75.

In addition, Dennis Cooke's testimony conflicts with other evidence in this matter. Dennis Cooke testified that he made the $250 contribution to the Committee for the purpose of purchasing two tickets to attend the fundraiser. The date of Dennis Cooke's contribution check was October 14, 1987. The date of the fundraiser, however, was September 26, 1987. Thus, Dennis Cooke's testimony is contradicted by other evidence obtained through the investigation into this matter.

Finally, the investigation has not revealed information which establishes that the source of the funds used to reimburse these respondents was Trade Winds Systems. Despite extensive document requests, including all checks written on Trade Winds Systems accounts to these respondents in 1987 and 1988, this Office has been unable to discover evidence demonstrating that Donald Cooke used corporate funds, rather than personal funds, to make the reimbursements. Part of the difficulty in discovering the source of funds for the reimbursements is the fact that Donald Cooke used cash to reimburse the contributors.

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4. The testimony concerning the other respondents in this matter indicates that they contributed to the Committee and were reimbursed by Donald Cooke in late September of 1987. Dennis Cooke's contribution check to the Committee was dated October 14, 1987. The reason for the difference in the contribution dates is unknown at this time.

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During her deposition with this Office, Nancy Stockus testified that she did not believe that Trade Winds Systems funds were the source of the reimbursements. (Attachment 1, pages 28-29, 31). Nancy Stockus testified that she would have known if Donald Cooke received either a payroll check or an accounts payable check from the corporation for the reimbursements. (Attachment 1, pages 6-7). Nancy Stockus did testify, however, that Donald Cooke received loans from the corporation from time to time. (Attachment 1, pages 3-4). When Donald Cooke was questioned about the source of funds for the "loans" he made to Trade Winds Systems employees for their contributions, he stated that the money was his personal funds, not corporate funds, "because it was in my possession." (Attachment 3, page 25). Donald Cooke apparently believed that after he received loans from the corporation the funds were his personal money. (Attachment 3, pages 25-26). Donald Cooke testified that he did not always complete paperwork to reflect loans he received from the corporation because "it's a small company, so you have to realize things are pretty free . . . ." (Attachment 3, page 26). Thus, it is possible that Donald Cooke borrowed or used money from Trade Winds Systems to reimburse employees and their relatives.

At this time, this Office recommends that the Commission take no further action and close the file as to Nancy D. Stockus, Kimberly A. Stockus, Maureen Becker Taylor, Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F.

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O'Hara, Jr., Frederick H. Shea, III, and Maureen A. White. This recommendation is supported by several considerations. First, these respondents have cooperated with this Office in the investigation into this matter. Secondly, the amount of the contributions ($250) is relatively small. Accordingly, consistent with the proper ordering of the Commission's priorities and resources, this Office recommends that the Commission take no further action and close the file as to Nancy D. Stockus, Kimberly Stockus, Maureen Becker Taylor, Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Frederick H. Shea, III, and Maureen White. See Heckler v. Chaney, 470 U.S. 821 (1985). If the Commission approves the recommendation to close the file as to these respondents, this Office intends to send an admonishment reminding them of the prohibitions of 2 U.S.C. § 441f.

Furthermore, this Office also recommends that the Commission take no further action and close the file as to Mary B. O'Hara. The investigation into this matter revealed that Mary B. O'Hara is the mother of Daniel F. O'Hara, Jr.[5] When contacted by this Office, Mary O'Hara was unable to recall any of the details concerning the $250 contribution she made to the Committee. In light of the small amount of her contribution and the limited extent of her involvement, this Office

5. Mary O'Hara also stated that she is the mother-in-law of Guy Shorter, another Trade Winds Systems employee, who is not a respondent in this matter.

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recommends that the Commission take no further action and close the file as to Mary B. O'Hara. If the Commission approves this recommendation, this Office intends to send an admonishment to Mary B. O'Hara also, to remind her of the prohibitions of 2 U.S.C. § 441f.

This Office intends to proceed to the next stage of the enforcement process with respect to Donald Cooke, Dennis Cooke, Mary Cooke and Bobby Cowart. The decision to proceed to the next stage of the enforcement process with respect to Donald Cooke and Dennis Cooke is based upon overwhelming evidence which indicates that these two respondents violated 2 U.S.C. § 441f. The investigation into this matter also suggests that Mary Cooke and Bobby Cowart were reimbursed for their contributions to the Committee. Mary Cooke is Donald Cooke's mother. During his deposition, Donald Cooke testified that he invited his mother to attend the fundraiser, but she was unable to attend. (Attachment 3, page 23). Bobby Cowart was one of the individuals Donald Cooke identified as possibly having received a loan from him to purchase his ticket to the fundraiser at Faneuil Hall. This Office has been unable to contact Bobby Cowart to explore this point further, despite several attempts to do so. This Office believes that Bobby Cowart is still employed at Trade Winds Systems, and will forward Bobby Cowart's probable cause brief to him at Trade Winds Systems. Finally, this Office makes no recommendation concerning Trade Winds Systems at this time, due to inconclusive evidence regarding the use of corporate funds to reimburse the

2504351-4

employees of Trade Winds Systems and their relatives for their contributions to the Committee.

B. Olympic Bank

The Commission's reason to believe findings against Olympic Bank were based upon evidence which suggested the possibility of corporate reimbursement or corporate facilitation of contributions to the Committee. The investigation into this matter has not revealed information which demonstrates that Olympic Bank reimbursed the respondents for their contributions to the Committee. See General Counsel's Report dated June 21, 1991, pages 3-7. Furthermore, the investigation has not revealed information which demonstrates that Olympic Bank facilitated the making of contributions to the Committee. See General Counsel's Report dated June 21, 1991, pages 12-15.

The file has been closed as to all of the individual respondents associated with Olympic Bank, with the exception of Dominic Saraceno, Kurt Saraceno and Ingeborg Saraceno. This Office did not recommend closing the file in this matter as to Olympic Bank earlier because the investigation was continuing into Olympic Bank's role in contributions made in the name of another by David Goldman, another respondent in this matter. See General Counsel's Report dated May 28, 1992, pages 13-14 and page 19, fn. 9. However, this Office recently has learned that Olympic Bank was placed into receivership by the FDIC on June 26, 1992. Therefore, this Office now recommends that the Commission take no further action and close the file as to Olympic Bank.

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III. RECOMMENDATIONS

1. Take no further action against Maureen Becker Taylor, Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus, Maureen A. White and Olympic International Bank and Trust Company, and close the file as to these respondents.

2. Approve the appropriate letters.

10/16/92
Date

Lawrence M. Noble
General Counsel

Attachments
1. Excerpts from deposition of Nancy Stockus
2. Excerpts from deposition of Maureen Taylor
3. Excerpts from deposition of Donald A. Cooke, Jr.
4. Declarations (9)
5. Excerpts from deposition of Dennis M. Cooke
6. Bank statement of Dennis M. Cooke

Staff assigned: Mary P. Mastrobattista

9504365143

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Maureen Becker Taylor, Richard Clegg,	)	MUR 2717
Mary E. Cooke, Dennis M. Cooke,	)	
Donald A. Cooke, Jr., Bobby Cowart,	)	
Anthony DiBona, Arsene E. Frappier, Jr.,	)	
Gregory Gagnon, Richard Knowlton,	)	
Dennis Morancy, Daniel F. O'Hara, Jr.,	)	
Mary B. O'Hara, Frederick H. Shea, III,	)	
Nancy D. Stockus, Kimberly A. Stockus,	)	
Maureen A. White, Trade Winds Systems,	)	
and Olympic International Bank and	)	
Trust Company.	)	

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 22, 1992, the Commission decided by a vote of 4-0 to take the following actions in MUR 2717:

1. Take no further action against Maureen Becker Taylor, Richard Clegg, Anthony DiBona, Arsene E. Frappier, Jr., Gregory Gagnon, Richard Knowlton, Dennis Morancy, Daniel F. O'Hara, Jr., Mary B. O'Hara, Frederick H. Shea, III, Nancy D. Stockus, Kimberly A. Stockus, Maureen A. White and Olympic International Bank and Trust Company, and close the file as to these respondents.

(Continued)

2. Approve the appropriate letters, as recommended in the General Counsel's Report dated October 16, 1992.

Commissioners Aikens, Elliott, McGarry and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote and Commissioner Potter recused himself from this matter.

Attest:

10-22-92
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Mon., October 19, 1992 11:57 a.m.
Circulated to the Commission: Mon., October 19, 1992 4:00 p.m.
Deadline for vote: Thurs., October 22, 1992 4:00 p.m.

dr

2504365145

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Maureen Becker Taylor
501 North Central Street
East Bridgewater, MA 02333

RE: MUR 2717
Maureen Becker Taylor

Dear Ms. Taylor:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On November 6, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504365147

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Richard Clegg
39 Church Street
Berkley, MA 02779

RE: MUR 2717
Richard Clegg

Dear Mr. Clegg:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 30, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504351417

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717
Anthony DiBona

Dear Mr. DiBona:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On November 6, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Arsene E. Frappier, Jr.
243 Everett St.
Middleboro, MA 02346

RE: MUR 2717
Arsene E. Frappier, Jr.

Dear Mr. Frappier:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On December 4, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504336514

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Gregory Gagnon
35 Audubon Road
Weymouth, MA 02188

RE: MUR 2717
Gregory Gagnon

Dear Mr. Gagnon:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 26, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

David W. Hess, Esq.
Nixon, Hall and Hess
80 Merrimack St.
Manchester, NH 03101

RE: MUR 2717
Richard Knowlton

Dear Mr. Hess:

On October 3, 1989, your client was notified that the Federal Election Commission ("the Commission") found reason to believe that he violated 2 U.S.C. § 441f. On January 29, 1990, you submitted a response to the Commission's reason to believe findings on your client's behalf.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against your client, and closed the file as it pertains to him. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds Mr. Knowlton that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. Your client should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504351411

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Dennis Morancy
15 South Park Lane
Mansfield, MA 02048

RE: MUR 2717
Dennis Morancy

Dear Mr. Morancy:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On January 17, 1990, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504365142

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Daniel F. O'Hara, Jr.
373 Great Road
Lincoln, RI 02865

RE: MUR 2717
Daniel F. O'Hara, Jr.

Dear Mr. O'Hara:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 23, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Mary B. O'Hara
P.O. Box 7514
Cumberland, RI 02864

RE: MUR 2717
Mary B. O'Hara

Dear Mrs. O'Hara:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504351444

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

RE: MUR 2717
Frederick H. Shea, III

Dear Mr. Shea:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Nancy D. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Nancy D. Stockus

Dear Ms. Stockus:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 23, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you, and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504351476

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717
Kimberly A. Stockus

Dear Ms. Stockus:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 23, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you, and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Maureen A. White
20 Beal Street
Canton, MA 02021

RE: MUR 2717
Maureen A. White

Dear Ms. White:

On October 3, 1989, you were notified that the Federal Election Commission ("the Commission") found reason to believe that you violated 2 U.S.C. § 441f. On October 30, 1989, you submitted a response to the Commission's reason to believe findings.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against you, and closed the file as it pertains to you. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

The Commission reminds you that 2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution. You should take immediate steps to insure future compliance with this provision.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

2504345142

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1992

Laurie Cook
FDIC
303 Congress Street
Boston, MA 02210

RE: MUR 2717
Olympic International Bank
and Trust Company

Dear Ms. Cook:

On October 3, 1989, Olympic International Bank and Trust Company was notified that the Federal Election Commission ("the Commission") found reason to believe that the bank violated 2 U.S.C. §§ 441b(a) and 441f. On November 17, 1989, counsel for the bank submitted a response to the Commission's reason to believe findings. On December 29, 1989, counsel for the bank submitted a supplemental response to the Commission.

After considering the circumstances of the matter, the Commission determined on October 22, 1992, to take no further action against the bank, and closed the file as it pertains to the bank. The file will be made public within 30 days after this matter has been closed with respect to all other respondents involved.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply with respect to all respondents still involved in this matter. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Mary P. Mastrobattista

Mary P. Mastrobattista
Attorney

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Dennis M. Cooke, Donald A. Cooke, Jr.) MUR 2717
Mary Cooke and Bobby Cowart)

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to Dennis M. Cooke, Donald A. Cooke, Jr., Mary Cooke and Bobby Cowart, based on the assessment of the information presently available.

2/10/93
Date

Lawrence M. Noble
General Counsel

2504365140

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

February 11, 1993

Mary E. Cooke
222 Bailey St.
Canton, MA 02021

RE: MUR 2717
Mary E. Cooke

Dear Mrs. Cooke:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

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

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

2504365142

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
Mary E. Cooke)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Federal Election Commission (the "Commission") found reason to believe that Mary E. Cooke violated 2 U.S.C. § 441f in connection with a $250 contribution to the Haig for President Committee (the "Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon information which indicated that contributions made to the Committee from individuals associated with Trade Winds Systems may have been reimbursed in violation of 2 U.S.C. § 441f. The Committee received contributions from seventeen individuals associated with Trade Winds Systems. Sixteen contributions, received in September and October of 1987, were in the amount of $250. Donald A. Cooke, Jr. is the President of Trade Winds Systems, a Massachusetts corporation. Mary E. Cooke, who made a $250 contribution to the Committee by check dated September 29, 1987, is Donald A. Cooke, Jr.'s mother.

The investigation into this matter has revealed that Donald A. Cooke, Jr. solicited $250 contributions to the

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Committee from Trade Winds Systems employees and relatives. The contributions were solicited in connection with a "salute to Al Haig" fundraiser held on September 26, 1987 at Faneuil Hall in Boston, Massachusetts. Several of the individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. These individuals stated under penalty of perjury that they wrote checks to the Committee in connection with the fundraiser at Faneuil Hall at the request of Donald A. Cooke, Jr., who reimbursed them in cash. According to the sworn statements, the $250 in cash received from Donald A. Cooke, Jr. represented reimbursement for the contribution to the Committee and was not a gift, loan, bonus, gratuity, or compensation for employment.

Dominic Saraceno, the treasurer of the Committee, hosted the September 26, 1987 fundraiser at Faneuil Hall in Boston. Dominic Saraceno is the owner of Kurt Saracen Associates. Trade Winds Systems had worked on various contracts for Kurt Saracen Associates prior to 1987. Donald A. Cooke, Jr. had several telephone conversations with Dominic Saraceno concerning contributions to the Committee and learned of the fundraiser at Faneuil Hall through Dominic Saraceno. Donald A. Cooke, Jr. collected the contribution checks after asking Trade Winds Systems employees and relatives to contribute to the Committee. Dominic Saraceno provided Donald A. Cooke, Jr. with blank contributor information cards, which he delivered to Dominic Saraceno at Kurt Saracen Associates after the cards were

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completed.

During his deposition with this Office, Donald A. Cooke, Jr. testified that he solicited a $250 contribution to the Committee from Mary E. Cooke, but denied that he reimbursed her for her contribution. The testimony of Donald A. Cooke, Jr. concerning the reimbursement of Mary E. Cooke's contribution to the Committee directly conflicts with other evidence obtained through the investigation into this matter. As stated earlier, several of the other individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. and that the reimbursement did not represent a loan from Donald A. Cooke, Jr. Furthermore, the majority of the contributor information cards for the $250 contributions from these individuals appear to have been completed on the same typewriter. Mary E. Cooke's contributor information card is identical in form to several of the other contributor information cards for these individuals. When asked about the contributor information cards, two former Trade Winds Systems employees testified that they did not complete the contributor information cards for their contributions. Thus, it appears that the contributor information cards, which Donald A. Cooke, Jr. delivered to Dominic Saraceno, - including Mary E. Cooke's contributor information card - were completed by someone other than the individuals in whose names the contributions were made.

Based upon the foregoing, it appears there is sufficient

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evidence to find probable cause to believe that Mary E. Cooke allowed her name to be used to make a contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that Mary E. Cooke violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Mary E. Cooke violated 2 U.S.C. § 441f.

2/10/93
Date

Lawrence M. Noble
General Counsel

2504365146

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1993

Dennis M. Cooke
222 Bailey St.
Canton, MA 02021

RE: MUR 2717
Dennis M. Cooke

Dear Mr. Cooke:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

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

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

2504365148

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
Dennis M. Cooke)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Federal Election Commission (the "Commission") found reason to believe that Dennis M. Cooke violated 2 U.S.C. § 441f in connection with a $250 contribution to the Haig for President Committee (the "Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon information which indicated that contributions made to the Committee from individuals associated with Trade Winds Systems may have been reimbursed in violation of 2 U.S.C. § 441f. The Committee received contributions from seventeen individuals associated with Trade Winds Systems. Sixteen contributions, received in September and October of 1987, were in the amount of $250. Dennis M. Cooke, who was employed at Trade Winds Systems in 1987 as a service technician, made a $250 contribution to the Committee by check dated October 14, 1987. Donald A. Cooke, Jr. is the President of Trade Winds Systems, a Massachusetts corporation.

The investigation into this matter has revealed that

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Donald A. Cooke, Jr. solicited $250 contributions to the Committee from Trade Winds Systems employees and their relatives. The contributions were solicited in connection with a "salute to Al Haig" fundraiser held on September 26, 1987 at Faneuil Hall in Boston, Massachusetts. Several of the individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. These individuals stated under penalty of perjury that they wrote checks to the Committee in connection with the fundraiser at Faneuil Hall at the request of Donald A. Cooke, Jr., who reimbursed them in cash. According to the sworn statements, the $250 in cash received from Donald A. Cooke, Jr. represented reimbursement for the contribution to the Committee and was not a gift, loan, bonus, gratuity, or compensation for employment.

Dominic Saraceno, the treasurer of the Committee, hosted the September 26, 1987 fundraiser at Faneuil Hall in Boston. Dominic Saraceno is the owner of Kurt Saracen Associates. Trade Winds Systems had worked on various contracts for Kurt Saracen Associates prior to 1987. Donald A. Cooke, Jr. had several telephone conversations with Dominic Saraceno concerning contributions to the Committee and learned of the fundraiser at Faneuil Hall through Dominic Saraceno. Donald A. Cooke, Jr. collected the contribution checks after asking Trade Winds Systems employees to contribute to the Committee. Dominic Saraceno provided Donald A. Cooke, Jr. with blank contributor information cards, which he delivered to

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Dominic Saraceno at Kurt Saracen Associates after the cards were completed.

During his deposition with this Office, Dennis M. Cooke testified that he was invited to attend the fundraiser by his father, Donald A. Cooke, Jr., while he was working at Trade Winds Systems. Dennis M. Cooke testified that he made the $250 contribution to the Committee in order to attend the fundraiser at Faneuil Hall. However, Dennis M. Cooke denied that he was reimbursed for his $250 contribution to the Committee.

Dennis M. Cooke's testimony concerning the issue of reimbursement of his $250 contribution to the Committee conflicts with other evidence obtained through the investigation into this matter. As stated earlier, several of the other individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed in cash for their contributions by Donald A. Cooke, Jr. In addition, Dennis M. Cooke testified that he made the $250 contribution for the purpose of purchasing two tickets to attend the fundraiser. The date of the fundraiser was September 26, 1987. The date of Dennis M. Cooke's contribution check was October 14, 1987. These facts raise a credibility issue regarding Dennis M. Cooke's testimony. Although Dennis M. Cooke testified that his contribution check was for the tickets to the fundraiser, his check was dated two weeks after the fundraiser occurred. Furthermore, the balance in Dennis M. Cooke's bank account on the date he wrote the check was $28.75. Dennis M. Cooke's bank statement from Randolph

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Savings Bank shows a $250 deposit on October 26, 1987. Without the $250 deposit, Dennis M. Cooke did not have sufficient funds in his account to cover the contribution.

Based upon the foregoing, it appears there is sufficient evidence to find probable cause to believe that Dennis M. Cooke allowed his name to be used to make a contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that Dennis M. Cooke violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Dennis M. Cooke violated 2 U.S.C. § 441f.

2/14/93
Date

Lawrence M. Noble
General Counsel

95043051472

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1993

Bobby Cowart
98 Ward Street
Roxbury, MA 02120

RE: MUR 2717
Bobby Cowart

Dear Mr. Cowart:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

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

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

9504365144

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2717
Bobby Cowart	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Federal Election Commission (the "Commission") found reason to believe that Bobby Cowart violated 2 U.S.C. § 441f in connection with a $250 contribution to the Haig for President Committee (the "Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon information which indicated that contributions made to the Committee from individuals associated with Trade Winds Systems may have been reimbursed in violation of 2 U.S.C. § 441f. The Committee received contributions from seventeen individuals associated with Trade Winds Systems. Sixteen contributions, received in September and October of 1987, were in the amount of $250. Bobby Cowart, who is employed at Trade Winds Systems as a sheet metal worker, made a $250 contribution to the Committee by check dated September 30, 1987. Donald A. Cooke, Jr. is the President of Trade Winds Systems, a Massachusetts corporation.

The investigation into this matter has revealed that

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Donald A. Cooke, Jr. solicited $250 contributions to the Committee from Trade Winds Systems employees and their relatives. The contributions were solicited in connection with a "salute to Al Haig" fundraiser held on September 26, 1987 at Faneuil Hall in Boston, Massachusetts. Several of the individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. These individuals stated under penalty of perjury that they wrote checks to the Committee in connection with the fundraiser at Faneuil Hall at the request of Donald A. Cooke, Jr., who reimbursed them in cash. According to the sworn statements, the $250 in cash received from Donald A. Cooke, Jr. represented reimbursement for the contribution to the Committee and was not a gift, loan, bonus, gratuity, or compensation for employment.

Dominic Saraceno, the treasurer of the Committee, hosted the September 26, 1987 fundraiser at Faneuil Hall in Boston. Dominic Saraceno is the owner of Kurt Saracen Associates. Trade Winds Systems had worked on various contracts for Kurt Saracen Associates prior to 1987. Donald A. Cooke, Jr. had several telephone conversations with Dominic Saraceno concerning contributions to the Committee and learned of the fundraiser at Faneuil Hall through Dominic Saraceno. Donald A. Cooke, Jr. collected the contribution checks after asking Trade Winds Systems employees to contribute to the Committee. Dominic Saraceno provided Donald A. Cooke, Jr. with blank contributor information cards, which he delivered to

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Dominic Saraceno at Kurt Saracen Associates after the cards were completed.

During his deposition with this Office, Donald A. Cooke, Jr. testified that he loaned $250 in cash to Bobby Cowart so that he would be able to attend the fundraiser. Donald A. Cooke, Jr. testified that Bobby Cowart did not repay him. Donald A. Cooke, Jr. further testified that he never asked Bobby Cowart to repay him.

The testimony of Donald A. Cooke, Jr. concerning the "loan" to Bobby Cowart in connection with his contribution to the Committee directly conflicts with other evidence obtained through the investigation into this matter. As stated earlier, several of the other individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. and that the reimbursement did not represent a loan from Donald A. Cooke, Jr. There is no evidence to support Donald A. Cooke, Jr.'s testimony that the $250 Bobby Cowart received from him was a loan and not reimbursement for his contribution to the Committee.

Based upon the foregoing, it appears there is sufficient evidence to find probable cause to believe that Bobby Cowart allowed his name to be used to make a contribution to the Committee. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that Bobby Cowart violated 2 U.S.C. § 441f.

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III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Bobby Cowart violated 2 U.S.C. § 441f.

2/10/93
Date

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1993

Donald A. Cooke, Jr.
P.O. Box 152
Canton, MA 02021

RE: MUR 2717
Donald A. Cooke, Jr.

Dear Mr. Cooke:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on September 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, and instituted an investigation in this matter.

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

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary P. Mastrobattista, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

2504365140

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2717
Donald A. Cooke, Jr.)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On September 14, 1989, the Federal Election Commission (the "Commission") found reason to believe that Donald A. Cooke, Jr. violated 2 U.S.C. § 441f in connection with certain contributions to the Haig for President Committee (the "Committee").

II. ANALYSIS

Under 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution.

The Commission's reason to believe finding in this matter was based upon information which indicated that contributions made to the Committee from individuals associated with Trade Winds Systems may have been reimbursed in violation of 2 U.S.C. § 441f. Donald A. Cooke, Jr. is the President of Trade Winds Systems, a Massachusetts corporation.

The Committee received contributions from seventeen individuals associated with Trade Winds Systems. Sixteen contributions, received by the Committee in September and October of 1987, were in the amount of $250. The other contribution, from Donald A. Cooke, Jr., was in the amount of $1,000.

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The investigation into this matter has revealed that Donald A. Cooke, Jr. solicited $250 contributions to the Committee from Trade Winds Systems employees and their relatives. The contributions were solicited in connection with a "salute to Al Haig" fundraiser held on September 26, 1987 at Faneuil Hall in Boston, Massachusetts. Several of the individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. These individuals stated under penalty of perjury that they wrote checks to the Committee in connection with the fundraiser at Faneuil Hall at the request of Donald A. Cooke, Jr., who reimbursed them in cash. According to the sworn statements, the $250 in cash received from Donald A. Cooke, Jr. represented reimbursement for the contribution to the Committee and was not a gift, loan, bonus, gratuity, or compensation for employment.

The investigation into this matter also has revealed that Dominic Saraceno, the treasurer of the Committee, hosted the September 26, 1987 fundraiser at Faneuil Hall in Boston. Dominic Saraceno is the owner of Kurt Saracen Associates. Trade Winds Systems had worked on various contracts for Kurt Saracen Associates prior to 1987. Donald A. Cooke, Jr. testified that he had several telephone conversations with Dominic Saraceno concerning contributions to the Committee and learned of the fundraiser at Faneuil Hall through Dominic Saraceno. Donald A. Cooke, Jr. testified that he collected the contribution checks after asking Trade Winds Systems employees to contribute to the

Committee. Donald A. Cooke, Jr. also testified that Dominic Saraceno provided him with blank contributor information cards, which he delivered to Dominic Saraceno at Kurt Saracen Associates after the cards were completed.

During his deposition with this Office, Donald A. Cooke, Jr. denied that he reimbursed any Trade Winds Systems employees or their relatives for their contributions to the Committee. Donald A. Cooke, Jr. testified that he personally loaned money to some of the employees so they would be able to attend the fundraiser. Donald A. Cooke, Jr. estimated that he loaned money to three or four employees, but identified only two employees to whom he loaned money. Donald A. Cooke, Jr. testified that none of the employees who borrowed money from him had repaid him. Donald A. Cooke, Jr. also testified that he had not asked any of the employees who borrowed money from him to repay him.

The testimony of Donald A. Cooke, Jr. concerning the reimbursement of contributions to the Committee directly conflicts with other evidence obtained through the investigation into this matter. As stated earlier, several of the individuals associated with Trade Winds Systems who contributed to the Committee gave sworn statements to the Commission that they were reimbursed for their contributions by Donald A. Cooke, Jr. and that the reimbursement did not represent a loan from Donald A. Cooke, Jr. There is no evidence to support Donald A. Cooke, Jr.'s testimony that he loaned $250 in cash to three or four Trade Winds Systems employees so that they would be able to contribute to the Committee. In addition, the majority of the

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contributor information cards for the sixteen $250 contributions appear to have been completed on the same typewriter. When asked about the contributor information cards, two former Trade Winds Systems employees testified that they did not complete the contributor information cards for their contributions. Thus, it appears that the contributor information cards, which Donald A. Cooke, Jr. delivered to Dominic Saraceno, were completed by someone other than the individuals in whose names the contributions were made.

Based upon the foregoing, it appears there is sufficient evidence to find probable cause to believe that Donald A. Cooke, Jr. made contributions to the Committee, totaling $4,000, in the names of Trade Winds Systems employees and their relatives. Therefore, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that Donald A. Cooke, Jr. violated 2 U.S.C. § 441f.

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Donald A. Cooke, Jr. violated 2 U.S.C. § 441f.

2/10/93
Date

Lawrence M. Noble
General Counsel

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OGC 8635

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

93 MAR 15 PM 3:42

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 11, 1993

Dennis M. Cooke
222 Bailey St.
Canton, MA 02021

RE: MUR 2717
Dennis M. Cooke

Dear Mr. Cooke:

Based on [illegible] urse of carrying out i[illegible] tember 14, 1989, the Fede[illegible] believe that you viola[illegible] investigation

Please be advised Dennis passed away on Aug 7, 1992.

DONALD A COOKE JR.

After con[illegible] he Commission, th[illegible] red to recommend that[illegible] elieve that a violati[illegible]

The Commi[illegible] Counsel's recommendation. [illegible] stating the position of[illegible] actual issues of the c[illegible] this notice, you may[illegible] .on a brief (ten copi[illegible] issues and repl[illegible] the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Jan 27 9 20 AM '94

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

JAN WITOLD BARAN
(202) 429-7330

FACSIMILE
(202) 429-7049
TELEX 248349 WYRN UR

January 25, 1994

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RECEIVED
FEDERAL ELECTION COMMISSION

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

ATTN: Mary P. Mastrobattista, Esq.

Re: MUR 2717 (David Goldman)

Dear Mr. Noble:

This is to note for the record our objections to your continued proceedings in the above-captioned matter due to the United States Court of Appeals' decision in FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993). As you have noted in recent FEC filings, the Commission lacked authority to determine for itself the constitutional issues decided in NRA, so raising these matters with the Commission prior to that ruling would have been futile. Also, some of the "remedial" actions, such as purported "ratification," just occurred. However, now that the decision has been handed down and the Commission's initial response to it has been outlined, we wish to be clear that we object to any Commission action inconsistent with the NRA rationale.

Accordingly, please be advised that we object to all past and future activity in this matter attributable to the actions of the unconstitutional agency. Our objections include, but are not limited to, enforcement of rules not adopted by a constitutional agency, purported "ratification" of rules and actions, without findings or compliance with procedural steps mandated by the Administrative Procedures Act or the Federal Election Campaign Act, as well as "ratification" of actions tainted by deliberations influenced by the presence of non-executive branch personnel. Additionally, we believe that the Commission improperly reconstituted itself in response to the NRA decision and therefore its current proceedings are likewise constitutionally suspect. We expressly do not waive any objections to the present form of the Commission and suggest that continued proceedings in this matter under these circumstances are not substantially justified.

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We are confirming these objections to provide formal notice that the Commission's present make-up and/or its actions based on precedents of the judicially declared unconstitutional Commission may be invalid. While I know that you already are familiar with the issues raised in this letter -- indeed, your staff has focused on little else these past few months -- I am prepared to discuss these matters with you in more detail at your convenience. Also, I would welcome any procedural guidance you may offer on how these issues might most efficiently be pursued.

Sincerely,

Jan Witold Baran

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OGC 9363

STATEMENT OF DESIGNATION OF COUNSEL

JUL 6 12 27 '93

MUR 3367/2717/2903

NAME OF COUNSEL: E. Mark Braden

ADDRESS: Baker & Hostetler
Washington Square
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

TELEPHONE: (202) 861-1500

93 JUL -6 PM 3:43

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.

6/29/93
Date

Alexander M. Haig Jr.
Signature

RESPONDENT'S NAME: Haig For President

ADDRESS: 1155 15th Street, N.W., Suite 800
Washington, D.C. 20005

TELEPHONE: HOME(703) 734-1742
BUSINESS(202) 429-9788

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MAHONEY, HAWKES & GOLDINGS

ATTORNEYS AND COUNSELLORS AT LAW

CHARLES FRANCIS MAHONEY
MORRIS M. GOLDINGS
WILLIAM S. HAWKES
MARK PETERS
FRANCES ALLOU GERSHWIN
BRUCE WINTHROP EDMANDS
JOHN E. BRADLEY
JAMES B. COX
ELLEN S. SHAPIRO
JOHN W. FER, III
C. FORBES SARGENT III
DANIEL W. DOHERTY
ALICE E. MOORE

THE HERITAGE ON THE GARDEN
75 PARK PLAZA
BOSTON, MASSACHUSETTS 02116
TELEPHONE (617) 457-3100
TELECOPIER: (617) 457-3125

NORTH SHORE OFFICE
EIGHTEEN DALE AVENUE
GLOUCESTER, MASSACHUSETTS 01930

RICHARD S. JACOBS
DAVID R. KERRIGAN
AMY J. AXELROD
JERRY A. CELLUCCI
JOHN F. AYLMER, JR.
R. DAVID BECK
AMY BRESSLER NEE
SALLY A. MORRIS

January 24, 1995

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
95 JAN 27 12 44 PM

VIA FACSIMILE TRANSFER
FAX TRANSFER NO. (202) 219-3923 AND REGULAR MAIL

Lois Lerner, Esquire
General Counsel's Office
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: United States v. Dominic J. Saraceno, et al.
Criminal No. 93-10334-EFH
MURs 2717, 2903 and 3367

Dear Ms. Lerner:

Attached please find Respondent, Dominic J. Saraceno's Designation of Counsel in MURs 2717, 2903 and 3367 for your review and filing.

Please contact me upon receipt of this Designation to discuss a disposition of the matters referenced above.

Very truly yours,

John Aylmer, Jr.

John F. Aylmer, Jr.

JFA/mff
Attachment
JFA:2236

2504365142

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2903, 2717, 3367

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL COUNSEL
JAN 27 12 44 PM '95

NAME OF COUNSEL: Morris M. Goldings, Esquire and John F. Aylmer, Jr., Esquire

ADDRESS: Mahoney, Hawkes & Goldings
75 Park Plaza
Boston, MA 02116

TELEPHONE: (617) 457-3100

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

1-23-95 _____
Date Signature

RESPONDENT'S NAME: Dominic J. Saraceno

ADDRESS: 15 Surrey Road
Newton, MA

BUSINESS PHONE: (617) 965-8030

S:2930

MAHONEY, HAWKES & GOLDINGS

ATTORNEYS AND COUNSELLORS AT LAW

CHARLES FRANCIS MAHONEY
MORRIS M. GOLDINGS
WILLIAM S. HAWKES
MARK PETERS
FRANCES ALLOU GERSHWIN
BRUCE WINTHROP EDMANDS
JOHN E. BRADLEY
JAMES B. COX
ELLEN S. SHAPIRO
JOHN W. FEE, III
C. FORBES SARGENT III
DANIEL W. DOHERTY
ALICE E. MOORE

THE HERITAGE ON THE GARDEN
75 PARK PLAZA
BOSTON, MASSACHUSETTS 02116
TELEPHONE (617) 457-3100
TELECOPIER: (617) 457-3125

NORTH SHORE OFFICE
EIGHTEEN DALE AVENUE
GLOUCESTER, MASSACHUSETTS 01930

RICHARD S. JACOBS
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AMY J. AXELROD
JERRY A. CELLUCCI
JOHN F. AYLMER, JR.
R. DAVID BROK
AMY BRESSLER NEE
SALLY A. MORRIS

January 30, 1995

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Jan 31 12 35 PM '95

95043651401

VIA FEDERAL EXPRESS

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

Re: Dominic J. Saraceno
MURS 2717, 2903 and 3367

Dear Mr. Noble:

The enclosed executed Agreement of our client Dominic Saraceno is forwarded based upon the understanding that the three (3) specified matters under review referenced above, are the only such matters presently pending before the Commission.

Thank you for your attention in this matter.

Very truly yours,

Morris M. Goldings

MMG:lmj
Enclosures

cc: Lois Lerner, Esquire

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MURs 2717, 2903 and 3367

The Federal Election Commission has been asked whether it would be willing to waive all civil remedies and actions it presently has against Dominic J. Saraceno if Mr. Saraceno enters a guilty plea in the matter of United States v. Dominic J. Saraceno, (Crime. No. 93-10334-EFH).

According to the terms of a proposed plea agreement between Mr. Saraceno and the United States Attorney's Office, Mr. Saraceno will enter a plea to one felony count while reserving the right to argue for a lesser sentence, fine and other terms of disposition than that recommended by the United States Attorney's Office. The United States Attorney's Office will recommend the following to the sentencing court:

1. a fine of $100,000;
2. a jail sentence of one year and one day;
3. a $50.00 special assessment; and
4. two years supervised release.

With the understanding that Mr. Saraceno enters a plea to one felony count and the plea is accepted by the court, the Commission will agree to waive further civil prosecution against Mr. Saraceno in MURs 2717, 2903 and 3367. This Agreement shall apply regardless of the sentence; if any; fine, if any; or other terms of disposition imposed by the Court.

Dominic J. Saraceno — Date: Jan 30, 1995

Lawrence M. Noble
General Counsel
Federal Election Commission — Date: 1/31/95

2504365514002

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
FEB 22 9 30 AM '95

MURs
2717
2903
3367

U.S. Department of Justice

United States Attorney
District of Massachusetts

1003 J.W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109

February 16, 1995

Ms. Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: United States v. Dominic Saraceno, et al.
Cr. No. 93-10334-EFH

Dear Ms. Lerner:

On Monday, January 30, 1995, Dominic Saraceno and Donald Cooke, Jr., each pleaded guilty in federal court to making false statements to the Federal Election Commission, in violation of Title 18, United States Code, Section 1001. At sentencing, the government will be requesting that the court sentence Saraceno to one year imprisonment and a $100,000 fine, and order Cooke to pay a fine in the amount of $8500. The sentencing for both defendants is set for April 24, 1995.

I would like to extend our deepest appreciation to you and your office for the cooperation provided in this case. The efforts extended by Mary Ann Bumgarner were absolutely essential to our investigation and trial preparation. Likewise, Ken Kellner's eagerness to provide testimony at trial, and his work in anticipation of that testimony, were necessary for a successful resolution of the matter.

We hope that the result reached will have a favorable impact on your office's investigations. Thank you again for all of your help and assistance.

Sincerely,

DONALD K. STERN
United States Attorney

9504351403

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

APR 26 4 31 PM '95

In the Matter of	)	
	)	
Haig for President and Dominic Saraceno, as treasurer	)	MUR 3367
Committee for America and Sherwood D. Goldberg, as treasurer	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 24, 1995, the Commission found probable cause to believe that: (1) Haig for President ("Haig Committee") and Dominic Saraceno, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441b(a), 26 U.S.C. § 9042(c) and 11 C.F.R. § 9034.8(c); and (2) the Committee for America and Sherwood D. Goldberg, as treasurer ("CFA") violated 2 U.S.C. § 441a(a)(2)(A). These violations were in connection with impermissible in-kind contributions made to the Haig Committee by CFA and the alteration of contributor checks by the Haig Committee.

The Commission also agreed to waive further civil prosecution against Haig for President in MURs 2717, 2903 and the remaining portion of MUR 3367 that is not the subject of the attached conciliation agreement.[1]

1. On January 31, 1995, the General Counsel, on behalf of the Commission, signed an agreement with the treasurer of the Haig Committee, Dominic Saraceno, agreeing to waive all civil remedies and actions the Commission had against Mr. Saraceno if he entered a guilty plea in the matter of United States v. Dominic J. Saraceno, (Crime. No. 93-10334-EFH). Mr. Saraceno entered a plea to one felony

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II. ANALYSIS

(Footnote 1 continued from previous page)
count, which was accepted by the court. According to the terms of the agreement, the Commission waived further civil prosecution against Mr. Saraceno in MURs 2717, 2903 and 3367.

Based on the foregoing, this Office recommends that the Commission approve the attached conciliation agreement and close the file in this matter and MURs 2717 and 2903.

III. **RECOMMENDATIONS**

1. Approve the attached conciliation agreement with Haig for President and Dominic Saraceno, as treasurer, and the Committee for America and Sherwood D. Goldberg, as treasurer.

2. Close the files in MURs 2717, 2903 and 3367.

3. Approve the appropriate letter.

4/26/95
Date

Lawrence M. Noble
General Counsel

Attachment
Conciliation agreement

Staff Assigned: Mary Ann Bumgarner

9504305146

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Haig for President and	)	MUR 3367
Dominic Saraceno, as treasurer;	)	
Committee for America and	)	
Sherwood D. Goldberg, as treasurer.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 2, 1995, the Commission decided by a vote of 4-0 to take the following actions in MUR 3367:

1. Approve the conciliation agreement with Haig for President and Dominic Saraceno, as treasurer, and the Committee for America and Sherwood D. Goldberg, as treasurer, as recommended in the General Counsel's Report dated April 26, 1995.

2. Close the files in MURs 2717, 2903, and 3367.

3. Approve the appropriate letter, as recommended in the General Counsel's Report dated April 26, 1995.

Commissioners Aikens, Elliott, McGarry, and Thomas voted affirmatively for the decision; Commissioners McDonald and Potter did not cast votes.

Attest:

5/2/95
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., April 26, 1995 4:31 p.m.
Circulated to the Commission: Thurs., April 27, 1995 11:00 a.m.
Deadline for Vote: Tues., May 02, 1995 4:00 p.m.

mwd

9504365140 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Maureen A. White
20 Beal Street
Canton, MA 02021

RE: MUR 2717

Dear Ms. White:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

William M. Denholm II

Richard M. Denholm II
Attorney

9504365147

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Kimberly A. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717

Dear Ms. Stockus:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365140

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Nancy D. Stockus
297 Mechanic Street
Canton, MA 02021

RE: MUR 2717

Dear Ms. Stockus:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365150

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Frederick H. Shea, III
1439 Central Street
Stoughton, MA 02072

RE: MUR 2717

Dear Mr. Shea:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365151

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Peter S. Donadio
280 Lyman Road
Milton, MA 02186

RE: MUR 2717

Dear Mr. Donadio:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365150

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Morris M. Goldings, Esq.
John F. Aylmer, Jr.
Mahoney, Hawkes & Goldings
75 Park Plaza
Boston, MA 02116

RE: MURs 2717/2903/3367
Dominic J. Saraceno

Dear Messrs. Goldings and Aylmer:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504351507

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Daniel F. O'Hara, Jr.
373 Great Road
Lincoln, RI 02865

May 9, 1995

RE: MUR 2717

Dear Mr. O'Hara:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

William M. Denholm II

Richard M. Denholm II
Attorney

9504351514

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Donald J. Simon
Sonosky, Chambers & Sachse
Suite 1000
1250 Eye Street, N.W.
Washington, D.C. 20005

RE: MUR 2717
Joseph W. Smith

Dear Mr. Simon:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

David Spiegel
600 Mountain Street
Sharon, MA 02067

RE: MUR 2717

Dear Mr. Spiegel:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Pauline Saraceno
553 Winthrop St.
W. Medford, MA 02155

May 9, 1995

RE: MUR 2717

Dear Ms. Saraceno:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365157

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Heidi Saraceno
197 Blake Street
Newton, MA 02160

May 9, 1995

RE: MUR 2717

Dear Ms. Saraceno:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365153

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Robert F. Bauer, Esq.
Perkins Coie
607 14th St. N.W.
Washington, D.C. 20005-2011

RE: MUR 2717
Lynn A. Allen
Jeffrey W. Allen

Dear Mr. Bauer:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jan W. Baran, Esq.
Wiley, Rein and Fielding
1776 K Street, N.W.
Washington, D.C. 20006

May 9, 1995

RE: MUR 2717
David Goldman

Dear Mr. Baran:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365510

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Thomas P. Salmon, Esq.
Salmon & Nostrand
Centennial Arcade
Suite 300
Bellows Falls, VT 05101

RE: MUR 2717
Henry Swierczynski
Nora Swierczynski
Carl Johnson
Linda Johnson
Erich Tlaker
Jean Tlaker
Donald Chabot
June Chabot

Dear Mr. Salmon:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365111

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Katherine R. Boyce, Esq.
Patton Boggs
2550 M Street, N.W.
Washington, D.C. 20037

RE: MUR 2717
Fellows Corporation

Dear Ms. Boyce:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504345152

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Maureen Becker-Taylor
501 North Central Street
East Bridgewater, MA 02333

RE: MUR 2717

Dear Ms. Becker-Taylor:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365152

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Richard Clegg
39 Church Street
Berkley, MA 02779

RE: MUR 2717

Dear Mr. Clegg:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365134

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Anthony DiBona
22 Twilight Drive
Foxboro, MA 02035

RE: MUR 2717

Dear Mr. DiBona:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Arsene E. Frappier, Jr.
243 Everett Street
Middleboro, MA 02346

RE: MUR 2717

Dear Mr. Frappier:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

Celebrating the Commission's 20th Anniversary
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Gregory Gagnon
35 Audubon Road
Weymouth, MA 02188

May 9, 1995

RE: MUR 2717

Dear Mr. Gagnon:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365517

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard Knowlton
23 Bay Road
Center Ossipee, NH 03814

May 9, 1995

RE: MUR 2717

Dear Mr. Knowlton:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365153

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Dennis Morancy
15 South Park Lane
Mansfield, MA 02048

RE: MUR 2717

Dear Mr. Morancy:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

3504365152

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Mary B. O'Hara
P.O. Box 7514
Cumberland, RI 02864

RE: MUR 2717

Dear Ms. O'Hara:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365150

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Mr. John D. Hughes
Mr. John P. Connelly
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Michael E. Tierney
Matthew L. Curtin
Joseph G. Maloney
Joseph G. Sneider
Cynthia A. Sneider
William J. O'Brien
Joann O'Brien
Susan M. Fraser

Dear Messrs. Hughes and Connelly:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365151

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Ms. Jo Anne Rosenblum, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA 02110

RE: MUR 2717
Judith S. Curtin
Victor A.
Nicolazzo, Jr.

Dear Ms. Rosenblum:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365152

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Ms. Laurie Cook
FDIC
303 Congress St.
Boston, MA 02210

RE: MURs 2717/2903
Olympic International
Bank and Trust Co.

Dear Ms. Cook:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504351503

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Frank N. Cardullo
729 S. Main St.
Centerville, MA 02632

RE: MUR 2717

Dear Mr. Cardullo:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504345154

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

John E. Bradley, Esq.
Bradley, Barry & Tarlow, P.C.
101 Arch Street
Boston, MA 02110

RE: MUR 2717
Nora F. Moran

Dear Mr. Bradley:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365157

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Jon A. Lichter
82 Hampshire Rd.
Wellesley, MA 02181

RE: MUR 2717

Dear Mr. Lichter:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504365156

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Donald Cooke, Registered Agent
Tradewind Systems
14 Springdale Avenue
Canton, MA 02021

RE: MUR 2717
Tradewind Systems

Dear Mr. Cooke:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365157

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Donald A. Cooke
6 Brom Dutcher Road
Buzzards Bay, MA 02532

RE: MUR 2717

Dear Mr. Cooke:

On May 13, 1993, the Federal Election Commission determined to take no action regarding a probable cause to believe finding that you violated 2 U.S.C. § 441f. This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

25043451508

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Mary E. Cooke
222 Bailey Street
Canton, MA 02021

RE: MUR 2717

Dear Ms. Cooke:

On May 13, 1993, the Federal Election Commission determined to take no action regarding a probable cause to believe finding that you violated 2 U.S.C. § 441f. This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Bobby Cowart
25 Byron Avenue
Brockton, MA 02401

RE: MUR 2717

Dear Mr. Cowart:

On May 13, 1993, the Federal Election Commission determined to take no action regarding a probable cause to believe finding that you violated 2 U.S.C. § 441f. This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

William M. Denholm II

Richard M. Denholm II
Attorney

2504365150

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Kurt Saraceno
57 Welles Avenue
Newton, MA 02159

RE: MUR 2717

Dear Mr. Saraceno:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

2504345151

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Ms. Ingeborg E. Saraceno
15 Surrey Road
Newton, MA 02159

RE: MUR 2717

Dear Ms. Saraceno:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

9504365172

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Mr. Gordon M. Strauss, Esq.
Thompson, Hine, & Flory
2900 DuBois Tower
511 Walnut Street
Cincinnati, OH 45202

RE: MUR 2717
Kerry Dicke
Dane W. Dicke
Janet S. Dicke
James F. Dicke, II
Eilleen W. Dicke
James F. Dicke
James F. Dicke,
Chairman, Crown
Equipment
Corporation

Dear Mr. Strauss:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Bruce A. Lehman, Esq.
Swidler & Berlin
3000 K Street, N.W.
Washingotn, D.C. 20007

RE: MUR 2717
Rabbi Milton
Balkany

Dear Mr. Lehman:

This is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

William M. Denholm II

Richard M. Denholm II
Attorney

2504365154

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1995

Mr. E. Mark Braden, Esq.
Baker & Hostetler
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304

RE: MURs 2717/2903/3367
Haig For President
and Dominic Saraceno, as
treasurer; and Committee for
America and Sherwood D.
Goldberg, as treasurer

Dear Mr. Braden:

On May 2, 1995, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of violations of 2 U.S.C. §§ 441a(a)(2)(A), 441a(f), and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"); 11 C.F.R. § 9034.8(c) of the Commission's regulations; and 26 U.S.C. § 9042(c) of the Presidential Election Campaign Fund Act. Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondents 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. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Richard M. Denholm II
Attorney

Enclosure
Conciliation Agreement

9504365156

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF MAUREEN BECKER-TAYLOR, held pursuant to Notice, and Federal Rules of Civil Procedure, before Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the U.S. Attorney, Post Office and Courthouse, Boston, Massachusetts, on Thursday, November 16, 1989, commencing at 10:00 o'clock a.m.

PRESENT:

KENNETH KELLNER, ESQ.
PATTY REILLY, ATTY.
Federal Election Commission
999 E Street, N.W., Room 819
Washington, D.C. 20463

MAUREEN BECKER-TAYLOR, pro se
501 North Central Street
East Bridgewater, MA 02333

9504365157

I N D E X

WITNESS:		PAGE
Maureen Becker-Taylor		
Examination by Mr. Kellner		4

EXHIBITS:	DESCRIPTION	PAGE
FEC Exhibit 1	Copy of check	50
FEC Exhibit 2	Form for personal contribution	51

9504365157 2

D E P O S I T I O N

(10:00 a.m.)

M A U R E E N B E C K E R - T A Y L O R, of 501 North Central Street, East Bridgewater, MA, having been sworn by a Notary Public to tell the truth, the whole truth and nothing but the truth, testified upon her oath as follows:

MR. KELLNER: I'm going to be asking you questions regarding this investigation.

THE WITNESS: Okay.

MR. KELLNER: And the questions will not necessarily be limited to your knowledge, but may involve other persons as well.

THE WITNESS: Okay.

MR. KELLNER: What you know about them. You should treat this as if you were in front of a Court of Law or a jury because it has the same effect, and remember that you are under oath.

THE WITNESS: Okay.

MR. KELLNER: Now, the Court Reporter will be recording everything that we say, and she will be preparing a transcript afterwards of what goes on here.

You will be receiving a copy of the transcript, and you should read the transcript and -- and see if it conforms to your recollection of what

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took place and sign it.

THE WITNESS: Okay.

MR. KELLNER: It is also important that you answer each question in words. The Court Reporter can't record nods for obvious reasons--

THE WITNESS: Oka,--

MR. KELLNER: --or grunts or anything else that we normally take as yes or no also can't be recorded on the record.

THE WITNESS: Oka,.

MR. KELLNER: If you don't understand or hear a question, please let me know, and I can report it or I can rephrase the question.

THE WITNESS: Oka,.

MR. KELLNER: If you answer a question, it will be assumed that you understood the question and you answered to the best of your recollection.

THE WITNESS: Okay.

MR. KELLNER: If you need to take a break, let me know. We can take a break if you want a drink of water or whatever.

THE WITNESS: Okay.

MR. KELLNER: That's fine.

EXAMINATION BY MR. KELLNER:

Q Can you tell me your address?

2504365150

A It's 501 North Central Street, East Bridgewater, Mass.

Q How long have you lived at that address?

A A little over a year. Bought the house May 9th last year, 1988.

Q Where did you live before then?

A At 147 Prospect Street in Brockton.

Q And that's where we originally sent you the letter?

A Yes.

Q Are you from that area?

A Yes.

Q Does your spouse work in the area, your new spouse?

A Yes. He works in Avon.

Q That's in Massachusetts?

A Avon, Massachusetts.

Q Okay.

A Sorry.

Q What is your educational background?

A My educational background?

Q Yes.

A I went to Brockton High School, graduated from there in 1983, went to Massasoit Communit, College, Executive Secretarial Program, graduated in

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1985, and that's it.

Q Where are you currently employed?

A Trade Wind Systems in Canton, Massachusetts.

Q Now, what is your current job title there?

A Receptionist/secretary.

Q How long have you been working there?

A I've been working there three years. September 22, 1989, it will be three years.

Q So you started September 22, 1986?

A Right.

Q What are -- take a step back. Is that the position you've always held?

A Yes, it is.

Q What are your responsibilities at that position?

A I do word processing for the service manager. He's got all service contracts. I put them all on a word processor. Basically, I'm secretary to him, also.

I'm secretary to the engineers, typing letters, answering the telephones, you know, basic odd jobs, filing, ordering office supplies.

Q Are those the same responsibilities you had when you first started the job?

A Yes, they are.

Q Have they changed at all?

A No. Basically the same.

Q Who is the service manager?

A The service manager is Jack McSweeney.

Q So you're a secretary to him as well as receptionist?

A Yes.

Q And you're secretary to engineers, you prepare letters and you answer the telephone?

A I also do the accounts payable there, too.

Q I'd like to find out a little bit more about Trade Wind. What kind of company is Trade Wind?

A HVAC contractors and engineering, heating and air conditioning.

Q Heating and air conditioning?

A Yes, for commercial -- commercial buildings. We install them. We engineer the system and install them.

Q Okay.

A And we service them, also.

Q Is it a big company?

A Not really. It's a medium sized company. We employ about 35 to 40 people at the present time.

Q Did it used to employ more?

A We've been -- yeah. We employed I'd say no more than 45 people. A few have come and gone.

Q And when was that when you employed--

A Approximately five, six months ago.

Q So who generally are Trade Wind's customers?

A Trade Wind's customers? We have a lot of people that we do work with basically, like installing their system, no vendors or anything. Oh, God. General contractors. We used to deal with Kurt Carsten.

I think we've done work with Granger & Sons. I'm not really, too familiar with all the people that we've done work with. I've just seen the basic jobs. I know like job names that we've done, a couple of them. I'm not really, too familiar with them.

Q So you install for building contractors?

A Yeah. We have -- a general contractor will bid a job, and then we'll put a bid in for the heating and air conditioning. Basically,, we just do the work through them.

Q I see. Who owns Trade Wind?

A The owner is Donald Cooke, Jr.

Q Donald Cooke, Jr.

A Yeah. He's he owner.

0 5 0 4 3 6 5 1 5 4

Q How long has he been the owner?

A Since Day One, 1975. Since the company opened.

Q So he's the original and only owner?

A Yes.

Q So there are no part owners?

A No.

Q How did--

A Not that I know of.

Q How did he form the company?

A I'm not really sure. I don't know. He used to run it out of his home, I think, back in 1975. He used to work for another person.

I have no idea who that was, but he went from there, and I guess he either got laid off or quit or something, and then just started it through -- gradually, through at own house, I think, and then he went to a trailer on Springdale Ave in Canton.

Q Okay.

A And then he went to two office trailers, and then we just moved into a new building two years ago that we just -- just built -- just had built.

Q So he used to do all the work, himself?

A Basically, yeah. He used to do all the work, himself. He hired -- I would imagine he hired a

few people to do the engineering and installing afterwards, but he is the original owner. He did start everything.

Q The company has only one address?

A One address, yeah, right now.

Q Does it only have one office?

A One office, yes.

Q What are Donald Cooke's current responsibilities at Trade Wind?

A Oh, I guess he does all the billing -- the billing, he's a sales -- go out and get the jobs, bring in all the jobs, bring it to the two engineers to bid.

I think he's done some bidding, himself, you know, bid on a few jobs if someone else is tied up. Basically, I would imagine that's about it, just owner, keeping track of the records and--

Q Who is in charge of the company?

A Who totally runs the company? He runs the company. He's the one who gets us all the jobs. As book work, they have an office manager, Nancy Stockus.

She does a lot of the book work. She does the insurance. She mainly does everything except for getting the jobs, of course.

Q But who is everyone accountable to?

A Don Cooke.

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Q So he's in charge and makes all the decisions?

A Yup.

Q And he would make decisions more than anyone else?

A Yes.

Q Who has the authority to issue payroll checks to employees?

A Don Cooke or Nancy Stockus runs them. She does all the payroll.

Q And who signs the checks?

A Don.

Q He signs all the checks?

A All the checks.

Q I'd like to step back a minute and just ask you a little bit more about your job.

A Um-hum.

Q What sort of people do you come in contact with at your job?

A I come in contact with a lot of the sales people, a lot of the vendors that we purchase equipment or duct work or whatever from.

Mainly all the sales people. I talk to everyone on the phone, transfer all the calls to, you know, such people.

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That's about it. I don't think I really deal -- just the people who come right in the front door. Mainly sales people.

Q Do you come in contact with them in person?

A Yes.

Q And over the phone?

A And over the phone.

Q Do you come in contact with people outside of Trade Wind?

A Not really, no.

Q Do you ever remember coming into contact with these people outside of Trade Wind?

A No.

Q Let's see. I mean, do you ever come in contact with people who don't work for Trade Wind?

A People who don't work for Trade Wind?

(Pause.)

BY THE WITNESS:

A I'm not really -- I'm not really sure what, I mean what type of people you mean. I mean, people that don't work for Trade Winds come in the door like, you know, family members of people who work with us.

Q Right. What I mean is when you're at your job, do people come to you to see other people for reasons other than business?

9504365156

A No.

Q Like you said, family members?

A Well, family members, yeah. Yes, they do. A few family members would come in. Not very often though.

Q Do any friends or social acquaintances come in?

A I had a few of my friends come in, but not -- not many people from -- not really, no. Not many friends would come in. Just -- basically, the only people that come in would -- a few people in the office just had babies. Their wives come in every once in a while. Other than that, really nobody, nothing to do with Trade Winds.

Q Anyone else?

A No.

Q You mentioned that you also open the mail. Who do you receive mail from?

A All our vendors. I open all the accounts payable. I don't open all the mail. Nancy Stockus is the office manager. She gets the mail. She opens it and gives me the accounts payable.

The vendors -- we get things from piping, piping vendors or duct work vendors. I mean, there's got to be about 200 of them.

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Q Okay. Do you do the actual opening of the envelopes?

A Yes, for the accounts payable.

Q Only--

A Only accounts payable, I open envelopes for.

Q Do you ever receive letters not dealing with accounts payable?

A No. Nancy Stockus usually sorts all the mail out before she give sit to me, just brings the accounts payable to my desk.

Q What do you mean by letters relating to accounts payable?

A Bills, invoices. If we -- the guys go out and purchase something for a job, the, charge it to Trade Winds, and then they send us the bill.

Q What would you do if you received a letter that wasn't dealing with accounts payable?

A Me, myself, I don't open anything that's not -- that I know is not accounts payable. I would give it to Nancy to open, or if it's addressed to Don, I'd leave it for him or whoever it's addressed to.

Q Would you open it first?

A No.

Q How would you know if it dealt with

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accounts payable?

A All my accounts payable comes in the window envelopes. You can see all the vendors' names and--

Q So if you have any doubts, do you open the envelope?

A No. I just give it straight to them. Basically, straight to Nancy. She'll open everything.

Q Do you work with Nancy Stockus closely?

A Yes.

Q Do you work with Cooke closely?

A Yes.

Q So you're on a first name basis?

A Yes.

Q What is your current salary at Trade Wind?

A At the moment -- well, I'm on hourly. It's $10 an hour.

Q What sort of payments do you receive other than salary?

A That's it. Maybe if I work a little overtime, just overtime. I don't receive anything else.

Q Do you receive any other payments?

A No.

Q Do you ever receive a Christmas bonus?

A Oh. Not in the last year, no. Last year

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we did not receive Christmas bonuses. Before that, we did.

Q So you have received Christmas bonuses?

A Yes.

Q Have you received any other bonuses?

A No.

Q Why was there no Christmas bonus this year?

A Little -- going through a little difficult time right now, getting a little slow so there was no -- as of yet, no Christmas bonuses.

Q The company's getting a little slow?

A Yeah. Everything's getting a little slow.

Q Okay. Do all employees receive the same bonuses?

A Yes. As -- the best of my knowledge, yes.

Q So all employees would receive a Christmas bonus and any other?

A No, no other bonuses, just a Christmas bonus.

Q When you received Christmas bonuses, were they generally the same amount each year?

A Yeah.

Q How much was the Christmas bonus?

A I think mine was like $50, maybe $100.

Q Did all employees receive the same amount?

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A As far as I know, they did, yes. I'm not really -- you just get them, you know, in your paycheck before Christmas.

Q Would it be added to your paycheck?

A No. I'm trying to think of the last time we got them. I think I just got cash the last time.

Q So you found $50 in your paycheck?

A Yeah. Well, I knew bonuses were come up, so I knew we were going to get them.

Q Did you receive a pay envelope?

A Yeah.

Q And opened it up?

A Yes.

Q Have you ever received a check for a Christmas bonus?

A When I first started, yes.

Q And it was a check from the company?

A Yes.

Q Your paychecks, they're from the company?

A Yes.

Q They say Trade Wind Systems on top?

A Yes.

Q Is there a system at Trade Wind for reimbursing employees for their expenses related on the job?

A Yes. Well, they -- you're referring to like if there's mileage, a certain person will go out -- there's a five mile radius, and if you go beyond that to a job, if you're going beyond that, you can return for your mileage.

Q Okay.

A You just put it in -- we have a -- just a form, a mileage form, fill out what job you went to, and I think it's like 20 cents a mile, and they'll just give you the money right back in the paycheck.

Q Is anything else ever reimbursed?

A Anything you spend for Trade Winds.

Q Any other expenses related to travel?

A There would be -- well, traveling. If we went to a vendor to buy something and we didn't have an account with them, usually people would just give them the cash and get a receipt.

Then they'd come back and get reimbursed for that. Other than that, no.

Q Are meals ever reimbursed?

A No.

Q How are expenses reimbursed?

A Expenses that the people working for Trade Winds -- usually just right back in their paycheck, whatever -- we have to show a receipt if we spend

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something for Trade Winds, and they just put it right in the paycheck.

Q Okay. So your paycheck would be larger than usual?

A Right.

Q And that's the way the practice has always been?

A Yes.

Q How are expenses monitored?

A I would imagine an accountant that works for us right now does all that. I'm not really, -- I'm not really sure.

He goes through all the -- well, if there's any truck expenses for the vans or trucks. He handles all that, the accountant.

Q Who is the accountant?

A Joseph Teebagy.

Q Can you spell that for me, please?

A Teebagy, T-e-e-b-a-g-y.

Q When an employee is seeking reimbursement for expenses, does he fill out an expense sheet?

A No -- well, for mileage, yes. We have mileage sheets if we want to get reimbursed for mileage other than if anything was to be reimbursed, we'd just give them a receipt for whatever we, you know, bought.

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Q What kind of things would you buy?

A Well, like I said, if any of the guys went out and bought something for the jobs, they would have a receipt. Any money that came out of their pocket, they would just bring the receipt back.

Q Do you know if Donald Cooke is married?

A No, he's not.

Q Was he ever married?

A Yes, a long time ago. I'm not really sure how long ago.

Q Was it while you were working there?

A No, never been married while I've worked there.

Q Okay. What if Don Cooke were to ask you to buy flowers for someone--

A Um-hum.

Q How would you be reimbursed for that expense?

A Well, we have an account at a florist right up the street, so I'd just go there and tell them it's for Trade Winds, and they bill us, and then Trade Winds will pay them. We'll get billed each month.

Q Would you lay out money for any personal expenses for Mr. Cooke?

A Not if I didn't have the money, no.

Q Have you ever done that?

A Well, when UPS came one time, there was no one there to write a check, so I wrote them a check when something came in for COD, and Nancy wrote me a check right away when she came back from lunch.

Other than that, that would be basically it.

Q Nancy Stockus; is that right?

A Yes.

Q And she issued you a check from the company?

A Yes.

Q Do you recall any other time when your expenses were reimbursed?

THE WITNESS: Can we stop for a second?

MS. REILLY: Sure. Let's go off the record.

(Whereupon, the witness was excused.)

MR. KELLNER: Back on the record. Off the record the witness asked whether my questions relating to incidental expenses were expenses relating to the subject matter of this deposition. Along that line I'd like to ask you one more question.

THE WITNESS: Okay.

BY MR. KELLNER:

Q Were there any other incidental expenses which were reimbursed to you other than the subject matter of this deposition?

A No.

Q Okay. How many people work in the office?

A About ten.

Q The rest of the people are on the road?

A Well, we have the shop out in the back. There's I think five shop guys out there, the foreman, field supervisor and service manager all out in the shop, but just in the general office, there's about -- between the engineers and secretary and the accountant, there's about ten of us.

Q When is money collected around the office?

A Relating to? We don't usually collect money around the office.

Q If someone had a baby, in buying a gift.

A Okay. I'm not really -- I'm having a hard time with the question.

Q Okay. On what occasions do you collect money from persons around the office?

A What occasions? If someone had a baby or when I got married -- well, actually, we didn't. Basically, that would be about it.

Q And have you ever collected money,

yourself?

A No.

Q Are there any other times money is collected, any at all?

A If they were doing like a Megabucks or -- do a group Megabucks or Quick-Pick. We just did one of them a couple weeks ago.

Q Those are state lotteries?

A Yes.

Q Is there a football pool?

A No.

Q World Series pool?

A No.

Q Has anyone ever sold Girl Scout cookies?

A Yes. A few guys in the office would come in, their kids were selling Girl Scout cookies. They collected money when they had -- when the cookies came in.

Q Okay.

A I've done that twice in the past year, I would think. Yeah.

Q Okay. Have you -- I'm afraid I may have cut you off too soon. Was there anything else other than Girl Scouts?

A No. Basically, just Girl Scout cookies or

-- no, not really. No.

Q Have you ever been requested to attend any type of fund raiser?

A Yes.

Q Okay. Other than the subject matter of this deposition--

A Okay. No.

Q You mentioned that you were -- that you were asked to take part in a fund raiser?

A Well, other than this deposition, no.

Q Okay. Well, how about the subject matter?

A Okay, in this subject matter. Yeah, this was the only one that we were asked to write a check for, was Haig for President. That was the only one. We were asked to write a check.

Q Can you describe the circumstances surrounding that?

A The day that -- the day it happened, I was only in there for a few minutes. I went in, and Don Cooke and come up to me and asked if I would write a check for $250, and he gave me the cash for it.

He said to write it out to Haig for President, and I said sure. I didn't think there was anything -- a problem at the time or anything.

I just didn't even think of it. I was on

my way out the door, so I had written out the check, and he had gave me the money, and that day -- I think I was out the rest of that day.

Q Do you remember what day that was?

A I think it was September 24th.

Q The date of the meeting?

A What meeting?

Q The date you spoke to Mr. Cooke and he gave you the money.

A Oh, yes.

Q And that was the same date you wrote the check?

A Yes.

Q What did he tell you exactly?

A I'm not even sure. He had just come up to me and asked me if I wanted to write a check, Haig for President, and I was on my way out the door, so he just -- I mean, he handed me the money, so I just -- I just walked with him, and then I had left and went to my bank and covered the check.

Q Did he call you into his office?

A No.

Q He did it in -- well, describe for me the area in which he made this request to you?

A Right in the front general office area

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where my desk is, front reception area. I was just -- just getting ready to leave, and--

Q Were there a lot of people around?

A Yeah. Everybody was around, everybody in the -- that we work with.

Q And how long did that particular meeting take?

A I'm not really sure. It was a while ago. Just -- the meeting between me and him, just maybe five minutes. No longer than that.

Q Five minutes. Do you remember what you discussed?

A No, I don't.

Q Were you surprised at all?

A I didn't even -- at the time I didn't even think twice about it. He had just, you know, he had the cash there, and he asked me if I could do that, and I said sure because I was in a rush to leave.

I think he had asked -- I'm not sure if he had asked, you know, a few other people.

Q Were you -- was this an unusual practice?

A Yeah. Yes, it was. It's just at the time I didn't even -- it didn't even dawn on me. I just -- because I had -- well, before when I mentioned about the UPS, when UPS had come and I had just written out

the check, and he had reimbursed me.

I just -- I wasn't sure what he was, you know, doing it for, for the Haig for President. He just asked me to write a check and, you know, the money was right there, and I was on my way out, so I just, you know, did it real quick.

Q Do you consider yourself a politically active person?

A No -- well -- no.

Q What do you mean?

A I mean, do I vote for -- I mean, I vote, but I'm not -- you know, I don't really get into any of the campaigning or anything like that.

Q Have you ever made a contribution to a political campaign before?

A No.

Q Have you made once since?

A No.

Q At the time you wrote the check, were you familiar with Haig for President at all?

A Yes, just, you know, barely.

Q What did you know about it?

A I just -- I -- well, I knew he was running for President. I knew the election was coming up. That was about it.

Q Have you ever volunteered to work in a political campaign?

A No.

Q Have you ever volunteered to work on a political campaign on the state level?

A No.

Q Not at any level?

A No.

Q Okay. Was this the only contribution you made to Alexander Haig?

A Yes.

Q And what else did you think when you were asked to make this contribution?

A Like I said, at the time I didn't even think twice about it. I was just, you know, I never even thought twice about it.

Then afterwards I found out, you know, I guess he was going around to a few people to do it, to, you know, write a check, and he gave the money back. I'm not really sure who or -- at the time I really didn't think nothing of it.

Q Well, who else did he ask?

A I'm not really sure.

Q Did you discuss this with anyone at work?

A At the time, no.

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Q Did you discuss it later on with anyone at work?

A No.

Q Did you mention to anyone at work that Mr. Cooke had asked you to write a check to Haig for President?

A I had mentioned it to Nancy Stockus -- well, I had found out afterwards that she -- I guess she had written one, too, but other than that I really didn't talk to nobody.

I'm not really -- it's hard for me to talk to people in the office because I'm in and out a lot. You know, I might go pick up prints or whatever.

Q How did you find out that Nancy had made a contribution?

A I was talking to her one day, and I think she had mentioned it.

Q Was it the next day?

A I'm not really sure now. I don't know. It could have been a week later; it could have been a month later.

Q Okay. And she made a contribution as well?

A Yes.

Q Did she mention anyone else to you that had made a contribution?

A No.

MR. KELLNER: Can we go off the record for a second?

(Off the record, briefly.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q I'd like to discuss, again, the reimbursement from Mr. Cooke--

A Okay--

Q --of your check to Haig for President. Did he give you the money in an envelope?

A No. Just put it right down on my desk.

Q Did he take it out of his wallet?

A He had it right in his hand. I'm not really -- he just -- there was a wall -- there's a wall right beside my desk, and he just came around the corner and asked me if I wanted to write the check, and I said sure.

Q Did he tell you how much to write the check for?

A Yeah, $250.

Q And did you ask him anything about it?

A No.

Q Were you concerned at all at that time that this may have been improper?

A No. I wouldn't have done it if I did.

Q Were you uncomfortable at all about doing it?

A No. I didn't even -- didn't even think twice about it.

Q Was it your impression that this was all Donald Cooke's idea?

A At the time he was the one that came out to me, yeah.

Q Have you heard anything since?

A No.

Q Anything at all?

A No.

Q Did you know at that time of his involvement with Haig for President?

A No.

Q And did you find out anything later about his involvement with Haig for President?

A No. I didn't -- not at the time, no.

Q Did anyone else from Trade Wind ask you to make the contribution?

A No.

Q And Mr. Cooke didn't mention anyone else?

A Not at the time. I was -- like I said, I was on my way out the door that day.

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Q Who's your direct supervisor?

A Nancy Stockus.

Q And who is her supervisor?

A Don Cooke.

Q Would you refer to Don Cooke as the boss?

A Yes.

Q Do you know of his relationship at all with Haig for President?

A No, I don't.

Q Is Don Cooke -- let me step back. What is his capacity to hire and fire employees?

A I don't think he's really ever done it. I think the supervisors do most of that. He's not really dealing with the employees too much to, you know, hire unless it's the engineers or draftsmen.

Q Okay.

A Other than secretaries and shop, the supervisors would do all that.

Q How much say does he have?

A He's the owner. He would have all the say, I would imagine.

Q Why do you think he wanted employees to write a check to Haig for President?

A I don't really know. I never actually thought about it, especially the day that I had done it

for him. I didn't even think about it. I knew all the elections were going on, and I figured he was just, you know, making a contribution or maybe making more money and just wanted to split it down or whatever so, you know, that's the reason why -- at the time I wrote the check, I didn't even -- didn't even think of it.

Q What do you mean by split it down?

A I mean -- I don't know anything about contributions or how much you could give or -- I really don't know that much about anything like that.

The thing I had -- you know, maybe later on I had thought that if he didn't want to give like $500 or whatever, maybe he split it in half.

I just -- I really never gave it that much thought.

Q Why do you think he wouldn't have wanted to give $500?

A Maybe he thought it was too much or -- I'm not really sure. I -- I just, you know, I was thinking -- just maybe thinking it.

I don't even know why he ever asked me to, you know, write a check. I never -- never went back to him and asked him. I never thought anything afterwards about it.

Q Did you ask him if he made a contribution?

A No, I did not.

Q Did you think about asking him?

A No. After I did it, I really never thought about it.

Q After you -- after you wrote the check for which he gave you the money, you stated that you deposited the money in your account?

A Yes. I went and covered my check -- covered the check, yeah.

Q Do you have a copy of the bank statement showing that deposit?

A I have my deposit slip with me.

Q You do?

A Yes.

MR. KELLNER: Okay.

THE WITNESS: Do you want that right now?

MS. REILLY: Let's go off the record.

(Off the record, briefly.)

MR. KELLNER: Back on the record. Off the record the witness agreed to mail us a copy of her bank statement and all accompanying papers--

THE WITNESS: Excuse me?

BY MR. KELLNER:

Q Are there any papers that accompanied the bank statement relating to the transaction?

A No.

MR. KELLNER: Well, she will mail the copy of the bank statement.

BY MR. KELLNER:

Q Is that what you agreed to?

A Yes.

Q Did Mr. Cooke tell you anything about a plan for employees to make contributions?

A No.

Q Did you hear any talk of any plan around the office?

A No.

Q So you heard no talk at all about these contributions to Haig for President?

A No.

Q Other than contribution of Nancy Stockus?

A Yes.

Q Did you ask her how much her check was for?

A Yes. It was the same, $250.

Q Did you ask Mr. Cooke what this check was for?

A No.

Q Well, was this check for a fund raiser for Haig for President?

A I would imagine it was, yes.

Q What do you mean?

A Well, he was running for President, and he asked me to write a $250 check. I was assuming it was for a fund raiser or for the election.

Q Well, do you know what I mean by a fund raiser?

A No.

Q Often there are events to raise money for a campaign--

A Um-hum--

Q --to meet the candidates. Do you know of any type of event like that?

A No, I don't.

Q Did you hear about a party for Al Haig?

A No, I did not.

Q So you have no recollection of any opportunity for you to meet Alexander Haig?

A No. The only thing I did was write the check, and he gave me the money back, and that's the last I've heard of it until this deposition.

Q Do you know if Nancy Stockus attended such an event?

A I don't think so, no. My best bet would be no. She never mentioned a party or anything to me.

Q Do you know any employees who denied to

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make a contribution?

A I don't know, no. I'm not really sure who did or -- the only one I had talked to was Nancy.

Q Did you ever consider declining to write the check to Haig for President?

A No, I didn't -- at the time it was just -- I didn't think it was really -- obviously, if it was, you know, something wrong with it, I wouldn't have done it. I just -- everything happened so fast, I just wrote the check and went and deposited my money, and then I was on the road for the rest of the day.

Q How do you think Mr. Cooke would have reacted if you said no?

A Probably would have just turned around and, you know, made no big deal about it, maybe would have asked somebody else.

Q On your job you said you answered telephone calls?

A Yes.

Q Did you ever receive any calls from the Haig campaign?

A No.

Q You don't recall receiving any calls at all?

A No, I don't.

Q Do you recall receiving any calls from anyone involved in politics?

A I wouldn't really know, I mean, know -- I wouldn't really know if they were involved unless they had said it was, you know, something for Haig or something for President. I never received any phone calls like that.

Q Do you keep a phone log?

A Yes.

Q Can you describe it to me?

A It's just a message sheet. Only -- the only logs that would be in there are if the person was not there. I'd write down there whoever called, the company, the telephone number and sometimes a reason why they were calling.

If they had called and the person was there, it would just go straight through to them unless they wanted me to take a message.

Q Do you have access to this phone log?

A Yes.

Q How long are phone logs retained for?

A I usually -- I throw them out. I only hold them for a couple months, maybe three, four, five months.

After that, they just pile up. I usually

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just throw them away.

Q How far back do you -- well, let me step back. Currently, how far back have you retained the phone logs?

A At this present time I think I have just about five months.

Q And what did you state the information you put in the phone log is?

A The person who had called, the company they're from and their telephone number and sometimes a message, not all the time.

Q What kind of a message would people leave?

A Well, anything about a job or, you know, if there's a meeting, they'd leave information on a meeting, or if they had ordered something, you know, just a quick message saying that your order is in or whatever.

Q Do they ever leave messages about personal calls?

A Yes. Not -- a few times maybe Don would get a call that his friend wanted to meet him for golf or something, but, no, just something basic like that.

Q Were there any phone calls relating to a political fund raiser?

A No.

Q Were there any calls relating to any fund raisers?

A No.

Q No charity functions?

A No.

Q Can you tell me about Mr. Cooke's involvement in politics?

A I'm not really sure. I really have no idea.

Q What do you know about it?

A What do I know about him? Not much. I'm not really sure. I don't know how involved he gets in politics or anything like that. I would imagine he votes. Other than that I don't know.

Q Have you ever seen him wear a campaign button?

A No.

Q Did you ever look at his car?

A Yeah.

Q Does he have any bumper stickers relating to--

A No bumper stickers, no.

Q Have you ever discussed politics with him?

A No.

Q Did you ever discuss current events with

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him?

A No. I don't really -- it's -- we don't really sit down and have conversations or -- you know, too much. I just know him, you know, on a friendly working basis.

Q How about with Nancy Stockus?

A With Nancy? I've never -- don't really discuss politics or anything with her, no. Just the day I had talked to her about if Don had asked her about the contribu -- to make a -- to write the check. That was the only conversation we've ever had about anything like that.

Q Do you recall in general discussions around the office about the last presidential campaign?

A No, I don't. That's kind of -- a little while ago. It's kind of hard to remember.

Q What did you--

A I don't -- I don't recall anybody really talking about, you know, anything political.

Q Was anyone in the office politically active?

A No.

Q Did anyone wear a campaign button?

A No.

Q Do you know if anyone attended a campaign

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fund raiser?

A I don't know.

Q Do you know where Mr. Cooke may have received instructions on collecting political contributions?

A No, I don't. He's got -- he's got a lot of friends. I don't even know half the friends he's got, but, no, I don't.

Q Does he have friends in government?

A I -- I don't really know. Not that I know of.

Q Was anyone else present at the time that he asked you to write the check to Haig for President?

A I think Nancy was standing there and the other secretary, Maureen. That was basically about it. I'm not really sure. Those are the two main people that are always around.

Q Did Maureen hear the discussion?

A Yes.

Q Was Maureen asked to make a contribution?

A I had just found that out, yes.

Q What do you mean, you had just found that out?

A I had -- I had talked to Nancy when I got the deposition thing in the mail, and that's when I

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was, you know -- I asked a few questions about it, but nothing really -- I didn't think there was anything at the -- at the time, and I had -- I guess I had found out that she, Maureen, had written a check, too, but she could not find her check.

She was waiting for her bank, and that was the only other person I had known. I really didn't talk to too many other people about it, but that was just, I mean, within the last month, couple of weeks.

Q What did Maureen say to you about it?

A She said she had gotten one in the mail, too. She had gotten a package in the mail, and they wanted the check and answer a few questions. That was all I talked to her about it.

She said she was still waiting for her bank to get her check back. I guess they -- I don't think they ever found it.

Q Did you know anyone else who received a letter such as this?

A No, I don't. I didn't talk to anybody else about it, no.

MR. KELLNER: I'd like to ask the Court Reporter to read back the last question.

(Whereupon, the last question was played back.)

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MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q Who else do you know of that received a letter from us regarding their contribution to Haig for President?

A Just Maureen and Nancy.

Q Was there any discussion around the office about the contribution?

A I really haven't -- I haven't been there. I mean, I got married, and I was on vacation, so I really haven't been there to find out if there were any more discussions.

Just, you know, before I had left -- I had just gotten it before I left, before I left there, and I had -- just Maureen and Nancy are usually the only people I ever talk to, you know, right up front.

Q Was there any discussion before you received this notification letter?

A No.

Q What did you discuss about it with Maureen and Nancy?

A I just -- Nancy had mentioned she had gotten the letter in the mail about the check that we had written, and I said well, they probably -- I didn't get mine because I had moved.

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I said that's probably the reason I didn't get mine, and Maureen had mentioned she had gotten hers, and I guess she was just going to fill out the questions and send it back. That was about it. It was real -- real quick.

Q How about Nancy?

A Nancy had mentioned that she was coming in, also. I didn't know -- until I had gotten mine, I really didn't find out too much about it until -- that's all she had said was she had gotten hers, and she was called to come in to answer a few questions.

Q What does Don Cooke know about this?

A I -- nothing. I've never said a word to him. That was it. Nothing.

Q Has Nancy spoken to him about it?

A No. Well, it says not to, not to speak with anybody about it.

Q That's correct.

A Yeah.

Q Has Donald Cooke mentioned anything to you about it?

A Not a word, no.

Q Did anyone mention anything to you about anyone else receiving such a letter?

A No. I haven't heard too much of the talk

around the office last -- I mean, I wasn't there. I've been gone the last week and a half to two.

Q Were you surprised when you received the letter?

A Yeah.

Q Why were you surprised?

A I just -- at the time when I had written the check, it didn't even dawn on me. I didn't think that I was doing anything wrong, and according to the -- all the information I got, obviously I did. That's why I was surprised.

I mean, I've never gotten into any kind of trouble before, you know. I don't -- I wouldn't have done it if I had known I was going to get in trouble.

Q Have you heard of any other employees since you received the letter who were asked to write a check to Haig for President?

A No.

Q Why do you think Mr. Cooke asked you to write the check?

A I'm not really -- I never really even thought about it. I just, you know, if he asked me to go to lunch or whatever, I'd go or, you know, I never really thought about it. I'm not really sure.

Q Has he asked you to write a check for

anything else?

A No.

Q Have you ever worked with Dennis Cooke?

A Dennis Cooke, yes. He's one of the service technicians.

Q Is he related to Don Cooke?

A That's Don Cooke's son.

Q What does a service technician do?

A A service technician just -- he does all the service. He'll go out in the van if we have a service call.

If there's a leak in an air conditioner or anything like that, we'll send him out to the job to fix it.

Q How long has Dennis Cooke worked there?

A He was there when I got there, when I started, and he had just left. He had left once before, got fired from -- the service manager had fired him, and then he came back a couple of weeks later, and he just left again a couple months ago.

Q Well, why was he fired?

A He never showed up for work.

Q Why did he leave the job this time?

A As far as I know he's just a lazy person who does not want to work. That's what I know of him.

Q Does he live with his father?

A No. He lives with his grandmother.

Q What is their relationship like?

A Don and Dennis?

Q Yes.

A I don't really think they're that close, as far as what I can see. They talk every once in a while, but they're not very close.

Q What do you mean by close?

A Well, like a father and son relationship. They talk. They don't fight. I really don't know too much about Dennis. I've really never, you know, talked to him too much. He's a very quiet person.

Q How old is Donald Cooke?

A I would guess 50. I have no idea.

Q He's not going to read this. How old is Dennis Cooke?

A Dennis Cooke is, I believe, my age, 23.

Q What makes you say that Dennis Cooke is a lazy person who doesn't like to work?

A Because he never showed up for work. He's just -- he always called in. He was always sick, and people would, you know, maybe someone would see him down the coffee shop or whatever. He just appears to me lazy.

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Q Is that the talk around the office?

A No. Not really, no.

Q Who is Mary Cooke?

A Mary Cooke? I think that's Don's mother.

Q And that would make her Dennis's grandmother who he lives with?

A Yes.

Q Have you met her?

A Maybe three times. A couple times she's come in the office.

Q What do you know about Mary Cooke?

A Absolutely nothing. Just a few hi and bye and that was it.

Q Do you know about her involvement in political activity?

A Not at all, no.

Q What can you tell me about Dennis Cooke's involvement in political activity?

A I don't think he's very -- I imagine he votes. Other than that, I don't think he's that involved.

Q Are you given time off work to vote?

A No.

Q Do you know if Dennis Cooke has ever made a contribution to a political campaign?

A I have no idea, no.

MR. KELLNER: I'm going to mark this as -- I'd like the Court Reporter to mark this as FEC Exhibit No. 1.

(The document referred to was marked for identification as FEC Exhibit No. 1.)

MR. KELLNER: I'll give a copy to the witness and ask her to look at it.

(Pause while witness reviews document.)

BY MR. KELLNER:

Q Have you had a chance to look at Exhibit No. 1?

A Yes.

Q Which is one page long?

A Yes.

Q Do you recognize it?

A It's my check, a copy of my check that I wrote for Haig for President after it had been processed.

Q Is this both sides of the check?

A Yes, it is.

Q And that's your name on top?

A Yes, it is.

Q And your signature at the bottom?

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A Yes, it is.

Q And the date is September 24, 1987?

A Yes.

Q And that's the date that Mr. Cooke asked you to write the check?

A Yes.

Q And you were reimbursed for the amount written on the check?

A Yes.

Q What is the amount written on the check?

A Two Hundred Fifty Dollars.

MR. KELLNER: I'd like the Court Reporter to mark this as FEC Exhibit No. 2.

(The document referred to was marked for identification as FEC Exhibit No. 2.)

MR. KELLNER: Let me give a copy of this one page document to the witness and ask her to look at it.

(Pause while witness reviews document.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes.

Q Have you seen this before?

A No, I haven't.

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Q Can you tell me what this is?

A It looks like the form for -- to make a personal contribution.

Q What's at the top of this document?

A A copy of my check.

Q And below it is?

A The -- it's marked off how much of a contribution was made, my name, address, my occupation and my employer.

Q Are you familiar with this form?

A No. I've never seen it before.

Q Who completed this form?

A I don't know. It's the first I've ever seen it. I've never -- I don't know.

Q Who does typing around the office?

A All three secretaries, me, Maureen and Nancy Stockus.

Q The three of you are the three secretaries?

A Yes.

Q But you all have different job titles?

A Yes.

Q And yours is receptionist?

A Yes.

Q Nancy Stockus is office manager?

A Yes.

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Q And Maureen is?

A She's engineering secretary, accounts receivable.

Q That's Maureen White?

A Yes.

Q She hasn't gotten married recently, has she?

A Maureen White? She's been married for years.

Q Okay.

A That's her married name.

Q Do you recall giving anyone this information for this form?

A No. All the information right there is on my check.

Q Is this your address?

A My former address. At the time that was my address.

Q And that is your occupation at the time?

A Yes.

Q Was there a meeting held to discuss the reimbursement of contributions?

A No.

Q Did you ever receive any mailings from the Haig for President committee?

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A No, I didn't.

Q No mailings at all?

A No.

Q No mailings prior to the time you wrote the check?

A No.

Q And no mailings since?

A No.

Q Did the committee send you a thank you note for the check that you wrote?

A I never received one, no.

Q What acknowledgement at all did you receive the committee?

A Ever since I wrote the check, I've never received anything.

Q Have you ever seen a document similar to Exhibit No. 2?

A No, I haven't.

Q Do you know who may have completed this form?

A No, I don't.

Q And you handed the check you wrote to Haig for President to Donald Cooke?

A Yes.

Q Who has access to personnel files?

A Nancy Stockus, the office manager.

Q Is the information contained on this form in your personnel file?

A Yup.

Q Who else would know the information that's on this form?

A Maureen White would know it. She -- she knew where I lived at the time. Everybody knew where I lived at the time that I worked with -- work with.

Q Who else knew that you wrote a check for $250?

A Just Nancy and Maureen.

Q When did they find out?

A It was a while afterwards. I'm not really sure. Maybe a couple months. Whenever -- I had -- when I had talked to Nancy one day, I had mentioned that I wrote it, and she had mentioned she wrote one.

Q The person who completed this form would know that you made -- you wrote a check for $250.

A Right.

Q Do you recall any other occasions or any occasions at all when you gave this information to somebody in the office?

A My address information or any information at all?

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Q All the information contained on this form.

A Well, everyone in the office, they all know where I lived, and they know I'm the receptionist. That's the basic information.

Q It's a small office?

A Yes.

Q The atmosphere is friendly?

A Oh, yeah.

Q Do persons know each other well?

A Yes, very well.

Q In general, how would you describe political activity at Trade Wind?

A There is none. I've never seen anybody, you know, wearing pins or anything like that, never ever.

Q Is there any system at Trade Wind for making political contributions?

A No.

Q Are political contributions ever deducted from paychecks?

A No.

Q What sorts of items are deducted from paychecks?

A Deducted from paychecks? Just the taxes and if anybody charged things at Trade Winds, we take

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it out of their check, you know, Social Security, you know, the regular. That's about it.

Q What kinds of things would be charged at Trade Wind?

A A lot of the guys in the field or even in the office would buy something at one of our vendors and just charge it like I've done it before.

When I first started, I had a flat tire. I charged a tire to where we get our trucks fixed, and they just took the $50 out of my check because I didn't have the money at the time.

Q Can deductions be requested from your paycheck?

A Sure, yeah. We have a payroll deduction that goes into our bank. That's one thing we have. I have certain money going into my checking and savings each week. That's the only deductions I have.

Q Are any of your deductions ever involuntary?

A No.

Q Who else did you discuss our notification letter with?

A Just Nancy, and I had -- just Nancy.

Q And Maureen?

A And Maureen. She was there. She was there

at the time.

Q Anyone else?

A No.

Q Do you have reason to believe anyone else would know about it?

A No one's ever mentioned it, no.

Q Did anyone bring a notification letter to your attention?

A No, just when I had -- just Nancy when I had talked to her.

Q What kind of conversations did you hear about regarding checks written to Haig for President?

A Can you repeat the question?

Q What kind of conversations did you hear about regarding contributions to Haig for President?

A I didn't hear any conversations in the past couple weeks, no. I haven't heard anything. I really haven't been there.

Q I'd like to mention a few people specifically.

A Okay.

Q Who is Richard Clegg?

A Right now he's the project manager. He used to be service manager.

Q Do you know if he wrote a check to Haig for

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President?

A I don't know, no, never mentioned it to me.

Q How about Bobby Cowart?

A Oh, Bobby Cowart. He used to work in the shop. He hasn't worked with us in over a year. He was one of the shop -- shop helpers.

Q Do you know where he's working now?

A I have no idea. I barely -- I don't even -- I never even had a conversation with him. I just know him by face. That's it.

Q Would you now his address?

A I have no idea, no.

Q Would anyone at Trade Wind know his address?

A His present address? He's been gone a long time. I would doubt it. The best information -- Nancy Stockus, the office manager, she probably has the personnel -- his last address that she knows.

Q How about Anthony DeBona?

A He used -- he used to work with us, also. He -- who was he -- a project manager. He was our old project manager.

Q What is a project manager?

A Just basically to order all the equipment for the jobs and make sure everything goes smoothly and

make sure all the deliveries and all the guys are out there.

Q Does he still work there?

A No. He's been gone for about a year.

Q Why did he leave?

A I would imagine he was offered a better job. I don't really know.

Q How long did he work there?

A He started a couple days after I did so two years.

Q Do you know if he was asked to write a check?

A I don't know, no.

Q Who is Arseen E. Frappier?

A He's the field supervisor.

Q How do you pronounce that?

A Frappier. It's Arseen Frappier.

Q Is he still employed by Trade Wind?

A Yes.

Q Would you know his current address?

A I know he lives in Middleboro. I'm not really sure of his home address.

Q But the Trade Wind personnel files, would they have his current address?

A Sure, yeah.

Q Who is Gregory Gagnon?

A Greg Gagnon, he's one of the shop helpers, sheet metal worker.

Q How long has he worked there?

A I'd say about three years.

Q How about Richard Nolton?

A Rick Nolton? He's no longer with us. He used to be our draftsman.

Q When did he leave?

A Last December.

Q Do you know why he left?

A I think he left because his mother was sick, and he moved to New Hampshire. He moved up with her. I'm not really -- I haven't talked to him since. I don't know.

Q Do you recall ever receiving any mailings from him?

A From him, no.

Q Do you recall any mailings being sent to him?

A I haven't talked to him since he left, no.

Q Do you know if he was asked to write a check to Haig for President?

A I don't know, no.

Q Who is Dennis Morancy?

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A He's our chief engineer at Trade Winds.

Q Is he still employed there?

A Yes.

Q And the personnel office would have his address on file?

A Yes.

Q Would you know offhand what his address is?

A I don't know his home address, but he's -- he moved down to Mansfield. He just moved down there.

Q Mansfield?

A Mass.

Q Do you know if he's made a contribution or written a check to Haig for President?

A I don't know, no.

Q Does he work closely with Mr. Cooke?

A Yes. He -- well, Mr. Cooke gets the jobs. He'll bring in the jobs, and Dennis got to bid them, engineer them.

Q How about the employees I've already mentioned or former employees, did Mr. Cooke work with all of them?

A No, not really. He doesn't talk to the guys out in the shop very often. He might go out there and have a cigarette or something, but not very close with them.

Q How about the project manager, Richard Clegg?

A He's close to Don. He works close with him.

Q Do you know a Daniel F. O'Hara, Jr.?

A He's another shop worker.

Q Does he work closely to Mr. Cooke?

A No.

Q Do you know if he was asked to write a check to Haig for President?

A I don't know.

Q Is he still employed at Trade Wind?

A Yes.

Q Do you know a Mary B. O'Hara?

A No. O'Hara I would imagine is related to Danny. I don't know her.

Q Do you know if Danny O'Hara's married?

A No, he's not.

Q He's not married?

A No.

Q Has he ever been married?

A No.

Q So you don't know Mary B. O'Hara?

A No, I don't.

Q Is there anyone at Trade Wind employed --

anyone employed at Trade Wind named Mary B. O'Hara?

A No, there's not.

Q Is there an employee named Frederick Shay?

A Yes, former employee.

Q When did he work there?

A He worked -- he just left maybe six months ago, seven months ago. He left to go to school. He was working there. He started a few months after I did.

Q What was his job?

A He was the truck driver, brings the duct work out to each job that we make in the shop.

Q Where is he going to school now?

A I don't know.

Q Do you know anyone at Trade Wind who keeps in touch with him?

A Some of the guys in the field or the shop might that, you know, worked with him. Other than that, no -- I doubt anybody in the office.

Q Did he write a check to Haig for President?

A I don't know.

Q Is there anyone employed at Trade Wind named Kimberly Stockus?

A No. That is Nancy Stockus's daughter, Kim.

Q Has she ever worked at Trade Wind?

A I think maybe part time a long time ago before I was there. She might have worked, you know, just to help out with the phones or something. Other than that, she's not employed there, no.

Q What was her job?

A Kim's job?

Q Yes.

A I -- I'm not really positive. I think she just came in to just answer the phones, help out with the phones. That was before my time there.

Q Why is she no longer working there?

A She's in school now. I think she's away at college.

Q Oh, okay. Where is she going to school?

A I'm not really sure. It's in New York, I think.

Q Did she ever write a check to Haig for President?

A I don't know. I really -- I have never talked to her more than hi or bye.

Q I'd like to step back again and talk about the time when you wrote the check to Haig for President.

A Okay.

Q You mentioned that you were just leaving?

A Um-hum.

Q Where were you going?

A Usually when I go out, I either go out and pick up a, you know, a check. If someone's past due on a payment, they'll just, you know, send me to run and get it or I'll pick up prints.

I usually run out and just do, you know, basic little errands for them.

Q It was--

A I'm not really sure where I was going that day.

Q But it was in the middle of the work day?

A Yes.

Q Do you recall the time of day?

A No, I don't. Probably afternoon, after -- maybe two, three o'clock.

Q Were you alone at the time Mr. Cooke asked you to write the check?

A I think Nancy and Maureen were standing there. Not right there, but in the vicin -- right in the close vicinity.

Q Did they hear what he said to you?

A I'm not really sure. I don't know. They -- they might have.

Q But there was no effort to be secret?

A Right. It was just real quick.

Q What did he do with the check that you write to Haig for President?

A What did he do with it?

Q Yes.

A As far as I know he just took it and gave me the money. That's the last I ever saw of the check -- the last I ever heard about it.

Q Where did he place the check?

A He had it right in his hand and just walked away from my desk.

Q Was he holding anything else?

A No, just the money he gave me. He left that on my desk.

Q Was he holding any other checks?

A No.

Q Did he put the check in an envelope?

A No.

Q Did he put it in his pocket?

A No. He -- right when he walked around, he had it right in his hand when he walked around the corner.

I don't know what he did with it after that because I went the other way.

Q Where did he walk with the check?

A I have like a wall and my desk behind me, so he walked back around the wall down the hallway, and I walked -- he walked back to the right.

I walked to the left out the front door, so I really didn't see him walking down the hall. I knew he just had it in his hand, and he turned around and walked back towards his office.

Q What did he say to you after he wrote the check?

A Just said thank you.

Q That was it?

A That was it.

Q Anything else?

A No. He just said thank you, and he goes here, here's the, you know, money.

Q Was he happy?

A He's always happy. Not -- I mean, he wasn't ecstatic because I gave him a check or anything. He didn't -- you know, he's just always happy.

Q It must be nice to work for someone like that.

A Better than working for a grump.

Q When are you going back to work?

A When am I going back? Tomorrow. I was there yesterday. What's today, Thursday? I was there

Tuesday and Wednesday, and I took today off. I'll be back tomorrow.

Q How long had you been out?

A Since November -- since the first of November.

Q Does anyone at work know where you are today?

A Just Nancy. I had to tell her I was -- I took a personal day.

Q Okay. What did you tell her about what was going on?

A Very brief. I just said that I had to go in and answer a few questions about it because I really wasn't -- I mean, wasn't sure.

Q Who else did you tell that you were coming here today?

A Nobody.

Q Did you mention it to your spouse?

A Yes, and my sister.

Q What did you tell your sister about it?

A I just said that I was -- evidently there was a problem with the check and stuff, so I had to come in and answer a few questions.

I mean, I didn't even know that much about it.

Q What did you tell your spouse about it?

A I'm not really sure. I think I just mentioned it real quick. I just said that I was -- I had to come in and answer a few questions. I really wasn't too sure about what was going on.

Q Okay.

A I said there must have been a problem with writing the check, and then when I read a few things in there, evidently there was a problem with it.

Q What did he say about it?

A He never has anything to say about it. He's very quiet.

Q Did he make a contribution or write a check to--

A No--

Q --Haig for President? I'd like to step back again and talk about general office facilities where you work.

A Okay.

Q Is there a xerox machine?

A Yes.

Q Who has access to the xerox machine?

A Everybody, everybody in the company. It's just in the stock room. It's just right there, always open, always on.

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Q What other facilities are there related to the office?

A Oh, we have a computer room. During the day that's always open. The door's shut, but it's unlocked. Nobody ever goes in there except for the three secretaries though.

We have the draft -- two drafting tables, just everyone's separate offices, the shop and two conference rooms.

Q What are the computers for?

A For all the business that goes on at Trade Winds, the accounts receivable, accounts payable, all the, you know, listing of trucks and whatever, all of -- I would imagine all of Trade Wind's business.

Q Who does the work on the computers?

A I do the accounts payable work. The accountant does a lot of miscellaneous. You know, he bumps from accounts receivable, accounts payable.

Maureen White does all the accounts receivable on it, and Nancy is the office manager, so she does everything, writes checks, reports, everything.

Q Does anyone else at work know how to operate the equipment?

A No, not the main computer, no.

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Q Does Donald Cooke know how to operate the equipment?

A I don't think he ever has, but -- I've never seen him on the computer. I don't know if he knows how to run it or not. He doesn't have one, himself, in his office.

Q Have you ever seen him go into the computer room?

A No.

Q Who have you seen in the computer room?

A Me, Nancy Stockus, Maureen White and Joe Teebagy. That's the only people that ever go in there.

Q Joe Teebagy you mentioned is the accountant?

A He's the accountant, yes.

Q Who does typing in the office?

A The three secretaries, me, Maureen and Nancy.

Q Have you ever seen anyone else do any typing?

A No. No one else knows how.

Q Does everyone have access to typewriters?

A Well, my typewriter's just right on my desk. They're just sitting there. Yeah, they would.

Q How many typewriters are there?

9 5 0 4 3 6 5 1 6 0 8

A Just three.

Q Is there any other office equipment?

A I have a word processor at my desk. I do all the word processing. The head engineer has our old computer. That's just a regular personal computer to do bids on, a fax machine. That's about it.

Q Is there a postage meter?

A Yeah, a postage meter, also.

Q Any other equipment you can think of?

A Adding machines, everyone has an adding machine. We have a shredder. That's about it.

Q Who has access to the office at night?

A Anybody who has -- you mean to get in the office, itself, after it was locked?

Q Yes.

A Donald Cooke would. He's the owner. I do. I have my own code for the security system. Nancy has her own code. I would imagine a couple of the engineers, if they work late, they would have to have their own code to lock up. Basically, everyone except for maybe Maureen and Joe Teebagy.

Q What do you mean by code?

A We have a -- just as a security system, you have to press in -- they give you a little code or you pick a little code, four number code, and you have to

punch it in to go in.

Q I'm not going to ask what the code is.

A No. It's supposed to be private.

Q Is there anyone in the office at night?

A I leave at four thirty. What happens after that, I really don't know. Some people, I would imagine, if they were doing a bid that was due, they would -- a few of them would stay. I don't really think anybody else really stays other than the engineers or Don, if Don's there.

Q Is it common for employees to be there at night?

A Not really. It's kind of -- it depends. I mean, like right now we're slow so there's really not a lot of work going, so everyone usually leaves at, you know, five o'clock.

I -- I leave a four thirty every day. I'm not really sure. I haven't done overtime in a long time, so--

Q But you receive overtime?

A I used to, yeah, but -- well, last year I did. I haven't received any yet this year.

Q You're paid on an hourly basis?

A Yes.

Q The amounts are added to your paycheck?

A Yes.

Q So it would be your regular paycheck, plus the added overtime?

A Yes.

Q Who's in the office on weekends?

A I don't even know. I'm never there on weekends. Usually nobody, I don't think. They don't even open up on weekends.

Q Have you ever been asked to come in and type something on a weekend?

A Never. I like my weekends.

Q Is this the first job you had after graduating from school?

A No. I worked in Quincy at Allied Communications for one year, and then I left there to come to Trade Winds.

Q Why did you leave?

A Because I hated the people there. It was just a bad job, very underpaid.

Q Are you related to anyone who works at Trade Wind?

A Nope.

Q Have you ever been?

A Nope.

(Pause.)

MR. KELLNER: I'm going to take a short break. Off the record.

(Off the record, briefly.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q How did you hear about your job at Trade Wind, that there was an opening?

A I went through Quality Personnel from Brockton. She had sent me on the interview.

Q Who did you speak to at the interview?

A Nancy Stockus. She interviewed me.

Q What kind of job were you looking for?

A Just a basic secretarial job.

Q Is there any petty cash fund in the office?

A Yes.

Q Where do the funds for that fund come from?

A Well, sometimes Nancy will just cash a check. There's really not a lot kept in there. She'll just cash a check to, you know, keep a little extra in.

Some guys will go out and if they're out on the road and have to get gas, they'll just put $5 or $10 in it and then give the receipt to Nancy.

Q Who has access to the petty cash fund?

A Nancy has it in her desk. I never go in there to get it. I have never seen anybody go in there

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to get it. Don might go in there, but -- her desk is usually locked if she's not there.

Q What is the procedure for getting the money out of the petty cash fund?

A You have to show a receipt for whatever you bought, whatever you want to be reimbursed for, and it's got to have to do with Trade Winds.

Q Is money ever given out in advance?

A Yes. I -- I've gone to like the post office with certified letters or something like that or a big package to mail, and she's given me -- not knowing how much, she'll give me like $20, and I'll go and bring change back, and she'll just write it all in then.

Q She keeps a record of--

A Oh, yeah--

Q --the petty cash fund?

A Everything's logged in on little sheets.

Q Have you ever done any personal typing at work?

A No. Well, personal typing for me. I've typed -- you know, I've -- I think I typed a resume for my mother when she was retiring. Other than that, that's about it.

Q Anything else?

A No.

Q Have you ever done any personal typing for Donald Cooke?

A No. I don't think I've ever done any typing for him.

Q Have you ever done any personal typing for Nancy Stockus?

A No. Everything I've typed always goes to Trade Winds.

Q Have you ever -- can you use the xerox machine for personal use?

A Sure. I use it all the time.

Q Everyone at Trade Wind has access to the xerox machine for personal use?

A Yes.

Q Are the costs associated with the copies charged to the employees?

A No. I've made -- I mean, I don't know about anybody else. I've made copies before for myself, personal, and, you know, just left, never had to pay for them.

Q Do you know if employees are ever charged for those?

A I don't think so, no.

Q Have you seen other employees making

personal copies?

A Not really. I don't think so, no. They've used the machine, but a lot of them -- I mean, a couple of guys in the shop would photocopy like a sheet metal list or something. I've seen them do that. That's all Trade Winds.

If it was personal, they'd just go in by themselves, anyhow, and do it.

Q How about the postage meter, have you ever used that for personal use?

A Have I? No. That's all Trade Winds. I keep an eye on that.

Q Is there a postage meter log that is kept?

A No.

Q Do Trade Wind employees have access to the postage meter for personal use?

A It's in the computer room. The computer room's unlocked all day, and it's locked at night, but I've really never seen anybody -- everyone always asks.

We have separate stamps. We buy like 50 stamps or whatever, and we'll just sell them, you know, they'll just give us the quarter. We have a little envelope of regular stamps.

Q I see.

A Because they don't want anybody doing any

of the, you know, through the stamp machine. It causes too much problem.

Q I see. So there's a separate supply of stamps for personal use for employees?

A Right.

Q And you don't recall typing any letters to Haig for President?

A Never, no.

Q For any political campaign?

A No.

Q When employees purchase stamps, do they pay cash?

A Yes, just a quarter, just, you know, if you buy one or two stamps, just like at the post office, you just put them all in the envelope instead of going to the post office.

Q Is there ever any time when an employee will use the facilities around the office and the expenses for that will be deducted from their paycheck?

A No.

Q Can you think of any circumstances when that may arise?

A In regard to stamps? If they -- well, if they had used -- if someone had used the postage meter; is that what you're talking about? Can you redo the

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question?

Q Well, if they had used it, are expenses -- if an employee had used any facilities at the office, are the expenses for using that facility ever deducted from a paycheck?

A No. They would -- a lot of -- a lot of the people in work just don't -- they don't use anything in the -- in the office.

Q Okay.

A You know, if they had a photocopy to make, they'd make it, but other than that, they don't really -- everyone does everything on their own.

Q If an employee used the postage meter for personal use, would that expense be deducted from their paycheck?

A No. If they use the postage meter, they usually just go and, you know, give Nancy 45 cents or whatever they used, but she doesn't -- she hates to do that because it confuses things in petty cash and the accountant doesn't like it.

She usually -- I've never seen anybody do it before. It's all stamps from the -- from our envelope.

Q Is there anything else that you'd like to tell us or want us to -- or you'd like to add to the

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questions you've answered?

A I don't think so. Regarding that form, I'm a little upset about that.

Q Why are you upset about it?

A Well, because it's a form to make a contribution, and I've never seen the thing, and obviously someone did it behind my back.

I mean, that would irritate you, wouldn't it? The only thing I've ever known about that is I wrote the check and gave it to him and deposited my money, and then I heard about it from here so I don't know. I'm kind of curious myself to who did that.

Q Do you have any idea who may have done it?

A That's the problem. I haven't the slightest idea who -- it doesn't even look like any of our typewriters.

Q Your typewriters don't look like this?

A No. We have -- we have bigger typing than that. I'm not sure. I don't know. I've never seen the form before. I know that, and I--

Q Have the--

A --didn't fill it out.

Q Have the typewriters at work been replaced recently?

A No. When we moved in the new building two

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years ago, they bought me one. I used to share one with Nancy because I shared an office with her back in the trailers.

They bought me a new one. Other than that, I -- they bought the same one as Maureen White had, and Nancy still has her original old one.

Q The contribution -- Don Cooke requested that you write the check in the new building?

A Yeah, that was in the new building.

Q And the office still has the same typewriters?

A Um-hum.

Q But--

A I mean, it could be, but I just -- my typing, I think, is bigger than that. I don't really know what Nancy's looks like, and I don't think that's hers either. I'm not really sure.

Q Do you think it's Maureen White's?

A Well, she's got the same exact typewriter as I do. We both have the same ones.

Q And the type is bigger?

A Yeah. I mean, I don't know how much of a big deal that, you know, that form is. It's just I know I've never seen it before, and I didn't type it.

MR. KELLNER: I'd like to clarify for the

record that we're referring to -- the form the witness is referring to is Exhibit No. 2.

BY MR. KELLNER:

Q For your job do you ever complete any forms?

A Not really, no. I don't think I ever have. I -- maybe for like a purchase order that came back for a service contract or something, but nothing relating to anything other than Trade Winds.

Basically, all I do is all letters because all my letters are all on the word processor. I hardly ever use my typewriter.

Q A form that you would fill out, would there be boxes to check on the form?

A Yeah. I think I've done maybe one or two, you know, with a couple boxes.

Q How would you check the box?

A Just with an "x". We have to fill out warranties on our equipment, you know, just put an "x" in the space.

Q I see.

A That's basic. Everyone would do that, I think.

Q Is there anything else you'd like to add--

A No--

Q --to your answers to your questions?
A I think that's about it.
Q Are you sure? We've got plenty of time.
A No.
Q Okay. Have you given full and complete testimony and full answers to the questions we've asked?
A Yes, I have to the best of my knowledge.
Q Were you able to understand all the questions that we asked you?
A Yes. I don't think I had too many problems with anything.
Q Okay.
A If I did, I would -- I asked you.
Q Okay. And are you going to send us a copy of the document we previously discussed?
A I did. I wrote that down.
Q Do you have any other documents in your possession relating to this transaction?
A That's it. Just the check and just a re -- my bank receipt.
Q No letters or phone messages, record of phone conversations?
A No.
Q Okay.

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A Conversations with you I left at home.

MR. KELLNER: Okay. I think we can adjourn now. I'd like to thank you for being here.

THE WITNESS: Okay.

MR. KELLNER: Remember, you're going to be receiving a copy of the transcript, and you should read it and see if it conforms to your recollection and sign it.

THE WITNESS: Okay.

MR. KELLNER: Remember that this investigation is confidential--

THE WITNESS: I understand that--

MR. KELLNER: --until it's closed, and you can't discuss it with anyone, and the same goes to documents that we gave to you.

THE WITNESS: Okay.

MR. KELLNER: They're confidential as well. This deposition is not closed. It's adjourned. I don't anticipate it at this point, but we may want to speak to you again later on.

THE WITNESS: Okay. Well, you've got my number and everything.

MR. KELLNER: Therefore, it's only adjourned. How far away do you -- did you travel to get to this location?

THE WITNESS: I think it was like 20 -- maybe -- I'd say about 20 miles. I'm not even sure where I am.

MS. REILLY: Maybe you can -- could you provide us with that information? Check your mileage going home, and then we can--

THE WITNESS: Sure--

MS. REILLY: --send you a check. How's that?

THE WITNESS: Okay.

MR. KELLNER: I'm going to give you our phone number, and you can call and let me know what that is.

THE WITNESS: In Washington?

MR. KELLNER: Yes.

THE WITNESS: I've got that, don't I?

MR. KELLNER: Yes, or I can give it to you again.

THE WITNESS: Okay.

MR. KELLNER: We'll be sending you a check for witness fees and mileage is a part of that.

THE WITNESS: Okay.

MS. REILLY: And that concludes it for us.

(Whereupon, at 12:20 p.m., November 16, 1989, the above matter was adjourned.)

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS)
) SS.
COUNTY OF SUFFOLK)

I, Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 16th day of November, 1989, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that she was thereupon examined upon her oath, and her examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 4th day of December, 1989.

DANA SWIFT
NOTARY PUBLIC
My Commission Expires:
1/27/95

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CORRECTION SHEET

DEPOSITION OF MAUREEN BECKER-TAYLOR

PAGE NO.	LINE NO.	SUGGESTED CORRECTION

SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

_____

Deponent

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____DAY OF

_____, 1989

_____

Notary Public

My Commission Expires: _____

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF NANCY STOCKUS, held pursuant to Notice, and Federal Rules of Civil Procedure, before Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the U.S. Attorney, Post Office and Courthouse, Boston, Massachusetts, on Friday, November 17, 1989, commencing at 10:00 o'clock a.m.

PRESENT:

KENNETH KELLNER, ESQ.
PATTY REILLY, ATTY.
Federal Election Commission
999 E Street, N.W., Room 819
Washington, D.C. 20463

NANCY STOCKUS, pro se
297 Mechanic Street
Canton, MA 02021

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DEPOSITION

(10:00 AM)

NANCY STOCKUS, 297 Mechanic Street, Canton, MA, having been duly sworn by a Notary Public to tell the truth, the whole truth, and nothing but the truth, testified upon her oath as follows:

EXAMINATION BY MR. KELLNER:

Q Would you, please, state your full name?

A Nancy Diane Stockus.

Q Do you know that you have the right to have counsel with you today?

A Yes.

Q Do you have counsel representing you today?

A No, I don't.

MR. KELLNER: Okay. My name is Kenneth E. Kellner, and I'm representing the Federal Election Commission today, along with Patty Reilly, to my right.

This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with an investigation under Section 437G of Title II of the United States Code.

The statute provides that this whole matter must remain confidential until the Commission closes its file in this matter.

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BY MR. KELLNER:

Q Do you understand that this whole matter must remain confidential?

A Okay. Yes.

MR. KELLNER: This investigation is designated Matter Under Review or MUR 2717.

BY MR. KELLNER:

Q Have you ever had your deposition taken before?

A No, I haven't.

MR. KELLNER: Okay. In that case, I'm going to explain to you a little about what will be going on here.

I'm going to be asking you questions regarding this investigation, and the questions I'll be asking you won't necessarily be limited to your involvement but may involve other persons as well.

You should treat this as if you were in front of a court of law, in front of a judge, or in front of a jury and answer questions accordingly.

Please remember that you're under oath--

THE WITNESS: Okay.

MR. KELLNER: --because your testimony here has the same effect, as if you were in a -- in a court room.

A court reporter will be taking down everything we say and will be preparing a transcript afterwards. You will be receiving a copy of the transcript, and you should read the transcript and see if it conforms with your recollection of what took place here and sign it and return it to us.

THE WITNESS: Okay.

MR. KELLNER: Now, under the Commissions Regulations, I anticipate that you will read it, and sign it, and send it back to us.

It is, also, important that you answer each question in words. The court reporter can't record nods--

THE WITNESS: Oh, yes, okay.

MR. KELLNER: --and certain -- and certain sounds like -- you know, whatever sound may indicate yes or no normally -- a yes or no is what is needed for the record.

If you don't understand or hear a question, please, let me know, and I can repeat the question or rephrase it. If you -- if you answer the question, it will assumed that you understood the question and that you answered it fully and completely.

If at anytime you feel you didn't answer a question accurately or completely, please let us know--

THE WITNESS: All right.

MR. KELLNER: --and -- and you'll have that chance.

Also, if you need to take a break for a drink of water or whatever, please, let us know, and we can take a break.

THE WITNESS: All right.

BY MR. KELLNER:

Q Okay. What is your address?

A It's 297 Mechanics Street, Canton, Mass.

Q How long have you lived at that address?

A Right around sixteen years.

Q And where did you live before then?

A I -- I've lived in Canton most of my life. I lived on Bailey Street for a couple of years before that.

Q Are you from that area of Massachusetts?

A Yes.

Q Are you married?

A No, I'm not. I'm divorced.

Q What is your educational background?

A Completed high school, and then took several courses -- management courses and accounting courses after that. I don't have a degree -- a college degree.

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Q Where did you take these courses?

A Stonehill College.

Q What did you study in?

A Management. Mostly management.

Q Are you currently employed?

A Yes, I am.

Q Where are you employed?

A At Trade Winds Systems.

Q How long have you been working there?

A I started part-time in '75. No, '76 and full-time was probably in '77 or '78. It was somewhere around there.

Q So for over ten years?

A Yes.

Q Where is Trade Winds Systems located?

A At 79 Cedar Street, in Canton.

Q Do they have more than one office?

A No.

Q What is your current job title?

A Office Manager.

Q Is that the job title you had when you first started work at Trade Winds?

A No, it was a very small office and small company, and I was just secretarial, and I was the only -- it was a one girl office for -- for a long time. So

I don't know, I never had a title, just -- I was just there as the only girl in the office.

Q And you later became Office Manager?

A Right.

Q Did you hold any positions in between?

A No, it just kind of grew. You know, it was like a job you started part-time and you grew into -- I just became the Office Manager, when he decided a title was required or something.

Q Well, when did you get that title?

A Oh, I don't know. Maybe -- maybe seven years ago, around there. I'm not too sure, but it was around then.

Q You mentioned that he -- he said that you should be called Office Manager--

A Well, the President, Don Cook.

Q Okay.

THE WITNESS: Ya. Sorry.

MR. KELLNER: That's okay. That's why I asked.

BY MR. KELLNER:

Q So how long have you been -- would that make you Office Manager for how many years?

A I'm -- I'm guessing roughly seven years.

Q Okay.

A Give or take. It might be a little longer than that.

Q What are your responsibilities as Office Manager?

A I oversee all the office procedures and we have an accountant that -- I'm responsible for the accountant and the secretaries. There is two secretaries, myself, and then any of the office procedures that go on. If anybody has questions or whatever, I'm the one they would talk to.

Q What are those office procedures?

A Just keeping a flow of payables, receivables, computer systems, purchasing of equipment, anything related to the office at all.

Q What else?

A I don't know. Anything. I'm -- I'm Mr. Cook's -- I do pretty much his secretarial work or his administrative type duties that go on.

Personnel involvement, any time there are personnel problems it usually ends up at my desk.

I can't think -- basically, anything that goes on that has to do with -- with office procedures or -- I guess, office procedures. That's -- that's about it.

MR. KELLNER: You mentioned that one of

your responsibilities was dealing with payroll.

BY MR. KELLNER:

Q What are your -- what are your specific responsibilities with regards to payroll?

A I just -- the -- one of the other girls in the office, Maureen White, actually does the physical payroll on the computer, but if there is ever a problem with anything or approvals -- beyond what the field supervisor would be doing -- they'd end up with me. Any tax problems or anything, I end up with those, too. So that's about -- you know, anything beyond their normal daily routine, I'd have to take care of.

Q Well, do you hand out the checks?

THE WITNESS: Do I hand them out?

MR. KELLNER: Um-hum.

A Yes, I guess. I mean, I -- we lump them together, and give them to -- to the -- whoever is the supervisor of each department, and -- and they hand them out.

Q But you give the checks to the supervisor?

A Right -- or well, I -- I give them -- usually Maureen Becker puts them in the envelopes and stuff, and wraps them up, and -- and they go from her desk to whoever, or I give them to them. It depends on who's available and who's around.

Q Do you sign the checks?

A No, I don't. If -- Donald Cook signs them, and if he's not available, I stamp them.

Q What do you stamp them?

(Pause.)

BY MR. KELLNER:

Q What do you stamp them?

A With his signature -- his signature stamp.

Q What kind of company is Trade Winds Systems?

A Heating and air conditioning contractor.

Q What does that entail?

A Okay. We do the design, the fabrication, the installation, and the service of heating and air conditioning in commercial -- mostly commercial and industrial buildings.

Q Well, what kind of persons are your customers?

A Well, we usually work on contract work. We usually work for general contractors, developers, whatever. Our service work is -- it could be anybody that -- that's responsible for their heating and air conditioning that would call us to -- to service it, but on contract work, most of the time we get our work through -- we bid on it just like any other contractor.

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So most of it is through general contractors and developers.

MR. KELLNER: I'm not familiar with the process of bidding.

BY MR. KELLNER:

Q Could you tell me something about it?

A Yes, as much as I know about it. If there is a job -- say a building to be done, somebody hands us a set of prints, and asks us to work up a price -- either -- if we're designing it -- if they want us to design the system, then we have to work up the whole system, and bid a price to -- it would be done a couple of different ways.

If we're doing it directly to an owner, it is one thing. We'd be probably bidding against other general -- other HVAC contractors.

If we were doing it general contractor, there might be five or six general contractors that are bidding on the same project. We would bid to maybe all of those general contractors, and then they'd be the ones to get the -- the job.

Q How else would Trade Winds get customers?

A Mostly all we do is word of mouth or cust -- I mean, we've been working with some of the same clients -- you know, over a long period of time, and

you just don't have to find new clients, if the jobs are on-going. You know, if there is enough -- it is not right now, but when there was enough business, you could keep with the same clients all the time, pretty much.

Q Well, who would bring customers -- well, who at Trade Winds would find out -- would find the customers?

A Usually -- a lot of times they are just sent to us. A lot of times you just receive a notice in the mail. We're ABC Construction Company, and we're looking for you to bid on such and such a project. That's happened recently, which has started us with new -- new clients.

Other times, Don Cook, himself, will go out or maybe one of the engineers will be familiar with another company, and -- kind of, when they come aboard bring the company kind of with them, too. You know?

We -- we haven't got like a sales -- there really isn't a sales person in there, other than -- like Mr. Cook or the engineers.

Q So Mr. Cook -- that's Donald Cook. Right?

A Right.

Q He's the President?

A Yes.

Q And he sometimes would find customers?

A Well, ya, I mean, I don't know what he -- you know, maybe he'd hear about a new company or another company out there, and try to meet somebody from the company or -- like I say, a lot of word of mouth. We get a lot of -- they'll see we did a certain project somewhere, and they'll ask us for a bid on something else. That's another way we get them.

Q Okay. How many employees are there?

A Oh, we just had a layoff awhile ago. So there is probably -- I don't know, I'm going to say around thirty-five. I should know that, but I'm not positive. I'd say around thirty-five. Somewhere in there.

Q You said that there was a layoff. How many employees are there usually?

A Not too long ago we had -- I think we had close to sixty, but it was so busy we had geared up for that. Probably -- I'd say maybe around forty has been the average for -- for awhile.

Q Why was there a layoff?

A No work. Very slow.

Q Slow business?

A Ya. I mean, it is just -- everything is geared down up here. So there isn't a lot of work out

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there.

Q Who makes the decisions as to layoffs?

A It's kind of a combined decision. The -- we have a few different departments -- a Piping Department, a Sheet Metal Department, and a Service Department.

When it gets to a point where the supervisors of those departments feel that they're running low on jobs or whatever, they would come in and probably talk to Mr. Cook about -- if there is anything coming up, we could keep them, and if there is not -- and it is pretty much Mr. Cook's decision, I guess, that -- when the layoffs are going to occur.

I mean, it would be his -- obviously, his final decision, but a lot of times, I know they come in from the field and say that there doesn't seem to be a lot of work out there. Should we start laying people off.

Q I mean, is it his decision as to which employees, as well?

THE WITNESS: Mr. Cooks?

A No, not -- well, not really because he's not out in the field and doesn't know who's doing what. I'm sure it goes by him.

I'm sure the super -- the field super would

come in and say -- you know, certain people aren't doing the job that they could be doing, and those people would be laid off or the newer people would be laid off, as opposed to the -- the ones who have been around awhile.

Q We've heard about Mr. Cook was the President. Who are the other officers?

A He's -- he's the only--

Q The only--

A --sole -- ya.

Q Is there a company treasurer?

A No. I was just trying to think of what they call it when the one person owns the company, sole ownership or something. It's a corporation, but there is a word for it, and he's the only -- he's President, Vice-President, Secretary, and Treasurer.

Q He owns the company?

A Yes.

Q One hundred per cent?

A Yes. Well, it's a corporation, but, yes, it's his.

Q Has he always owned the company?

A Yes.

Q Now, when did Mr. Cook start the company that he owns?

A In September of '75.

Q And Mr. Cook was the owner then?

A Yes.

Q Do employees ever receive dividends from profits?

A Well, like -- we have a Profit Sharing Program. Bonuses as Christmas time, when there are any. That kind of -- there are a couple of trips that companies that we do business with -- if you buy X amount of goods from them in a year, it goes towards a certain amount of points for a trip, and when we are able to -- we have enough points or whatever towards them, certain employees get to go on those. He works his way from -- what am I trying to say -- the ones that have been there the longest, on down to -- we haven't gotten very far, but he works his way down that way.

Q Can you, please, tell me about the Profit Sharing Program?

A Ya. We started it -- gee, I don't know, maybe four years ago. I'm not too sure about that either, but we had profits back then, and we haven't the pass couple of years so nothing has been put into it, but it is just a -- strictly out of the company.

There is no -- there is no contributions

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from the employees, and it's -- it's pretty much a -- more like a Retirement Profit Sharing Plan, and they can take it with them when they leave. It is kind of like -- I guess, more like an IRA, than Profit Sharing.

We haven't had it for very long so it is not like it has been any great -- great deal or anything.

Q Are all employees eligible for the plan?

A Well, there is a written -- you have to be a certain age. You have to work there a certain amount of time, a certain amount of hours a year, but everybody is -- once they hit those requirements, everybody is eligible for it. Yes.

Q Now, how long do you have to be working there to qualify?

A Oh, I don't know. Um, I would have to say probably a year, but I'm really not sure how -- how it goes. He -- he kind of set that up himself, and I read it, but I don't remember all the particulars about it.

A certain amount of years before you're fully vested. You know, percentage wise. I think you have to be there -- like, seven years before you're 100% vested, and you have to be twenty-one years old.

I'm not really great on the details of it, because like I said, it was all setup and everything,

and I just read it and don't pay an awful lot -- don't pay an awful lot of attention to it. So--

Q Whose idea was the plan?

A Well, we talked about it. He and I had talked about it for a long time, trying to setup something that would be fair.

Mostly for the people --you want to keep your good people there and give them some incentive to stay there because when you have good people the chances are they move around in that kind of a -- a situation because some other company will come along and offer them more money.

You know, of all -- all the ways to pick, we talked about something like a Profit Sharing Plan and -- and Mr. Cook made the decision, after talking to a few different financial people, that that was the way to go.

Q So you and Mr. Cook talked about the plan and came up with the idea?

A Well, I mean, we just talked about -- you know, what we could do -- different things we could do to keep some of the people in there.

Q But it was Mr. Cook's final decision?

A Oh, ya. Ya.

Q You mentioned Christmas Bonuses. Can you

tell me about those?

A Ya. A couple of weeks before Christmas, when there are any profits -- depending on -- on how much money we have available -- he'd put a bonus in their -- in the paychecks, and it depended. I mean, it was different.

It was different for everyone. He kind of took whatever your pay scale was and did it that way. Everybody that was in certain pay scales got the same amount of money. That's it.

I mean, he -- you know, it was put in the paychecks, as -- as like a -- as a separate paycheck that you got a couple of weeks before Christmas.

Q I see. The bonus was in the form of a check?

A Yes.

Q It--

A It -- it was -- like -- you know, because you had to take taxes and everything out of it. So we did it right through the computer system, and before we had the computer system, we even wrote checks out for people that way.

Q Were bonuses ever given in cash?

THE WITNESS: For Christmas?

(Pause.)

A I almost think last year -- I think last year we didn't have any -- there wasn't any money for bonuses last year, and I think he took some of his own money and -- and we -- there were small bonuses. I think those were in cash.

I, honestly, don't remember, but I do think they were now that you said that, and years ago -- I mean, way back when I first started -- because there were very few people working there -- those might have been cash bonuses, but those go way back.

Q How are employees given their pay checks?

THE WITNESS: I'm sorry? You mean?

BY MR. KELLNER:

Q Are they in an envelope?

A Oh, ya. They are all -- ya, exactly. They're just like -- just like -- they come right off the computer, and they have the stub on them that has all the deductions and whatever on them, and they are put in an envelope, and -- and handed out by -- like I said, they are usually given to -- like the shop foreman, and the field super, and the service guy to -- to pass them out. Sometimes they might be given to -- to one guy who comes in and he'll pass out everybody on his job -- the job foreman or something.

Q So if there is a Christmas bonus, there

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will be two checks in the pay envelope?

A Right. Ya.

Q And when the bonuses were in cash, there would be cash inside the envelope?

A Right. Well, I -- you know, I don't remember how he hand -- I don't remember how he gave those out last year. I don't remember how I got mine.

It might have been -- you know, the little envelopes you get that you give presents away -- you give money gifts. Those little envelopes at the bank, he might have put them in those because that is how he used to do it years ago. He used to put them in those -- the bank envelopes that have the -- that you use for cash.

I really don't remember last year how -- how he gave them out. I don't remember whether I put them in the pay checks or what or whether he -- whether he handed them out separately.

Q Okay. The Christmas bonus checks, those were checks from Trade Winds Systems?

A Yes.

Q And the times that the bonuses were in cash, was that money from Trade Winds Systems?

A It -- all except for last year. Last year that was his own money. He had to -- I guess -- I'm

not sure, I went and picked up the money.

His girlfriend and I went to the bank, and I think it was like a home equity loan, and he took the money and -- out of his home equity loan and gave the bonuses that way. That was either last year or the year before. I think it was last year.

Q Do you know -- well, does Mr. Cook ever withdraw cash from the company?

A There -- I don't -- there -- I mean, I -- I have the -- the checkbook. I don't know how he would -- anytime he has ever had any money that he has -- I write out a check to him directly. I don't know how he could ever get cash.

I mean, I -- you know, beyond me writing a check with his name on it or him writing a check, there is no -- there is very little cash that comes through that office anyway, and it is usually petty cash.

Q Well, how does he receive his pay checks?

A The same -- it comes right off the computer, the same as the way everybody else's does. His -- his paycheck is done at the same time.

Q How else does he receive money from the company?

A As far -- well, the only other times is when he has taken regular officer loans. That's the

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only other way that I would know of that he would -- he would take it.

Excuse me, not taking it, but I mean that he would have use of the money -- of the funds from the company, and they're all put in the general ledger, as officer loans.

Q Officer loans? Is that right?

A Yes, officer loans.

Q How often does he take officer loans?

A Not very often. The last time was probably last -- well, he took one last -- I don't know how long ago it was. Maybe last winter or last spring he took one out.

That, I think, was to help his daughter buy a house, but I think what happened was that he was using some of his money to get us through -- like the bonus stuff and everything. So it was put down as an officer loan anyway.

Q When you mean loan, he pays back the loan?

A Well, I don't -- I -- I haven't seen it happen yet, but he has also used -- I think -- some of his money on occasion. So that is something that the accountants deal with, because we do keep track of it that way. So what happens to it after -- it is in the general ledger at the end of the year, as an officer

loan.

Q Who are the accountants?

A Right now we have Kennedy & Lehand, in Quincy.

Q Is there one accountant more than any other that Trade Winds works with?

A They kind of have a -- several leveled way. One or two of the lower level people come in and do all the work at the end of the year, and I guess that I'd pretty much say that Tom Clark must be the one who is the corporate -- our accountant. We've only had them for a couple of years.

They're -- we had another accountant the whole time before that. So I would say that Tom Clark probably would be the person we -- in the end responsible for our account.

Q You mentioned that a few years ago you had -- there was one accountant at Trade Winds?

A We had another outside accounting firm. Right. I had -- we do have an in-house accountant there now--

Q Oh, you do?

A --that we've had for just about two years, I think.

Q Who's that?

A His name is Joseph Teebage.

Q And do you know precisely how long he has been there?

A I should. I hired him. September of '87. I don't know whether he came at the end of September or the beginning of October, but I think I'd say around September of '87.

Q Who did the accounting before then?

A I tried. I'm a bookkeeper. I'm not an accountant. I did what I -- what I could, and then the accountant would come in -- the outside accountant would come in and straighten up whatever I misplaced or whatever.

Q Are employees ever given bonuses, other than Christmas bonuses?

A Well, ya. Like I sa -- mentioned, the -- I considered those -- those trips as a perk or whatever you want to call it.

There has been times when he has -- well, let's see, I'm trying to think of some of the things.

Q By "he", you mean Mr. Cook?

A Mr. Cook, I'm sorry. I should mention his name all the time.

When we were there for ten years -- when you hit your ten year mark, there were a few of us that

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had been there for ten years, and we got -- let's see, what did I -- I got a vacation.

One of the other guys got -- his wife wanted some living room furniture or something. So -- you know, he did gifts that way. Like a thank you for -- for being there. You know?

When I first went through -- my -- my particular -- I mean, I'm sure he has probably done this for other people -- that I don't know anything about some of the stuff he's done.

For myself, when I -- short -- not too long after my divorce, I -- my kids were going out to California to see their aunt -- not my sister, but my ex-husbands -- and I had charged their plane tickets and everything out to California, and the night before they left, my ex-husband called and said that he wasn't going to pay, and I didn't have the money for it, and Donald did.

He said that it was a loan -- I'm sure it was a loan -- that I didn't have to pay back until I sell my house, but he would always do that kind of -- you know, he has always done that kind of a thing. Helped anybody out that -- you know, like I say, I'm sure I'm not the only one that he did that kind of thing for, but I wouldn't -- I wouldn't really know

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about anybody else.

Q Does he treat all employees that way?

A All of -- like management and -- you have to remember like I said that it started out as a very small company, and there weren't very many of us there for a long time. The company has only grown to where it has been over the past few years.

That was kind of a thing that -- you know, he'd take us out to lunch and things like that, and little things every now and then that -- you know, Secretary's Day, he bought me a lawnmower one year. I know, I laugh, but I didn't have a lawnmower, and little things like that. I mean, he knew that I didn't have one, and he -- that's -- he got me one. So--

Q Mr. Cook did?

A Yes.

Q Do you consider yourself friends with Mr. Cook?

A Well, we used to be. Ya. Gee, I've known Donald for -- I was really good friends with his wife, and I have to go back to when my kids were very young.

So it has been probably twenty years that I've known --known -- well, his wife more than him, and then when I knew he needed a -- he needed some help in the office, that's how I started working for him.

His -- his wife's father was -- mother -- no, his wife's father was very sick, and she couldn't go down a couple of days a week anymore. So I just started to fill in, and then I enjoyed it enough that it became my full-time -- full-time job for me.

Q Are you friends with Mr. Cook now?

A I -- actually, I guess not. No, I don't know. I don't even know how to describe it now. It's just a very -- very different. He's a little different person, I guess, than -- than I remembered him being.

Q When did he become a little different person?

A I don't know. Gee, I don't -- I really couldn't tell you when it -- it got noticeable. I don't know. Maybe three or four years ago. I don't know.

Q And did--

A Maybe not even that long ago. I don't -- I don't know. I mean, I'm -- I'm not -- he has just kind of had -- like a -- maybe a personality change or maybe he's burnt out. I don't know.

Q It was gradual?

A Ya, I think so. Ya.

Q Do you know what event may have caused it?

A No, I know a couple of years ago he had the

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union -- a really very, very uncomfortable situation. I don't know if you're familiar with--

THE WITNESS: I'm not stepping on toes here saying union, am I?

MR. KELLNER: No.

A Because they get very -- in -- in construction, they get very -- I want to say violent, threatening, and a few other things, and it was a very, very uncomfortable situation.

A couple of years ago, they were trying to -- they were trying to come in and take us over, and I know that was a very, very hard time for him then, too.

Q Is there a union shop, at Trade Winds?

A No. I mean, we -- we won.

Q Was there an election?

A Yes. Oh, ya, they took us right through the whole -- they took us right through the whole thing.

Q What union was it?

A The Sheet Metal Workers Union.

Q Do they have a full name?

A I--

Q Or another name?

A They must. I don't know.

Q Okay.

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A It's the Sheet Metal Workers Union, Local something. I don't know. I mean, they just ran around saying "the union", and you knew it was the Sheet Metal Workers Union, and--

THE WITNESS: Do you mean like the International Brotherhood of something?

A I don't know what they -- I don't know what they call themselves, other than Sheet Metal Workers Union.

Q Are you familiar with the term bargaining unit?

THE WITNESS: I'm sorry?

BY MR. KELLNER:

Q Are you familiar with the term bargaining unit?

THE WITNESS: Bargaining unit?

MR. KELLNER: Yes.

A Ya, but I don't really know--

Q Which -- which employees were -- would have belonged to the union, had the union won the election?

A Oh, okay. All of the sheet metal workers. The pipefitters that we have I don't think would have been part of that, because I think that would have fallen under another union. So it would have been just the sheet metal workers out in the field.

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Q When was the election?

A Gee, it was in the winter. It was maybe February of -- '89 -- maybe February of '88. I'm not sure. January, February.

Q Are you sure about the year?

A No. Wait a minute, I'm trying -- that's what I'm trying to think of, too.

MR. KELLNER: Please, take your time.

(Pause.)

A It had to have been almost two years ago. So it must have been '88.

Q Okay.

A I know it wasn't this year, and we were in the new building. So it had to have been '88.

Q If you have a better recollection later on--

A I will--

Q --please -- please, let us know?

A I will.

Q Which -- which employees were trying to organize the union?

A I'm not positive about that. I know there was probably two or three employees that were -- when the union sends them over they -- to apply for the job.

I think there were two employees that were

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from the union that were put into the company, and they probably started it.

Q Are those employees still working there?

A Oh, no, they left as soon as it was over.

Q What are the names of those employees?

A One of them was Daniel Webber and -- actually he -- he had been let go because he hadn't been showing up for work and everything else.

The other employee -- I'm sorry, I can't remember his name off the top of my head. He wasn't there for very long.

Q Do you know what his job was?

A He was a sheet metal worker. I mean, he just worked out on the job site doing installations and whatever, which they both did.

Q Do you have records at the office that would help you refresh your memory?

A Oh, if I saw his name, I'd remember. I'm just--

Q Okay.

A I'm sorry, I just -- Daniel Webber was the one I could remember, and I can't remember the other one's name. Like I said, they really weren't there for very long.

Q Could you let us know later on?

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A Yes, I could. Sure.

Q You mentioned that there were two or three employees. Was there a third employee?

A There might have been. What happened -- right after this, a few of the employees -- like, left, and I guess two of them -- I don't know myself, personally, that they were from the union, except that they found out afterward. Somebody in the office said that they were definitely from the union, because they went to union shops right after that.

I can get -- the other name of the other one, I'm not sure about, but he did leave at the same time.

Q What other employees were vocal, in favor of the union?

A That I really don't know. I think what happened was a lot of the kids that -- I say "kids", I mean early 20's -- worked there heard about all the money they were going to get and signed the card, which is all they had to do.

A lot of our employees were previously union members, who wanted no part of it, and -- I don't really -- I don't really know if anybody -- outside of the ones who were in the middle of that -- knew what was going on, because it seemed like those were always

very private, behind closed doors, away at some private place goings on. So I don't know.

I really never heard anybody myself being one way or another about it. I just heard that a lot of them had -- I heard, yes, I went and signed the card, but it doesn't mean anything -- you know, type deal, because they were kind of being bullied into it.

Like I said, that was what made it very unpleasant. Just because they were -- a lot of them said that they were pushed into this.

Q How -- how long before the unit election did the organizing campaign begin?

A I'm not sure about either. It seemed like it was a very long time, but when you're going through something like that, I think that a couple of months would seem like a long time.

If -- probably if I looked back at the records and saw when those two or three men were hired, that would be probably about a little -- maybe a little while after that, that the problems had started--

Q Okay.

A --but I really don't remember. I -- I -- like I say, it only seems like it was a long time.

Q But you don't remember off the top of your head?

A No, I don't. Not at all.

Q Why was Mr. Cook opposed to the union?

A Oh, I -- all the work we have ever done -- all our clients are all affiliated with ABC Contractors, which is a merit shop.

Q A what shop?

A Merit. You have union shops and you have merit shops. They are non-union. Rather than say non-union, they call them merit shops. Everybody that we did business with, obviously were non-union people. If the union came in, your pay scales go up, your clients -- all your clientele will be gone, because you can't bid properly to the same -- to the same clients.

Q Do you know who owns ABC Contracting?

A Oh, that's -- that's a national organization. It's in Washington. It's a -- I don't know. I mean, it's a -- it's a huge organization that's probably just the opposite of whatever the International whatever of Sheet Metal Workers is. This is the national organization of a merit shop. I don't -- I don't even know.

Q Okay. Are there any other payments received by employees, other than salary?

A I don't--

THE WITNESS: Like what?

A I don't--

Q What I mean is in addition to Christmas bonuses or other bonuses that you haven't already told us about?

A I don't -- you know, I don't -- not that I can think of any that is -- nothing that's a normal routine or that happens to -- like I said, he may do things individually, as he did with me that I would -- you know, I would know nothing about.

MR. KELLNER: Okay. We'll come back to that. I'd like to step back a second.

BY MR. KELLNER:

Q You mentioned that Mr. Cook changed. How did he change?

A Oh, he's pretty much letting the company fall apart at the seams, and -- and not -- he is never there. Very, very rarely is he there.

When he's there, he's not there really with us. He's -- he's off golfing in his brain, if he is not golfing physically. He's got a place down in Florida, and he spends a substantial amount of time there.

It's not a ple -- it's not a pleasant atmosphere there at all.

Q Really?

A It hasn't been for awhile. My job is not pleasant, and it hasn't been for awhile, but it is tough to work in a place where you don't feel like the owner cares about what's going on and you're suppose to.

Q When did -- when did this start?

A I don't know. See I -- it was gradual. He's always been -- my -- you know, I'm your typical I want to get everything done and I want to get it done now and get it out of the way so you don't have to think about it, and he has always been exactly the opposite. He's procrastinated. He -- he'll let things go.

He'll -- something that I may consider important that he doesn't consider the least bit important I want to get done and he'll let drag.

He's always been like that, but we've always been able to -- to get around it, and he's been there and you've been able to deal with it. Now he just lets it go and that's it or -- I don't know what's happened. I'm a little -- I wish I could explain it, because it would make my -- my life easier at work.

Q Are there any other causes you can think of, other than the union campaign?

A No, I really don't know. Like I said, he

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may just be plain burned out. He -- he has worked hard for a long time.

When you first start up the company -- you know, it was a -- a lot of hours in a given day, a lot of running around and everything, and I think he's probably always wanted to kind of semi-retire at a -- at an earlier enough age that he could enjoy it.

You know, I don't know, and then maybe he just doesn't want to be there. You know, maybe he started something that he just doesn't want anymore. I don't know.

Q You mentioned Mr. Cook's wife earlier. Is he married now?

A No. No, he has a girlfriend.

Q Is he divorced?

A Oh, ya, -- I'll have to go -- excuse me, my father died about nine years ago, and it was right around -- so he -- has probably been around ten years, I guess, that he has been divorced, roughly, because my father was very sick at the same time he was going through his divorce.

Q Okay. But the change -- so the change you noticed was after his divorce?

A Oh, ya! Oh, oh, ya.

Q Do you still keep in touch with his wife?

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A No. No, I haven't seen her for years.

MR. KELLNER: This would be a good time to take a short break.

THE WITNESS: Okay. Sounds good to me.

MR. KELLNER: Okay.

(Whereupon, a brief recess was held.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q We discussed payroll checks earlier--

A Um-hum.

Q --and -- and how Don Cook receives his checks. Is it possible for Mr. Cook to -- to write a check and -- and there not be a record of it?

A No. First of all, payroll checks all go through the computer system.

The other way is I have a regular One Write System for any quick checks that have to be done, and, obviously, when he writes it, it is like carboned out through, and I have to do the bank statements and everything at the end of the -- so anything through that way I would know.

Q Is there -- are there separate checks for -- for non-payroll checks?

A I have accounts payable checks and payroll checks.

Q And you handle both of those?

A Well, I have -- I have the -- it's with the same bank account. So I -- and I do the reconciliation of that. We've had other accounts before, but I -- I'm always the one that ends up doing the reconciliation at the end of the month.

Q So if Mr. Cook were to write himself a check on--

A There--

Q --either of those accounts--

A There is--

Q --you would know about it?

A There is always a record of it. Yes.

Q Are there any other ways you know of to withdraw funds from the company?

A Not that I would know of. No. Like I said, every -- every -- you know, every check or whatever goes through the bank -- the Bank of Boston, and I do the reconciliations of that.

I mean, even if he takes anything out of petty cash, he usually puts a little note on it, with his name on it, that he -- whatever -- for whatever reason, and he -- he very rarely even gets that. I keep it locked in a draw. So he very rarely even gets that, and I keep a very small amount of money in petty

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cash at all times.

Q Where does the money for petty cash come from?

A A lot of times, just write a check through the cash disbursement journal, but lately if -- we've got a few guys that used to work for us doing outside jobs -- guys we laid off or whatever, and they will use our shop and whatever, or they will buy materials or use our shop facilities. If they pay that in cash, I put it in through petty cash, and it goes on the record. It gets -- it gets put through the general ledger.

Right now that is pretty much -- the past few months that's how petty cash keep -- the incorrect way, but that's how petty cash keeps getting refilled.

Q But there is a record kept of everything?

A Oh, always. Oh, ya. Ya.

Q And who's responsible for that record?

A Well, the accountant now. I mean, I -- I have petty cash, and I put the cash in or whatever.

The accountant does the reconciliation and puts wherever the certain monies have gone or come from, there is a receipt or whatever, and that goes through the -- the proper journal entries.

Q If anyone needs petty cash, who do they go

to?

A Me, when I'm there. If I'm not there, it would be one of the girls that -- probably Maureen White. Like today, I knew that I wasn't going to be there, so she's got petty cash today.

Q And she would keep records?

A She does the same thing. Right. I mean, this probably -- usually, there is probably only a couple hundred dollars in there at a time.

If -- if I -- and I have gotten a lot. Somebody will come in, and maybe will have bought something large. They paid the cash for it, and it maybe a thousand dollars. I then take all of that. I write it in petty cash, but when there is that much money, I take it out and deposit it into the regular checking account.

Q Do employees ever have access to the petty cash fund, without you knowing about it?

A I wouldn't think so. Like I say, it's in my -- in my drawer. It's kept locked. If I'm on vacation or whatever, it -- somebody else has it, either the accountant or one of the other secretaries.

You know -- I mean, like I say, he reconciles at the end of the month. You know how many pennies or dollars you're off at the end of the month.

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You know, I don't think anybody could get it.

Q Does Mr. Cook ever use the petty cash fund?

A No. Like I said, the only time is when he has written -- I have a note right now in my -- that's what I mean, he took $20.00 out of it a couple of months ago, and -- I think it was for gas or something, and he put a little note in there that he does, but it is in my drawer locked. So he -- it's very rare that he can get in there without -- I don't know how he did that one day. I probably wasn't -- just wasn't right there, gone to lunch, or something.

Q Is there any other time he's taken money out of the petty cash fund?

A Maybe years ago when we didn't keep track of it, but like I say, there is never very much money in there.

Q How long have you been at the current location of Trade Winds?

A We moved in June of -- we've been there two years last June. This past June. So June of '87.

Q June of '87, and what kind of system is there at Trade Winds for reimbursing expenses?

A Well, usually it goes right through the payroll.

If somebody goes and gets gas or something,

a $20.00 slip, and -- and most of the guys are short of -- you know, they don't have a lot of money on them, because we have a place you can charge.

They'll just come and we do that through petty cash. Other times it is done -- like through the payroll system.

Q Are the amounts added to the regular paychecks?

A Well, right. If you've got -- like we have milage expenses. We have -- if somebody has a gas slip that goes, it gets put on as an addition. It doesn't go through, like the tax -- tax part of it. It's a reimbursement, and it is just a total amount of money.

Q Is it a separate check?

A Not very -- not very often. There are times when they'll come in, or we missed it, or something, and I'll write them another check, but it -- it gets -- you know, logged into the general ledger.

Q So it is as the situation calls for?

A Yes, very much. Ya.

Q What kind of expenses are reimbursed?

A Like I said, gas. Sometimes they might be out at a job, and they need something, and they'll run out and purchase it, if we don't have an account at a local store. That -- that kind of idea.

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Q Are there any other expenses that are reimbursed?

(Pause.)

A As of reimbursed company expenses, there just would be materials, and gas, and that kind of thing.

Q Okay. Well, how about non-company expenses?

A I don't know of any non-company expense.

THE WITNESS: You mean reimbursed through -- through the company?

A I don't know of any non-company expenses that have been reimbursed by the company.

Q Have you ever run any personal errands for Mr. Cook?

A Oh, I -- yes, I used to. I haven't done that in a long time, but dropping off the laundry or -- you know, things like that, years ago. Not -- not a lot of it, but it was -- you know, maybe taking his car to drop it off to get it fixed or things like that.

Q How -- how are those expenses paid for -- for laundry?

A Well, if I picked it up, he would have given me the money to -- to pick it up.

Q Would he write you a check?

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A No, chances are it would have been cash.

Q Where did the cash come from?

A From him. I mean, just out of his pocket.

Q Okay. It was his money?

A Ya. Oh, ya. No, if it was his -- if it was for his -- if I was running an errand for him for whatever -- like I say, it wasn't -- a lot of what I was running wasn't money involved anyway.

If I dropped his -- his clothes off at the cleaners -- you know, it wasn't that I picked them up. I was dropping them off, or if I -- I don't know what else I might have done. Run to the insurance company for him or something.

It wasn't that I was running around necessarily spending his money or whatever. Maybe he would -- he would give me money if that was the case. If I had to pick up his laundry, it would be that he would give me the money--

Q And--

A --out of his pocket. Out of his own pocket.

Q What items are deducted from paychecks?

A Insurance. We have a reimbursement account. If -- for whatever reason -- somebody needs an advance or something -- like -- if somebody was out

a couple of days and we didn't pay them, and they wanted to take it as a vacation day, I might pay them money, and then we would run it through -- to get it run through the payroll system. They have to reimburse us for the money that I wrote the check for.

There is money taken out for -- well, taxes. I think that's it for taking out money. Oh, materials. Sometimes -- there is a material account, too. If they buy anything -- if they purchase anything through the company -- a lot of times they'll ask us to take it out through their paycheck, like $20.00 a week or something like that, and we'll do that.

Q Are there any other account?

A We -- ya, we have a -- like a truck expense account, or if you go out -- say you're out at a job site and you purchase something for us, we might give you that through one of the accounts and pay you back for it that way.

I have -- there are quite a few accounts that I can use. I just can't -- I -- we have like a -- a court order account that comes out of the money. Employees who are on child support payments. That has to come out of their paycheck.

I have a piping, a sheet metal, and a service. Like gas expense or truck expense that they

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get reimbursed in.

That's about it. There is about maybe nine -- nine or ten different accounts there.

Q And by reimbursement account -- you stated that was for employees to reimburse the company?

A Right. Usually, because if it is material, it has to go into a material -- the material account, if we're reimbursing them for a purchase.

We set the reimbursement account up more for their reimbursing Trade Winds back for a -- an advance or something that was done other than the payroll -- done other than through the payroll check. That way we can put the whole thing in and take it out. Do you know what I'm saying? You put it -- pay them, and then take out the -- what I paid them through the other account.

Q What kind of office equipment is there at Trade Winds?

A I have a FAX.

THE WITNESS: Is that what you -- just regular--

MR. KELLNER: Um-hum.

A Yes. Copy machine. We have -- I have a couple of computers. There are two engineering computers and -- and my main accounts computer, the

accounting computer. Word processor, and a few typewriters. That kind of thing.

Q Is there a postage meter?

A Oh, ya. There is. Yes.

Q Is there any other equipment?

A Not that I can think of. No.

Q Do you -- employees have access to this equipment for their own personal use?

A Well, not the postage machine and the computer. My computer definitely not. My -- the computer that I have my accounts on, no.

The copy machine probably. The FAX machine, if -- I wouldn't --you know, if anybody just wanted to walk in and use it, that -- they'd certainly be able to do that. And the -- like I say, the copy machine. Engineering computers but that -- that's about -- we don't have a lot of equipment.

Q When employees use the copy machine and the FAX machine, are they required to reimburse the company?

A No. No.

Q So there is no system of payroll deduction for those expenses?

A No, none at all.

Q When are monies collected around the

office?

THE WITNESS: For what? For?

MR. KELLNER: For any use. Someone's birthday. Anything.

A Well, a few times we've had employees whose kids are selling whatever -- cookies -- Girl Scout cookies and all that kind of thing. They collect money then. We don't have a whole lot of that.

I suppose -- there's been a couple of times -- one time in particular, when Mr. Cook's father died. I think I went around collecting money for the company flowers, because it wasn't right for the company to buy the flowers for that. That -- that kind of deal.

We've collected money for -- we all took Mr. Cook out to dinner on a couple of occasions for his birthday or whatever, and we just pooled money together that way. That's within the office, not the whole company.

Q How many people work within the office, when you say within the office?

THE WITNESS: Right now?

MR. KELLNER: Um-hum.

A Well, if I count the field supervisor, and the shop supervisor, and the management type people there is about ten or twelve of us in the office.

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Q Is that the same amount that was in the office when you first moved into the location?

A No. I didn't have the accountant. One of the guys who was a service manager moved in -- up a position. So we -- he would have been -- he -- we didn't have that position when we moved in.

When we moved in, there was one, two -- there was maybe seven of us.

Q Are -- is money ever collected around the office for -- for charities?

A Nope.

Q You can't recall any occasion?

A No. What happens is -- the charity stuff that comes in -- if we're going to give, I write a check through the company, and I -- I never take -- I never take them around and ask. I mean, I'd be spending three-quarters of my time taking charity letters around to the employees.

So, no, like I said, the only times I can think of is if someone had died or something like that.

Q What kind of charities does Trade Winds give money to?

A Well, we used to give to the New England Home for Little Wanderers, a couple of the police -- I don't know what they call them, but the police whatever

call you -- benevolent whatever call you and tell you that it is for the families of injured or -- you know fire or police department injuries or something like that. Local school things and stuff. I -- I mean, you had to put a stop to it, because it was getting ridiculous. So it is very rare now that I make any -- any contributions to any of them, because they just all started calling.

Q Is it your decision?

A It wasn't for awhile, and then it got to be there was so many of them that I was -- I was kind of making the decision, and we -- you know, like he agreed with New England Home. We used to give to that almost every year at Christmas or Thanksgiving, maybe $50.00, and just -- like I say -- you know, once you start giving, they all get your name so you stop, but it was -- it became my decision. I put a stop to -- what I did was, he would say yes to everybody, and I -- I just kind of put a stop to most of it because it was ridiculous.

Q Did you consult with him before writing--

A Oh, ya, he just--

Q --the check?

A Well, he -- it got to be like -- you know, he has -- he'd sign them, and it got to be pretty much

-- he'd say, you handle it, because when they called him -- they just had his name. So then I just -- I'd take the call instead.

Q Mr. Cook?

A Right. I'm sorry. Ya, Mr. Cook.

Q Mr. Cook, of course, would sign all the checks?

A Right. Or I would stamp them, but usually he was there to sign them, back when we were -- were doing that.

Q When you would stamp them, he would know about it?

A Ya.

Q Every time?

A If he didn't know about it when I did it, I would -- I would let him know.

Q What were the amounts of these contributions?

A Oh, $25.00, $40.00, $50.00. That was about it.

Q Were there ever amounts over $1,000.00?

A No. Not that I -- certainly not that I remember. I -- I can't -- not to a charity or anything. No.

Q Were there ever amounts over $500.00?

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A I don't think so. We recently wrote a check for that Pan Am Bike Race, for the Cancer Society, because one of our -- one of our customers -- he races it himself, and that was probably $200.00/$250.00, if it was that, and that was the most I would think that we would ever do for something like that. If we did, I just don't remember about it. I -- I think I would remember if it was up around the $500.00 mark.

Q What other types of non-business related organizations are company checks written to?

THE WITNESS: Non-business--

MR. HELLNER: Related.

(Pause.)

A I don't know. There might be sometimes I've written checks that he has asked me to write that are non-business related, and I don't necessarily question -- if he asked me to write a check for something, for somebody, and put it in a certain account, that's what I would -- I would do, obviously.

Q Now--

A And I can't -- I'm trying to think of something specific and I can't.

If he asked me to make out a check to -- to you -- you know, I wouldn't know who you were, and he

would tell me to put it under whatever account, and -- like maybe as a consultant or whatever.

I suppose there have been times that I've written checks where I have written them and been told that that's what they would go under, but it hasn't been for quite awhile that I've done that.

Q How long is quite awhile?

A Oh, well, I'm going to say it has been -- it's probably been a few years. He really hasn't been there much the past couple of years.

Q A couple--

A It's possible I have something in there the past couple of years, but I don't recall it. So--

Q By a couple of years, do you mean two years, one year?

A I'd say -- I think probably before we moved into Cedar Street.

Q What were some of those occasions in which you wrote those checks?

A Like I say, they weren't -- I can't even think of -- I can't even think of any off the top of my head, but I do know there have been some because I don't particularly care for doing that, and -- you know, for whatever account it would get put under, I didn't necessarily agree with it.

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Sometimes it got charged off to a job, but that was a long time ago, because he hasn't been able to do that. I mean, we've got an accountant in there full-time now, and you can't -- obviously, he knows what he's doing, and nothing gets -- you know, there is very little that gets done in there now that is not 100% what it should be.

Q Why do you say it -- it made you uncomfortable to do that?

A Well, because I -- you -- I have no -- I have no records for a lot of -- I have no -- like I -- now, I did just remember something.

He bought a car phone, and I know he has the car phone. I never got a receipt for it. He just said to give me the -- how ever much money, and that's what it is for, and we said, well, we want a receipt for it. The accountant wanted a receipt for it, otherwise it would get put under officer loan.

I still haven't got the receipt for it, but I mean, that kind of a thing. I know he has the car phone, but if he came in and said here -- I don't know he has a car phone, and if he came in and said, here, this is eight hundred dollars for my whatever and charge it off to, I don't have a slip of paper. I don't have any -- I don't have an invoice or whatever

to back any of it up. You know, and you'd say, well, what is this for, and he say, well, just put it under whatever.

Q Before you had an accountant, what were some other -- other occasions, in which this occurred?

A Well, there were a couple of times checks were written out in his name, and he just told me what account to put those under, but usually those were officer loan -- usually.

There were occasions when he said he was being reimbursed for something, and we put it under travel and meeting type thing, because he'd say they were for dinners or whatever and those kind of things were written.

Q Those checks were written to him or--

A Well, some of them. Yes, some of them were written directly -- his name, and I can't specifically think of any checks I wrote directly to someone else. I can't specifically say who I wrote -- because I don't remember specific checks.

Q Are there any other non-business related checks which are written?

A Those would be the only kinds of things I can remember off the top of my head.

Q For example, has Mr. Cook ever ordered

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flowers and charged--

A Oh, ya.

Q --it to the company?

A All right. To some extent -- usually -- those kind of -- could be considered -- sometimes they could be considered business expenses, as far as he might be sending them, but they were because it had something to do with our relationship with Trade Winds and whatever, but legitimately -- the company is legitimately -- I think paying for whatever.

He did -- recently his mother-in-law passed away and -- I haven't done it yet, but I know I have to -- the company will reimburse -- well, not reimburse. I'm sorry, the company will be paying for the flowers for the -- the -- that he sent.

Q So--

A I suppose that's not considered a business. So--

Q The company writes the check to the florist?

A Right.

Q Does the company have an account with the florist?

A Yes.

Q How long has the company had an account

with the florist?

A Oh, we've had -- I started that with them years ago, because we would use them for -- I mean, wakes and whatever that were last minute.

Obviously, I needed something to be able to just say could you please send them, and then we'd pay them back. Babies -- you know, the birth of babies in the company, we would send a bouquet of flowers to anybody who had a new baby and things like that, when we could afford it. You know?

Q You mentioned earlier that -- well I'll ask you again, is the company operating at a loss currently?

A I think so. Ya.

Q How much of a loss?

A I -- the accountants were in there last night when I left. I don't have a final figure. I don't -- I don't know if we're actually in the red, but we're not -- we're not doing well right now. No.

Q When the company is not in the red, how much are the normal profits?

A That varies every year, and I don't -- I wouldn't even know. The company is not -- I mean, the -- the company's gross sales is right around five million or under. It's not a -- we're not talking huge

amounts of money here.

Q What's your current salary?

A Right now I'm getting [redacted] a year.

Q Is that the same salary you had when you moved into the new location?

A No. Pretty close. I got a raise -- well, we had a two step raise. You got half of it in -- I think it was in April, and the other half we got November 1st. So that brought me to the [redacted] mark.

I used to get -- I suppose I may as well bring this up, too. There was another company -- another corporation, C&D Design. I was getting -- was getting part of my pay from that company.

It's -- it's -- there is really nothing left of that. That was setup for when he was going through his divorce, his wife's name was on Trade Winds, and his lawyer recommended that he get another organization up and running in case more -- you know, in case something went wrong with the Trade Winds part of it, during the divorce.

So he had started C&D Design for -- for that reason. It's the design part, pretty much. They used it as the design part of the package.

Q By [redacted] do you mean [redacted]

(No verbal response.)

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BY MR. KELLNER:

Q When you said it was--

COURT REPORTER: I'm sorry, I didn't get that answer.

A Oh, yes. I'm sorry. Yes.

Q When you said you received a two step increase after you moved to the new location, what was your salary before then?

THE WITNESS: All right. Through Trade Winds or through -- see, I -- I just always had -- I couldn't tell you what -- I couldn't tell you how -- I wouldn't know how to break down the two I had off the top of my head.

MR. KELLNER: Well, don't.

BY MR. KELLNER:

Q At first -- first, tell me the total?

A I was probably making around [redacted] through C&D. It was a very small amount. So I was maybe -- through Trade Winds, I was maybe around [redacted] right around there. I'm saying "right around" because I'm -- I'm not -- I'm really not positive about it. I don't really remember what my -- even my W-2 said at the end of the year.

Q Is C&D Design still in existence?

A It is. I don't get my pay through that

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anymore. It was just -- Donald and I were getting paid through that, just to keep it -- you know, as a company. Like I say, I was getting a very small amount, just to keep the books, and he was getting a -- he hasn't taken anything in awhile through that because there hasn't been that much money in there.

Q Which employee of Trade Winds is Donald Cook closest to?

THE WITNESS: Like a friendship type thing or a business? I don't -- which way?

A Right now -- I mean, he goes to lunch everyday with one of the employees, and -- and I have to say right now probably Richard Clegg.

Q Who -- besides Mr. Cook -- understands the operations of Trade Winds the best?

A Probably -- well, I don't know. I would say to some respect, myself, because I've been there doing that job for such a long time, but lately I'm not even sure that what I'm saying is right is right, if you understand. I'm not even sure that what -- what I feel is going on there is going on.

Q Does C&D Design have its own employees?

A The only people is like the -- like I said, it was just so that we had -- I don't know why, exactly the lawyer had him do this beyond he needed something

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-- if something went wrong with Trade Winds, he needed something to be able to pick right up with business, and it was just he and I that were paid -- well, it started out Chris -- Chris Jones, who doesn't work with us anymore.

It was -- it was a company that he and Donald had, and it was the three of us that were getting paid through that, and I forgot about Chris because he's been gone awhile. That was where the C came from, Chris and Don.

That -- those were the three employees who were -- who were getting pay checks, and Chris has been gone for -- I don't know, five/six years.

Q I see. So was C&D -- C&D was formed--

A As a protection or--

Q --when?

A --whatever. Well, when Donald was going through his divorce. So maybe ten years ago.

Q Okay. Who does C&D's bookkeeping?

A I do.

Q You do?

A Ya. Very little. I mean, there is very little of it. We pay a telephone bill. Like I said, my -- my payroll has gone over into Trade Winds. I'm not taking a payroll from that.

Donald is probably -- maybe eight months behind in his payroll. I wrote him a check about a month ago, to bring him up to a little ways -- maybe half of what I owed him.

Accountant bills. That's all there really is. It's not a -- it's not a big deal.

Q Why isn't Mr. Cook up to date?

A We haven't had the money in there.

Q Does Mr. Cook ever take officer loans from C&D Design?

A If he has, it hasn't been for a very long time.

Q How long is that?

A I can't remember specifically that he ever did take anything from -- from C&D. That doesn't mean he didn't because it goes back a very long time, and I -- I don't remember specifically that he did take anything from there.

Q Is he the sole owner of C&D Design?

A Now, he is. Yes. I think Chris Jones name -- I don't know how his name was on it originally -- whether he was a part owner or just an officer or whatever. He could sign the checks, too. That's all I know.

Q And do you know when he became the sole

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owner?

THE WITNESS: Don?

MR. KELLNER: Um-hum.

A When Chris left. Like I said, that was probably five or six years ago that he left.

Q Okay.

A I think. I mean, I -- you know, that's only from -- just -- he had to have signed off or whatever, I would think, when he left, because he had nothing to do with C&D once he was gone.

Q Have you ever written a check on the Trade Winds account to any political organization?

A No, not on the Trade Winds account. No, I have not.

Q How about in the C&D Design account?

A No, I have not.

Q Have Mr. Cook ever requested that you do so?

A No, he didn't.

Q Have you ever volunteered to work in a political campaign?

A I -- the only one I volunteered for and I unvolunteered right after I did it -- I didn't have the time, but it was when Andy Card and Leon Lombardi were running for the primary for Governor and Lieutenant

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Governor and that's the only one I remember ever offering.

Q Lieutenant Governor of Massachusetts?

A Yes.

Q Which -- which primary?

THE WITNESS: What year or what -- I'm sorry.

BY MR. KELLNER:

Q Democratic primary or Republican primary?

A Oh, republican. Ya.

Q Do you recall the year?

A No. Um, I don't know six years ago. I don't know. I don't. Sorry. Six, seven years ago.

Q And how would you describe your level of participation in that campaign?

A It was -- basically, it was not -- I mean, I had volunteered. I -- I'm sure I had stickers or whatever on my car, and I believe I even took the -- I think you had to have signatures or something. It seemed to me I did some of those, too. That was -- that was about it. I just really didn't -- My kids were small enough at the time that I really just didn't have the time to -- the extra time to do that.

Q Well, what made you decide to volunteer for this campaign?

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A Andy Card. Because I just -- I -- I liked both of them. At the time they were two people that I would have liked to have seen made it.

Q And have you ever volunteered in any other political campaign?

A I don't think so. No. I'm really -- I'm registered independent, and I'm very rarely into any kind of politics beyond going out and voting all the time and whatever, but--

Q Have you ever made a contribution to a candidate for Federal Office?

A I did to -- to Haig.

Q Can you tell me about that, please?

A My contribution to Haig -- you want me to explain the whole thing. Okay.

My contribution to Haig was Donald Cook had come up and asked if I wanted to go to the -- it was a fund raiser for Haig anyway. I don't remember what it was. It was in Boston. It was $250.00, and if I wrote the check out for him, he gave me back the money for it.

Unfortunately, I, also, got my daughter involved in that, too. She wrote a check out for the same -- for the same thing.

Q Do you remember what date you wrote the

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check?

A No, only because I looked it up. It was -- when I made the copy for you people, it was the -- I don't -- I wouldn't have remembered it, but it was the -- oh, now I don't remember. I think it was the 23rd. I don't remember, but it was September.

Q Okay.

A Ya.

Q Was that the same--

MR. KELLNER: Well, let me step back.

BY MR. KELLNER:

Q Did you state that Donald Cook asked you to write--

A Well, again--

Q --to write the check?

A --he came out of his office and asked me -- you know, he told me about the -- the -- the fund raiser that they were holding for Haig. Would I be interested in going, and, obviously, I did not have $250.00. I wouldn't have -- Haig was not my candidate for President anyway.

Would I write the check for him and Billy D. Williams was suppose to be at the campaign fund raiser, and he said, ya, you get to see Billy D. Williams and whatever, and he had me write the check

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and gave me the money for it, and I went home, had my daughter write the check, and came back, and he gave me the money for that.

Q And you wrote the check on the spot?

A Ya. I mean, I -- ya, pretty much.

Q You wrote this check on the spot, on the same day that Mr. Cook asked you to?

A Ya. I didn't even think about it. I just -- ya.

Q When did he give you the money?

A I think I -- I think we just swapped.

Q So it was -- I mean--

A If it wasn't -- ya, if it wasn't immediate, it was pretty close to immediate. Ya.

When I say I wrote the check immediately, I don't know that I sat down that second and pulled my checkbook out, but it was -- it was definitely with -- that day that I wrote it, because that night my daughter gave me her check, and I brought that in the next morning, and he -- I don't know whether he gave me the money, first or after, but anyway it was -- it was within a day or two of -- the whole thing.

Q How old was your daughter, when she wrote the check?

A Nineteen.

Q Nineteen?

A Ya. I'm really sorry that I asked her to do this. Believe me.

Q Is she a -- a politically active person?

A No. No, I don't even think she was registered at the time. I think she just registered for this Bush election.

Q Had she ever volunteered for a political campaign?

A No. Not -- definitely not to my knowledge. She's not the type to -- to get into that kind of--

Q For the record, who is Billy D. Williams?

A Oh, I'm sorry. He's an actor. He played in -- in Mahogany years ago, with Diana Ross.

He's a black actor, and I -- I just -- I was incredibly impressed with him way back in that movie, and joke around -- I'd say -- you know, Billy D is in a movie, and that was when -- I mean, Donald knew I was just like a -- you know, I guess he is not a very attractive person, in person, but -- and that was -- that was -- I wasn't going to see General Haig.

I really -- like I say, I'm -- I was never impressed with him, at all. I mean, I -- you know, I -- I would never -- if I had the 250.00, I wouldn't have been giving it to -- to that.

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Q Please, tell me what Mr. Cook said to you, to get you to write the check to the Haig campaign?

A I don't know. He just asked me. I mean, he just -- he say, you want to go. You know, a lot of people are going to be there, a lot of fun type -- you know, party thing. I -- I don't remember exactly.

I do know one -- one thing that was mentioned to me, in -- during this, and whether it was at that exact time or not, was that the person putting on this fund raiser -- I'm calling it a fund raiser, because I assume that's what it was -- would like to see a nice show of people.

I didn't -- by the way, make it to the -- I never did make it to that, but--

Q Well, did -- did he ask you to write a check to the campaign, or did he just tell you about the fund raiser and asked you if you wanted to go?

A Well, he asked me -- he said -- he told me that it was a $250.00 -- you know, I mean -- you know, you have to pay a certain amount of money to get to these things, and it was -- you know, a $250.00 deal, and would I -- you know -- you know, he knew I didn't have the money for it, at the time, anyway, or that I wouldn't be interested in going to it, and if I -- if I wrote the check for the $250.00 he -- he'd pay me back.

Q And he paid you back right away?

A Pretty much. Ya.

Q Did he pay you by check?

A No, cash.

Q What denomination of bills?

A Oh, gee, I don't know. No, I don't. I mean, I -- no idea.

Q What did he do with the check that you gave to him?

A I have no idea about that either. I mean, I handed it to him, and I would have assumed that he -- he did go to the fund raiser. I would have assumed that he was -- no, he couldn't have, because we all got -- I got some kind of a card or something to go to this. I don't know what he did with the checks.

Q Well, what did he do immediately with the check?

A I don't know. I don't remember.

Q Did he put it in his pocket?

A No. I -- he might have just taken it in his hand. I mean, my desk is where he could have walked in any direction with it, for two steps, and I wouldn't be able to see him for -- for very long. You know, he'd walk around a corner or into his office. So I have no idea. I probably wasn't even looking at him

when I gave him he check. I don't know.

Q Well, was there anyone else around when you had this conversation?

A Not that I recall. No.

Q Do you work in an area close to other people?

A There are -- I'm at the end--

Q Okay.

A --right by his office, and there is an office beside -- there are offices besides me. There is nothing across the hall from me, except the storage room, but offices go down the hall. So there would -- office right next to me. Yes.

Q How did you -- well, how did Mr. Cook give you the money?

A Cash. You mean -- he just handed -- handed me cash.

Q Was it in an envelope?

A Not that I recall. I don't -- I don't -- I really don't recall, but I don't think so.

Q And do you recall if he took it out of his pocket?

A I'm -- I'm guessing. Like I said, I don't remember it being in an envelope. I don't even remember whether he gave me both mine and my daughters

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at the same time or not. I don't recall that either.

Q Okay.

A And I don't -- I really don't recall exactly the instance that he gave it -- gave it to me, but I know he -- I know he did give it to me.

Q Did he ask you to ask your daughter to write a check to the Haig campaign?

A Well, he maybe suggested it or -- I don't remember how he -- I don't remember quite how she got involved in this. I know -- I know there was -- I heard him talking to other people about it, and I know he asked other people to do this, and I don't really remember how I got my daughter involved, whether he specifically asked me or whether -- I really don't. I just wish it hadn't.

Q Had Mr. Cook previously asked you to write checks, personal checks?

THE WITNESS: You mean for something like that? For--

A No, I don't recall him ever. The thing was -- you know, the relationship around that is -- is enough of a -- a friend comes up and asks you to do something. You don't really think too much about it.

At the time, there certainly didn't seem to be anything wrong with what he was -- he was doing. I

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don't even know if he thought there was anything wrong with what he was doing.

I don't recall of any other times he would -- I mean, if he asked me to write him a check again, I would probably say, yes, but let me think about it a second. I mean, it would still be that -- you'd still be ready to do something on that idea.

Having learned my lesson, I wouldn't just write it, but I mean, I wouldn't -- I wouldn't even think about it. I could have done that times before, and it wouldn't even be something that I would think about.

I would have forgotten about this, except that the Republican campaign -- everything gets into my house now. I would never have remembered doing this except for that.

Q What did you say to Mr. Cook at the time he asked you this?

A I just remember saying, oh, okay. You know, I don't remember really getting into a big discussion about it beyond him saying that.

I probably questioned -- you know, like what for, because I'm not -- he knows I'm not a big Haig fan, and I -- like I say, I remember him at one time saying that he knew it would be nice if -- the guy

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who was running the fund raiser would like to see a big show of people there.

Q How did he know that you weren't a fan of-

A Well, this--

Q --Haig?

A This one person that we were -- that we've been dealing with-- who was a big Haig supporter and he was one of our clients -- had been doing little small fund raisers or whatever for him, and I know Don had had to go to one previous to this big one, and we got into a big discussion about it, because I said, oh wonderful, Haig -- you know, just what we need for a President. That's -- so how else could you -- I made my feelings known, I think, at that time.

Q You were being sarcastic?

A I -- I just did not like General Haig. I didn't like his -- his attitude and disposition, I guess. I don't even know the man, but I just didn't really want to see him as President.

Q At the time you wrote the check, did you wonder at all if it was proper?

A I know I couldn't possibly have thought much about it. I never, ever would have -- because I never would have asked Kimberly to -- my daughter, to -- I would never -- I wouldn't have done it myself, if

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I thought it was, but I never would have asked her to do it, if I had thought there was anything. No, it never entered my mind -- it really didn't -- that this would be--

Q Well, when did you first start wondering if this was -- if this was proper?

A Well, I -- I didn't. I didn't even think about it, until my boyfriend was over the house a few times when I was getting these please join the inner circle of the Republican ba, ba, ba stuff and he said to me, why are you getting these.

He -- you know, he just couldn't imagine, because -- you know, they are a little bit -- I said, I don't know, but I said -- you know, a few months ago I gave -- I went through the whole explanation, and I said -- you know, my daughter was -- he saw my daughter getting them and he saw me getting them, and he said that I don't think you should have done that.

Then -- come to find out -- I don't remember whether it was him or someone else who told me that the -- I didn't know the government matched funds either. I -- I do since then.

The only thing I knew about it -- I think the only thing I knew was that there was a limit of a thousand dollars per individual or something like that.

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I think that was the only -- and that corporations could not give. I think those were the only two things I knew about campaign contributions because I had never -- I mean, that's out of my ballpark. You know, $10.00, $20.00 is about my -- my speed for donations.

Q Did you ask Mr. Cook if he had contributed?

A I don't know if I asked him or not. I believe that he told me he was kind of -- he kind of had to do the $1,000.00 -- I don't know if it was this specific one, but at one of them he had to do the -- the $1,000.00 one. He said something like I got bagged for the biggy, which was the $1,000.00 contribution.

Q You mentioned some -- you mentioned these contribution limits. When did you first become aware of these contribution limits?

A Well, I knew the corporations couldn't give, because that's at the bottom of every time you give a contribution. It always says corporate checks are not -- whatever.

You know, I mean, I've seen that -- I think it has more -- it's more than just that. Anytime any kind of a political anything is going on, I don't think the corporation can give to it, just from what I've seen at the bottom of any of those.

So I've probably known that part for years.

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The $1,000.00 limit, I think I've known that for quite awhile, because that's the top amount that they ever ask for, at--

Q How long is quite awhile?

A Oh, I -- I'd say -- you know, you years. I'd probably safely say at least ten years I've known some of that.

Q You were saying you -- something about corporations not allowed to contribute at the bottom of--

A Well, if you ever--

Q --one of those. What are--

A Well, no, whenever--

Q --you meaning by those?

A --there is a card or anything -- when they're asking for contributions, whenever there is a card or anything, it always says corporate checks -- you know, they cannot be corporate checks, at the bottom of any kind of political card -- contribution card.

Q Okay. You mentioned earlier that other employees were asked to write checks?

A Well, I -- I mean, I heard -- you know, I did hear more talk about -- you know, he was doing more.

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There were other employees involved. In fact, I knew one in particular that he and his wife went to the -- because they -- went to the campaign fund raiser, and he -- he was the one who was telling me what it was like.

Q Who was that?

A Tony DeBona.

Q And he and his wife -- did -- was Mr. DeBona asked to write a check?

A I think so. Ya.

Q And was his--

A No, I don't think so. Ya, he must of -- I do know he was.

Q Was his wife asked to write a check?

A That I don't know.

Q You mentioned that you heard talk around the office. What did you hear?

A Well, you know, are you going to the fund raiser. Are you -- you know, I don't -- right off the top of my head, I can't -- I know Den -- I talked to Dennis Morancy, who was another one. He didn't think he was going because he was going to be away, and Tony said that he was going, and--

Q Tony?

A I'm sorry, Tony DeBona. There was probably

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a couple of other guys who said they were going, but I don't remember right off hand who did and -- I mean, I remembered afterward that -- you know, when they talked about who went and who didn't. I remember Tony saying that he wasn't impressed with Billy D. Williams, and that was the -- that was the extent of that conversation. You know--

Q Who was asked to write a check?

A That I know of specifically? I know -- well, see, I know now, because of this -- because of what -- what came out when everybody got their notices and everything.

At that time, I knew--

Q First, at the time that you wrote the check to the Haig Committee, who were you aware of then that had been asked to write checks to the committee?

A All right. Dennis Morancy, Tony DeBona, Maureen White. I think I knew Maureen Becker. Richie Clegg and a couple -- I know one -- one person -- one or two were asked. They had their checks ready, and then for some reason they didn't -- didn't do it or didn't give them or whatever. I'm not sure I knew who everybody was back then.

Q Was--

A I might have, but I don't specifically

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recall.

Q Was there a lot of discussion at that time about these that were being written?

A Not -- not beyond who's going. You know, are you doing to go to the party and -- and that kind of deal. I -- from what I can remember, I think the -- the fund raiser -- the party, itself, was maybe a week away from that. So it wasn't like there was a lot of -- of time to think about it or whatever. It wasn't a -- and the office was very, very busy. So it wasn't a -- you didn't have a lot of time to talk about it.

Q Which employees were not asked to write a check?

A I don't know who wasn't asked. I mentioned one employee in particular who had -- I guess had -- maybe had been asked, and then for some reason he didn't -- he didn't take his check or something. I don't even know what happened in that.

Maybe there were enough people that weren't going that had extra tickets and he got a ticket. I don't even know whether he -- he was asked to go to the fund raiser or not.

Q Well, which employee was this?

A That was Joe -- Joe Teebage, the new accountant.

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Q Okay.

A And I only know that because he just told us that recently. He said, oh, thank goodness.

Q And Mr. Teebage told you recently that was asked to write a check?

A He had the check, and Don didn't want it or didn't need it or whatever, and he didn't take it. So he ripped it up and that was it.

Q Did Mr. Cook ask everyone to write a check?

A See, I don't know. We've got a shop. There's two sections of the -- of the building. There is an office and then a -- and a shop, and if he -- I don't know who -- who was out in the shop that day.

I don't know who he might have asked or who he would have missed or -- I -- I don't know how he would have done that. I really wasn't paying an awful lot of attention. Like I said, it was just one of those -- it was a spear of the moment thing that was done and kind of forgotten.

Q Do you recall, as part of the discussions then, whether a Maureen Becker was part of them?

THE WITNESS: The original ones? When we gave the checks?

A I think it was just the same as I was. She just -- you know, I think she just mentioned, ya, she

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did it, and -- I don't even remember whether she mentioned whether she was going to go or not.

Q Did -- do you know if she talked about it with anybody else?

A I don't -- right off hand I really don't. I mean, she might have talked about it with -- we might have all stood around and talked about it for a little while in the main office area, and I just don't specifically recall.

Q Who would have been in that room?

A In the main office, it could have been anybody. There is one large section behind the reception area that Maureen White sits there, and Joe Teebage sits there, and sometimes the engineers are there. Anybody could have been in there talking about it.

Q Were there any reservations expressed about writing these checks?

A Not to me, at that time. I remembered kind of -- see, now, people had mentioned -- people have mentioned to me since then that they weren't too sure they should have been doing it, but -- but what -- you know, they didn't see anything wrong with it, either, but that's been recently. Not -- not back then.

I don't remember specifically anybody

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saying -- it was a very short span of time, it seems to me. I don't -- I don't remember that there was a whole of time to -- to kind of go over it or anything.

Q Have any employees expressed any reservations to you, since then?

A Oh, yes, everyone of them that got the -- the notice in the mail that -- that I know of that got the notices in the mail. They've all said the same thing -- you know, the same -- same feeling that I have on it. Just never have written it had you had any idea. I mean, it was such a silly thing, when you think about it now, it seemed like such a nothing thing to do.

Q Have any of them recently expressed to you their reservations at the time they wrote the check?

A No, I -- you know, people say -- you know, I knew I shouldn't have done it, but that wasn't like I -- you know, at the time I thought shouldn't have done it, because there -- I don't believe there is anybody in that office, that if they actually thought they were doing anything wrong they would have done it. I don't know of anybody that's like that in that office. Anything that might have been said has been said with hindsight now. I mean, you know, I knew I shouldn't have done it type thing. I guess one of them asked. I

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don't know.

Q Who--

A Possibly Tony. I'm just trying to think now. Tony may have asked at the time, but I don't know.

Q How do you know?

A Just from recently him saying to me. When he got his, he called, and I think he said something to the effect that -- you know, he might have asked Don what it was for or is it all right, and that was probably as much of a wondering as anyone has done that I know of.

Q And what did Don tell him?

A Oh, that I don't know. I mean, I -- you know, I wasn't involved with -- with the conversation, just want -- what he told me afterward now -- recently. I really don't -- I don't recall hearing Don even ask -- specifically come up to somebody, and I don't recall the conversations specifically.

MR. KELLNER: Off the record.

(Back on the record.)

MR. KELLNER: Back on the record.

Can you read back the last question?

(Off the record for replay of last question.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q Did Mr. Cook tell you, at the time, that what you were doing was proper?

A No, he -- I didn't ask him about it. He didn't -- all he -- like I said, all he told me was that they were interested in a good show at that -- the rally and would I write the check. I mean, that was -- that was about it.

Q Who was interested in a good show at the rally?

A The guy that put on the -- the fund raiser, the Dom Seracino.

Q What was his name?

A Dominic Seracino.

Q What else do you know about the fund raiser?

A I know very little, very little about it. Apparently, this -- Dominic was a -- I don't know what they called him, but in this area helping Haig with fund raisers or whatever, and he had a few -- like at his house or whatever and I happened to know -- that's what I'm saying, I think Don had previously gone to -- like maybe one at his house or whatever, a little before the fund raiser, and that's all -- that's really

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all I knew about it.

Q And you say -- Don -- Donald Cook went to Dominic Seracino's house?

A Or wherever it was he had it. I think he had an open house. I really don't know much about it, but I think he went to some other -- I don't even know it would be considered a fund raiser, or an open house, or what, but it seemed to me that he mentioned it to me before this fund raiser, and it could be that he was talking about this specific fund raiser, but I think it was another one that he was talking about.

Q Who is Mr. Seracino?

A He's -- his company -- he was one of our clients at the time, Kurt-Sarrison Associates, the developer.

Q Kurt-Sarrison Associates?

A Um-hum.

Q Sarrison, is that short for Seracino?

A I have no idea. I would assume so, but I have -- I have no idea. It's like a hyphenated word. I don't know if it is two -- two men's names or what.

Q How -- what was -- what was Mr. Seracino's involvement in Kurt-Sarrison Associates?

A The owner or -- I've never met him. I don't know. I just know he's -- he was the President,

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the owner, whatever of the company.

Q And have you written checks on behalf of Trade Winds to Kurt-Sarrison Associates?

A We worked for them. So -- I don't recall ever having to--

Q I see.

A --write a check for them.

Q Are they a long term customer of yours?

A We haven't done anything for them now. The last job we did for them was probably finished up a year ago, and I don't remember the year we started working with them, but it was possibly six years ago or thereabouts that we started doing jobs for them.

Q How do you know Mr. Seracino is the owner of Kurt-Sarrison Associates?

A Only by -- the same way that I would know that anybody -- for any company that we did business with. I just would have heard it or -- he does advertising in -- in some local business publications and his picture -- he and his son have their picture in the paper, so -- of -- I'm assuming he's the owner.

Q What's his son's name?

A Dom and -- is it Ted? Ted, I think.

Q Is it Ted?

A I think it's Ted. I don't know him,

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either. I don't--

Q Is it Kurt?

A No. No. Ted Seracino. I think it's Ted.

Q How do you know Dominic Seracino organized this fund raiser?

A Only because that's what Don had told us. Donald had said that he was--

Q Donald Cook?

A Ya, I'm sorry. Donald, ya. He had told them -- told me that he was helping with his campaign in the area, and I know he was the one that was putting on the -- this particular fund raiser that I gave the money to.

Q How many employees attended the fund raiser?

A I'm not sure about that. I know Donald and his girlfriend went. Tony DeBona and his wife went. I think possibly there might have been one other couple, maybe two other couples that went.

I don't specifically -- I wasn't there. So I -- I don't really remember who was there. I only know Tony was because he -- he was the one who told me about it.

Q Were employees who wrote the checks given invitations to the event?

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A I think so yes. I think I had a card. I think I had two cards to get -- to get us into it.

Q And do you still have copies of those invitations?

A Oh, I doubt it very much. I wouldn't -- that wouldn't be something that I would have kept.

Q And is -- do you know if anyone has retained those invitations?

A No, no idea.

Q Were there any employees who didn't write checks, who attended the fund raiser?

A I don't know about that, either. I'm -- I'm -- I only know that Tony attended the fund raiser, and I know he wrote a check. That's -- that's about the most I know.

Q Was he a Haig supporter?

A I don't think so. In fact, here we go back to Billy D. Williams. I think he only went because his wife liked -- wanted to meet Billy D.

I mean, there wasn't much draw in the office for Haig. So I don't know of anybody that -- if they did go, I don't know of anybody that went for that reason.

Q Who else was at the fund raiser?

THE WITNESS: From the of -- from the

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company or from--

MR. KELLNER: In general.

A I don't think I know that either.

Q Were there any other celebrities there?

A The only one I recall was -- was Williams.

Q Was Alexander Haig there?

A Oh, ya, I think -- I'm sorry. Ya. That would be nice. I guess he was there. Yes.

Q What did the employees who attended the fund raiser have to say about it, when they returned?

A The only one who said anything -- was Tony -- to me about it, and the only thing he even told me was about -- that Billy D Williams was -- that I didn't miss anything. That was -- that was it.

If -- Donald might have come back and said something. I don't even remember him saying anything about it.

Q Donald Cook attended?

A As far as I know, he did, yes.

Q And his girlfriend attended?

A Ya. I mean, I'm almost positive. I -- I don't -- you know, I'm almost positive that they went.

Q What is his girlfriend's name?

A Abby -- Abby Allard.

Q How do you spell that?

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A A-L-L-A-R-D.

Q Are they still having a relationship?

A Oh, ya, she's -- she lives with him.

Q Do you know how many people attended the fund raiser, in general?

A No. No, I really know -- I really know very little about the actual fund raiser.

Q Where was the fund raiser?

A Some place in Boston, I think. I don't -- I'm not even sure I know. The only reason I didn't make it -- I had a -- my girlfriend and her son were staying with me for that weekend, and we did talk about going, but we came back from a fair, and I had -- it was in town somewhere, and we--

Q This town? Boston?

A Ya. Boston. I'm sorry. Ya. We say in town. It was in Boston somewhere, and I was -- we were too tired to -- to make the trip.

Q Was Dominic Seracino at the fund raiser?

A I have no idea. I would assume he would be, but--

Q What is the extent of Mr. Cook's involvement in political campaigns?

A I'd have to say that I don't know of any that he's -- I don't know of any he's gotten involved

with at all.

Q Any at all?

A No, I don't know of any.

Q Do you mean other than the Haig campaign?

A Ya. I wouldn't even really have considered him involved in that one, beyond -- I never heard him say too much of anything, except that he was -- you know -- I guess, kind of requested to make his contribution to the -- to the campaign, and -- and this little bit of this one fund raiser. That's all I know.

I don't recall him ever working for anybody or -- he doesn't even really talk politics in the office at all, or outside of the office. He very rarely talks about it.

Q Who made the request that he contribute?

A I don't know exactly.

Q Did your daughter attend the fund raiser?

A No, she didn't. She worked that night.

Q Your daughter Kimberly?

A Right. She worked.

Q Was she invited?

A Well, she had -- I think we got invitations. It seems to me I do remember getting invitations, and I had one for her and one for -- for myself.

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She worked for a veterinarian, at the time, and she stayed over nights at his -- while he was away. That was her -- part of her job, was to stay and -- and be there in case something went wrong. She was working that night anyway so she didn't go.

Q Was--

A I don't think she would have wanted to go anyway.

Q Where is she working now?

A Well, she's in New York right now. She's staying with her aunt and attending Ithica, on a part-time basis.

Q Ithica College?

A College. Ya.

Q In up-state New York?

A Ya, it's in Ithica. Ya.

Q How was -- how was she paid for writing her check?

A I think I did the same thing. I brought the money home. He -- he gave me the money. I don't remember in what order or if he gave me all of it at one time, but I gave her the money so she could put it back in the bank.

Q Did she have -- prior to that, did she have enough money in her account to -- to cover the check?

A Oh, ya, I'm -- I'm -- ya, she would have.

Q Did you ever answer phone calls in the office?

A Yes.

Q Would you call that part of your job description?

A No. We have a receptionist that does that, but whenever the phone rings -- maybe it hits the third ring, I'll just -- I'll just automatically pick it up. It is a small enough office that we all do whatever has to be done.

Q Who's the receptionist?

A Maureen Becker.

Q Was she invited to the fund raiser?

A Yes.

Q She was?

A Well, I know she wrote the check and everything. So I know she was.

Q And do you know -- do you know if all the employees who wrote checks were invited to the fund raiser?

A Well, that was the whole -- that's what I thought it was for. In order to go to the fund raiser, that's what -- that's what we did.

Q What kind of calls did you answer when you

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-- when you picked up the phone?

THE WITNESS: What kind of calls?

MR. KELLNER: Well, let me rephrase that.

BY MR. KELLNER:

Q Who calls Trade Winds?

A Well, anybody. Any of our clients. Any of our -- our vendors. People looking for contributions from -- you know, the police society and the -- from anywhere. You know, anybody that we do business with.

Q Do you ever take any other calls?

THE WITNESS: What other kinds of calls? I mean, personal calls like--

A Ya. Sure. I mean, somebody's wife will call, or daughter, or son, or whatever.

Q Have you ever received calls from the Haig campaign?

A No, I don't think so. That's how they would identify themselves? No.

Q Anyone who might be related to the Haig campaign?

A Well, I don't know. Unless you would be saying Dominic Seracino, but he was a business client. So anytime he would be -- he rarely calls.

You know, he rarely called anyway, but there were times when they were working out problems

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with jobs or whatever that --that he and Donald maybe would talk, and he would call or have his secretary call for him.

Q Did you ever take any calls from someone identifying themselves as associated with Alexander Haig or--

A Oh, no. No.

Q How often did Mr. Seracino call?

A Well, I -- first of all, I rarely answered the phone. I don't even know if I've answered a call from him for years. Back when I was the only one in the office, he rarely called. So I don't know -- I don't know how often, and a lot of times it would be that he would have his secretary call anyway and just -- you know, she'd say Dom Seracino calling.

Q Were you aware of Mr. Cook asking anyone outside of Trade Winds to write checks to Haig for President?

A Well, I mean, you talk about my daughter.

Q Anyone else?

A I don't know. I don't -- right off -- no, off the top of my head, I wouldn't know.

Q Do you know if Abby Allid--

A Allard.

Q Allard wrote a check to Haig for President?

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A I have no idea.

Q Do you know if all employees of Trade Winds were asked to write a check?

A No, I have no idea about that either.

Q Did you suggest to Don Cook that the -- did you suggest to Donald Cook other people who might be willing to write a check to Haig for President?

A No. I just had that little momentary thing of him coming up and asking me, and done and gone.

Q Did you suggest that your daughter could write a check?

A I don't -- like I said, I don't know whether I made the suggestion or whether he asked me. I really don't remember. I don't know why I would have suggested her. You know, I don't -- I don't know that I would have said, oh, maybe Kim would like to go. I don't even think I would have said that. So I don't really remember.

Q What contacts or communications were you aware of from the Haig campaign at Trade Winds?

A I don't -- I'm not aware of any.

Q Did you discuss your cont -- the check that you wrote with anyone from the Haig campaign?

A No.

Q What mail did you come across from the Haig

for President Committee?

A In the office, nothing.

Q Any mail from other political organizations?

A Well, I -- ones that we do business with through the ABC Contractors. I mean, I don't know if you consider those political. I mean, they do political action whatever. I've never seen anything come through specific -- like election campaign type things at all.

Q Can you describe those mailings from the ABC Contracting?

A Oh, ya, just -- we had a bill that was trying to be passed for fair wage -- trying to keep the wages at union levels and those kinds of things. That's the only kind of mailings I think we've ever received on political type -- wanting you to support a bill or -- or not support a bill, or whatever. Those are the only things I've ever seen. Not based on like candidates and things, but based on issues and such.

Q Anything else?

A That's all I've ever seen. I mean, I open the mail, and that's all I've ever seen come through there.

Q Can you describe for me Donald Cook's

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relationship with Dominic Seracino?

A All I know about it is that it is one owner to another owner. Business relationship type -- we did several buildings for him that he developed. I guess he buys the land and develops the property and we -- back to the bidding again, we bid directly to him on these -- some of these projects, and that's the only relationship that I -- I know of with them.

Q Are they friends?

A I -- that I wouldn't know. I don't -- I don't -- I mean, I wouldn't know. I don't know that you'd consider them that, if they -- no, I don't think so.

Q Why do you think Mr. Cook asked you to write this check?

A I don't know now. At the time -- like I say, I didn't even think about it, and I just figured that was it. I want to show support. You know, I don't know. There wasn't enough talked about to -- I wouldn't really know.

Q What was Mr. Cook's experience in politics, prior to--

A Like I said, I don't know of any. I don't know of anything he was politically involved in, at all.

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Q What was his experience in collecting political contributions, prior to then?

A I don't know of any.

Q Do you know if he ever received any instructions on collecting political contributions?

THE WITNESS: If I received any?

MR. KELLNER: No, if--

THE WITNESS: Oh, if--

MR. KELLNER: --Mr. Cook did.

A No, I -- I don't know about that, either. Like I say, he never really -- he never talked any politics. I never even heard him talk too much one way or the other about Haig. Very little politic -- you know, political talk in that office. Between there -- I mean, there is like -- I get into it every now and then, but a few of us may discuss it, but he very rarely gets into it at all.

Q Do you know if Mr. Seracino may have given him instructions on how to collect political contributions?

A That I don't know. It is certainly possible, but I don't know.

Q What has -- what has Mr. Cook had to say recently about these contributions?

A Nothing.

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Q Nothing at all?

A Nothing.

Q Is he aware that a number of his employees have received notification letters from the Federal Election Commission?

A I don't know, because I walked into his office about a week after getting mine or a few -- no, it was probably a week after getting mine, and he held up an envelope on his desk and said, did you get one of these, and I said, yes, and apparently he had mentioned it in passing to one of the other employees. He said something like if you get a phone call -- you know, you may get a phone call or something from it, like it wasn't any big deal.

It wasn't any big deal conversation, because afterward the guy said, what do you mean, you know, he was just as surprised that we were that we got a -- the letter that we got.

I don't know of anybody else Donald mentioned it to, and -- and I don't know -- he hasn't discussed it with me after that -- after that point.

Q Have you brought it up to him again?

A No, because I have to say that I was -- I was upset that he didn't mention it to anybody at the time if he knew something was -- was going on. It

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wasn't a very pleasant thing to get in the mail, especially when it was my daughter.

I don't think it would have been -- effected me quite so much, if it wasn't -- she hadn't been involved in it.

Q Has anyone else discussed it with him?

A I don't think so. Because I know everybody was upset that he hadn't mentioned it. You know, everybody said the same thing. He hasn't mentioned anything to me. So I don't know of anybody he has mentioned it to, outside of Rich Clegg, and apparently all he said to him was you may get a phone call.

Q Now, how do you know that?

A Because that's what Rich said. Because I said, oh, thanks for telling us, and he said, no, all he said was you may get a phone call. I didn't even think about it. You know, what's a phone call.

Q But you were being sarcastic when you said it?

A Oh, ya. Ya.

Q Is Mr. Cook aware that you were required to appear in person and give testimony?

A Well, he asked me -- he just said, you have questions to answer -- do you have questions to answer, and I said that apparently everybody was different. I

only knew that because my daughter had gotten the questions to answer, and I had gotten this.

I said -- like I have a subpoena to appear, and I didn't even get very far, and he said, oh, nothing will become of that, and I said, Donald, I have a subpoena to appear, on a certain date, a certain time, a certain -- he said, oh, that was it.

I mean, I -- I was -- I was angry at the time I was saying it anyway, because like I said he hadn't warned anybody, and I just walked out the door. I didn't -- that was the last conversation we've had with it.

Q Do you know if Mr. Cook asked any other employees if they received a letter?

A I'm assuming Rich -- Rich Clegg, because -- like I say, they are fairly close in the office. I don't know if asked anybody else or not.

MR. KELLNER: Okay. I think this will be a good time to break for a short lunch break.

(Whereupon, at 1:00 pm a lunch recess was held until 1:30 pm.)

AFTERNOON SESSION

(1:30 pm)

MR. KELLNER: We're back again.

BY MR. KELLNER:

Q You stated earlier that you issue the salary checks to Donald Cook?

A We -- well, we do them at the same time that we do payroll, and his is included in that.

Q What is his annual salary?

A It's [redacted] a week. Whatever that comes out to.

Q Okay. Is that his pay before or after taxes?

A That's his gross.

Q Do you know the total amount of outstanding officer loans to Mr. Cook?

A I really don't. I don't know how the accounting -- like I've gotten out of it the past couple of years, and leave it up to the in-house accountant to deal with the outside accountants and -- and they were all in yesterday, and I don't know how they -- they handle those -- whether they're tradeoffs between what he has -- has put into the company. I don't know where he's at now.

Q Could you give me a range?

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A No, because I don't -- all I know is this year there was probably $27,000.00 put into -- around there, $25,000.00 or something like that that was put into officer loans, and I don't know when the final year end work is done -- I don't know what happens to it. I mean, it might still be on the books. I don't -- I really -- like I say, I don't really pay too much attention to the -- that part of it anymore.

Q How many children do you have?

A Children, two -- two daughters.

Q Did -- did you request both your children to write checks to Haig for President?

A No, just Kimberly. Christen didn't have a -- Christen was still in high school at the time. So she didn't have any accounts.

Q Do you know Dennis Cook?

A Yes.

Q Who is he?

A Donald's son, and he, also, worked for us for -- on and off for the past several years.

Q Does he work there now?

A No, he doesn't.

Q What does he do now?

A I think he works for another air conditioning contractor, as a serviceman.

Q Why doesn't he work there any longer?

A Pretty much his -- he wasn't showing up for work five days a week. He was very inconsistent with his attendance, and it got to be a -- a problem. So the service manager let him go for the second time.

Q What was his salary?

A Dennis, I don't know right offhand. It was an hourly wage that was comparable to what the other service mechanics were making.

Q What would -- what would an average wage be?

A [redacted] an hour.

Q How would you describe the relationship between Donald Cook and his son Dennis Cook?

A Right now I don't know that they have very much of one at all. Dennis has lived with his grandmother for a long time.

I think when Don's girlfriend moved in with him, Dennis just made a point of staying at his grandmother's, in Canton. They live right down the street from me.

Q About how many hours a week does Don spend in the office -- Donald Cook?

A The -- the past couple of weeks, he's been in there a lot more than normal, but I don't -- I

couldn't even guess. He comes in. He sits down in his chair for maybe twenty minutes, and he is up, and -- you know, I'll be gone for a half an hour, but we won't see him for a few hours. I don't know where -- I don't -- you know, he owns the company. He can come and go as he pleases.

I couldn't even -- I don't even know how I would estimate how many hours he spends. There are times he just doesn't come in at all for the day. I don't even know how I would estimate how many hours he spends in the office in a week. Not many.

Q Does he let you know when he is not going to come into the office?

A No, not very often.

Q And--

A I mean, if he is going away on a -- on a trip or something -- you know, he'll say that I'll be gone for a week, or ten days, or whatever.

But as far as he comes in in the morning whenever -- anytime from 8:30 in the morning, which is rare, but usually he is in around 9:30. Sometimes he doesn't show up until 11:00.

He's been known to come in and go out to lunch. You know what I mean? It's like -- but it is his company. So--

Q And this -- this is a -- this is a relatively new practice?

A Ya. I think so. Ya. He's been through these periods before. I've -- I've been through these with him before, when he just has a complete lack of interest in the company or anything around him, but it usually only lasts a short time, and he's right back.

I always called them -- like "mini-burnouts" and I think we all have them. You just get fed up and tired, and he would do this kind of a thing, not show up, but the extent -- now it's been -- it's been a few years that I think he has really been doing this now.

It has been at least two years that he has been doing it. I think longer.

Q Do you know if Dennis Cook attended the fund raiser?

A I don't know.

Q Do you know if he wrote a check to Haig for President?

A I only know that because someone else told me did.

Q Who told you?

A One of the other people in the office. I think it was Rich Clegg that mentioned that Dennis had

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gotten one, too.

Q How did Richard Clegg know that?

A I'm sure it was something Donald had told him.

Q Is Richard Clegg a friend of the Cook family?

A No, he -- he's just an employee. I don't know. Don's lunch buddy. Whatever you want to call him. I don't think he spends any -- I don't know if he does. I mean, he may go golfing with him or something, but I don't think they're long term friends or anything.

Q Do you handle any of Donald Cook's personal finances?

A None.

Q Do you pay any of his personal bills for him?

THE WITNESS: With -- with his per -- you mean, through the company type thing, or with -- I'm--

MR. KELLNER: Either.

THE WITNESS: Which are you asking?

MR. KELLNER: Either through a company check or--

A I don't take care of -- I don't take care of any of his -- his personal -- you know, on a

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personal basis, I don't. On occasion, there is probably -- I don't know, there might be dinner bills or something that Trade Winds have paid that haven't been legitimate business expenses, but I don't know that. Bruins tickets, I don't know if those are considered legitimate business expenses or not. The company pays for those. Minor things like that.

Q Do you balance his personal checkbook?

A No. No.

Q Is his personal bank statement received at Trade Winds?

A No, I never see it.

Q You mentioned earlier that you received mailings from -- something to do with the republican party.

THE WITNESS: Me, personally?

MR. KELLNER: Right.

A Yes.

Q Can you be more specific?

A Oh, something called the Inner Circle. It has something to do with -- when -- when Reagan was President, I got them. Part of the President's Inner Circle thing.

They asked for some crazy amount of money that you can belong to this inner circle and attend all

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the special whatever. I get things like that from the Republican -- a lot of Republican -- somehow I've now been put on to a Republican list, and I get a lot of Republican -- you know, information, and fund raisers, and -- and that kind of thing now.

Q And your daughter Kimberly receives the same materials?

A Not -- well, not -- not always. Sometimes we -- you know, she -- we may get the same materials at different times. It's not like we both get the same thing everyday. You know, I know she's gotten them for the Inner Circle. She doesn't always get them the same time I do and vice versa.

She may get an invitation. In fact, we both got invitations to the Inaugural whatever for Bush -- you know, for a mere -- how many of a thousands of dollars they want. I mean, I throw them away. I don't even really read them. It's kind of a funny, you know.

Q How much money was it to join the Inner Circle?

A It was thousands. I don't really remember. Maybe a couple of thousands or -- I don't -- you know, like I say, I really don't pay -- I was running around joking, because -- you know, now they want $10,000.00 from me, to go to -- you know, the President's Inner

Circle, but I don't know how much it is really.

Q They want $10,000.00 now because -- well, do you think that's because--

A Oh, I'm sure--

Q --they think you gave the money in the past?

A Sure. I'm sure that's exactly why, because I have never -- I don't -- I don't know that I've ever voted in a primary where it would have -- you know, required me to -- I don't know how that works.

When you vote in a primary, you become -- you know, I'm a registered independent. I don't even know if I've ever voted in a primary that would have made me get on a list for republicans. So it has to be that, the check.

Q You don't consider yourself active, in the republican party?

A No, I've always been independent because -- I have gotten very republican lately, but I have never been an active -- in either party, except for specific individuals, and I'm more the individual than the party.

Q Did you ever receive any mailings for the Haig for President Committee?

A I don't think so. I might have. Like I

said, I -- I really paid very little attention to them, when I got them, and I was getting a lot of them, and I -- I might have. I just don't -- I mean, they might have asked me for more money. I don't know. It just would have been tossed out.

Q How about your daughter?

A The same thing. I don't know what she got either, but we've gotten constant mailings. So she could have, too.

Q Did you ever receive an acknowledgement from the Haig for President Committee of your -- of the check that you wrote?

A I don't remember. I don't know.

Q Did you receive--

A I suppose that if it was normal for them to send a thank you, I would have gotten one, but I don't specifically recall one.

Q You don't recall receiving a thank you?

A No.

Q Or for -- or for your daughter Kimberly?

A No. I mean, she would have -- she would have done -- she probably wouldn't even have opened it up. She just would have tossed it out anyway. So--

Q Well, why do you think she would have done that?

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A Junk mail. I mean, she just doesn't -- you know, that would have been junk mail to her. So she might not have even opened it up.

Q How old is Dennis Cook?

A Well, I'm not sure, but let me see. Twenty-four, twenty-five. Somewhere around there.

Q Do you know Mary Cook?

A Yes, I do. Donald's mother.

Q And that is then Dennis' grandmother?

A Right.

Q And that is who Dennis is--

A That's where--

Q --living with?

A Yes. That's where he lives. Right.

Q Did Mary Cook attend the fund raiser?

A I don't know that, either.

Q Did she write a check to--

A I don't know that either.

MR. KELLNER: Well, let me finish.

THE WITNESS: Oh.

BY MR. KELLNER:

Q Did she write a check to the Haig for President Committee?

A No, I don't know.

Q How would you describe her relationship

with her son, Donald?

A I don't know how I would describe it. I haven't seen them together in a long time. She calls often enough. They -- they talk to each other -- you know, holidays or whatever.

I'm sure he must see her during the week or whatever, but I don't know. He lives in another town, and -- maybe that's where he goes every now and then, because she's home a lot. So maybe he goes by to see her during the day time. I don't know.

Q Has Mary Cook ever volunteered in a political campaign?

A I wouldn't know that.

MR. KELLNER: Okay. I'm going to ask the Court Reporter to mark a document, as FEC Exhibit No. 1. It is two pages long.

(The document referred to was marked for identification as FEC Exhibit No. 1.)

MR. KELLNER: I give a copy to the witness and ask her to look at it.

(Pause to review document.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I have.

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Q Do you recognize it?

A Yes, I do.

Q What is it?

A It's the copy that I sent of my check for the Haig for President.

Q Are these -- are these deer on the front?

A Yes.

Q On the front of the check?

A Ya.

Q What is the amount on the check?

A It's $250.00.

Q And this is the check that you handed to Donald Cook--

A Yes.

Q --or a copy of the check?

A Right.

Q Is -- is that your signature at the bottom?

A Yes, it is.

Q And what's on the second page?

A That's the copy of the back of the check, of the deposit.

Q And the check was for how much?

A The check was for $25.00.

Q And -- and that is how much Donald Cook gave you in cash when you handed him the check?

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A Yes, it is.

MR. KELLNER: I'd like to have the Court Reporter mark another document, as FEC Exhibit No. 2.

(The document referred to was marked for identification as FEC Exhibit No. 2.)

MR. KELLNER: I hand a copy to the witness an ask her to look at it.

(Pause.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I did.

Q And do you recognize it?

A It's my daughter, Kimberly's checks.

Q Daughter Kimberly's checks or--

A I'm sorry. Well, I'm sorry. I recognize them as her checks.

Q Okay.

A This is a copy of a check.

Q And her checks had--

A Puppies on them. We're into animals. Ya. What can I tell you. I'm into wildlife, and she's into domesticated animals.

Q Do you recognize this signature?

A Yes. That's hers.

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Q And what is the amount of the check?

A Two hundred and fifty dollars.

Q And she was reimbursed for this amount?

A Yes, she was.

Q By who?

A Well, I gave her the money from Mr. Cook.

Q Mr. Cook gave you the money to give to her?

A Yes.

Q And this was the check that she gave to you to give to him?

A Right.

Q And the second page of the document, what is that?

A That's the back of the check cancelled.

Q What is the date on this check?

A Kimberly's is September 23rd.

Q And that was the date she gave you the check?

A I don't know. I would assume so.

Q What was the date on your check, FEC Exhibit No. 1?

A Well, it is either September 21st or September 20th. I think it is the 21st.

Q Are you having trouble reading the date?

A Ya. I think it is the 1st. I mean the

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21st. I'm sorry.

Q So Kimberly wrote her check after you wrote yours?

A Right.

MR. KELLNER: I'll ask the Court Reporter to mark this document as FEC Exhibit No. 3.

(The document referred to was marked for identification as FEC Exhibit No. 3.)

MR. KELLNER: I give a copy to the witness and ask her to look at it.

(Pause.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I have.

Q Do you need more time?

A No, I -- it is just that the check looks different, but I guess it's the same thing. It must be a different kind of a copy. That's all.

Q Do you recognize FEC Exhibit No. 3?

A As my check. I think it is the same thing. It just looks different to me. Doesn't it?

Q Are the amounts of the check the same?

A I mean, it is my writing. I recognize it as my writing. So I'm -- I'm--

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Q And it is the same check?

A Check number. Ya, it is. It must be the same thing. It must be the copy.

Q Okay. So what is -- what is below the copy of your check?

A A typewritten whatever with my name and address and occupation on it.

Q Do you recognize this form?

A No, I don't.

Q Have you seen this before?

A I don't think so. No, I don't -- I don't remember it anyway. I don't think I've seen this.

Q Are you familiar with a form similar to this?

A Enclosed is my -- no. No, I'm -- I'm -- I don't think so. This doesn't look familiar to me, at all.

Q Did you give anyone the information for which to complete this form?

A I doubt it because my -- I wouldn't have put occupation as secretary.

THE WITNESS: Did I send this in with this check? Is that what happened?

A I don't -- I don't -- no. I don't even know if I did.

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Maybe I gave somebody the information, but I don't -- most of it is off the check, I would think by the looks of it. My telephone number isn't there, and I wouldn't have said my occupation was secretary and they spelled the employer wrong.

Q What would you say your occupation was?

A Officer manager.

Q And what would you say your occupation was at the time that you wrote the check?

A Office manager.

Q Who completed this form?

A I don't know. I really don't even recall ever seeing this form before. So I don't know.

Q Who's job at Trade Winds would it be to complete a form such as this?

A I would -- I would assume that under most circumstances, I would be the one to do something like this.

It could be anyone of the three of us girls, but normally it would at least probably have gone through me, unless I wasn't there to type it out.

I don't know of anybody that would have done Trade Winds Systems that way because that's not correct.

Q What would be correct?

A Trade Winds is two words and there is an S at the end of winds -- wind.

Q So it would be Trade, with an S? Trades?

A No, Trade and then Winds System Corp.

Q I see. Okay. Two words, and it would be a capital W?

A Right. I mean, even a typographical error wouldn't have -- you wouldn't have a small W in there. None of us would, I mean, in the office.

Q When you write Trade Winds System, do you add corporation after that?

A Some -- well, not all the time, I guess. No.

Q Sometimes you do?

A Sure. Most of the time we would, but maybe if you were doing this -- you know, name of employer, maybe we would just do Trade Winds Systems.

Q How would you write it, if you included the word corporation?

A Corp.

Q C-O-R-P?

A R-P. Ya, and if I typed it, normally, I'd do it in all caps, because it is a pain to type.

Q Do you recognize this type face?

A It's a standard. It could -- it looks like

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a small -- a little smaller than what we use in the office, but that could be the copy machine. Because my check doesn't look quite right either. So I don't know, but it -- it could be just a standard. We've got several fonts on a couple of machines. So it could -- you know, it looks like almost anybody's typewriter.

Q Do you think that it was from a typewriter from your office?

A It's possible. I don't -- I know, I can tell you one thing it wasn't -- is it is not mine, because I have an older typewriter, and it -- it misses a lot on the letters. This doesn't look specifically like the type that comes off of the other two typewriters that we have, but I'm not saying that it didn't. It could have.

Q You referred earlier to any of the three girls would have done it. Who are they?

A Well, the only ones in the -- in the office, besides myself, is Maureen White and Maureen Becker. Sometimes Don's girlfriend -- you know, she comes in very rarely, and I don't think she types.

Q Would they prepare such a document?

MR. KELLNER: Let me rephrase that.

BY MR. KELLNER:

Q Would it be possible for Maureen White or

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Maureen Becker to prepare a document such as this without you knowing it?

A Oh, sure.

Q Would they list your occupation as secretary?

A Oh, I can't -- I can't imagine -- I doubt it very much because I'm office manager. One of the other girls is secretary, and Maureen pretty much is -- you know, no, I can't imagine either one of them would do that.

Q Who has access to the information on this form?

A Well, if you had my check, you've got all the information right there. You don't have my telephone number, and my telephone number isn't on the check. The girls would know my telephone number, too.

Q How about your occupation?

A That's not -- I mean, that's not on -- wait a minute. I'm sorry.

THE WITNESS: What?

BY MR. KELLNER:

Q Well, who would have access to what your occupation was?

A Both of them were there, but -- I mean, they were -- I would think they would put down office

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manager.

Q Who else at Trade Winds would have access to employee records showing each employee's occupation?

A Nobody should, because I keep the personnel files locked. Maureen White can get into them because she does payroll. Actually, I think we're the only two in the company that -- when I've got them locked, we're the only two that can get into them.

Q How many typewriters are there in the office?

A Three.

Q And who has access to those typewriters?

A Actually anybody that walked into the office could use them. You know, I don't know that -- I've -- you know, I don't know who else would come in and use it.

You'd have to come in on a different time to sit down and use the typewriters because they are at each one of our desks, but they are not -- I mean, it is not like they're locked in any rooms or anything. They are all in the open.

(Pause.)

MR. KELLNER: I'd like to -- I'd like the Court Reporter to mark this document as FEC Exhibit No. 4.

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(The document referred to was marked for identification as FEC Exhibit No. 4.)

MR. KELLNER: I'm going to hand a copy to the witness and ask her to look at it.

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I have.

Q What is this FEC Exhibit No. 4?

A A copy of my daughter's check, with the same -- her name, address, telephone number, occupation typed underneath the copy of the check.

Q Is it similarly prepared to FEC Exhibit No. 3?

A It certainly looks it to me.

Q What information is contained on FEC Exhibit No. 4 about your daughter?

A Her name, address, occupation is student.

Q Has she been employed by Trade Winds Systems?

A She worked there part-time, when she was in high school for -- very part-time. She used to come in and help me type, file, whatever years ago.

Q Has she worked there since?

A No.

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Q Why did she leave?

A Oh, she just came in working part-time, like I said, to help me and -- one thing, she doesn't like office work, but I -- I might not have needed her. We might have hired Maureen White, too, by then. I don't know.

Q Is there a -- a dollar amount marked off on FEC Exhibits No. 3 and No. 4?

A Two hundred and fifty dollars.

Q And what is the mark next to that amount?

THE WITNESS: Do you mean the X?

A There is an X beside them.

Q Would it be fair--

MR. KELLNER: Let me step back.

BY MR. KELLNER:

Q What is -- what is listed as your daughter's occupation, on FEC Exhibit No. 4?

A It says student.

Q Would it be fair to say that the person who prepared the form knew that your daughter was a student?

A Ya. Well, I'm -- I'm assuming yes. I'm trying to remember if she was a student then or whether she was just working for the veterinarian, at that time. I'm not too sure, because she did go to

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Bridgewater State for a little while.

Q Did your daughter complete this form?

A I don't know. Not to my knowledge.

Q Do you know if your daughter gave anyone information to complete this form?

A No, I think that I was the only one that talked to her about it.

Q Who at Trade Winds would know your daughter's occupation and who would list it as student?

A I don't know. It's possible -- especially if she was going to Bridgewater at that time. It's possible she was in '87. Anybody that I worked with would have known she was going there. So if anybody at work did fill it out, they would have known. I mean, if I had filled it out, I would have known. So--

Q FEC Exhibit No. 3, which is a copy of--

THE WITNESS: Mine?

MR. KELLNER: Yes.

BY MR. KELLNER:

Q --which is a copy of your check, what does it say above the -- above the X by the $250.00?

A It says, enclosed is my personal contribution of.

Q And you did -- you did not complete this form?

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A I don't remember do -- like I said, if I had done this form, I would have -- it wouldn't have looked like this.

Q Do you recall completing this form?

A No, I don't.

Q I ask you to look at FEC Exhibit No. 4. To the best of your knowledge, did your daughter complete this form?

A I don't believe she did. No.

Q I'd like to refer you, again, back to your check, Exhibit No. 3, and--

A Okay.

Q --and look at the part of your check, on the lower left hand corner, where it says "For" and there is a line next to it. Do you normally fill this line in?

A Oh, very rarely. If I'm paying a bill in my name for one of the girls, I'll just put like -- maybe their name across here. I very rarely use that. Or an account number, that's -- that's the only time I use that.

Q Have you made -- have you written checks to a political campaign before?

A No, I don't think so.

Q And have you made any since?

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A No, I don't think so.

Q Were there any meetings held at Trade Winds to discuss the reimbursement of the contributions?

A Not that I was involved in. Definitely not.

Q Who has access to the Trade Winds office at night time?

A A lot of us. All right. Donald, me, Dennis Morancy, Rich Clegg, Maureen Becker. Into the office part, itself, I think that is all of us that can get into the actual office part.

Q How often are there people present in the office, at night time?

THE WITNESS: Now? Recently or back?

A Now, everybody is out of there by five o'clock. Back a year or two ago, there were people that would be there doing estimates or working on costing or something, until later than that.

Actually, back awhile ago, Don, himself, would sometimes be in there until -- until later.

Q How about in recent years?

A Well, that's pretty much -- recently, there hasn't been that much -- you know, there hasn't been that much of people staying or doing any overtime or anything.

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If you go back two years ago, there might have then been more. I mean our hours were a little bit different then, because I was usually staying until 5:30, quarter of six back then, and maybe there would be people still there when I left, but a lot of times that was -- that was the length of the -- of the day for most people.

Q How often do employees come to work on the weekend?

A Now, I think very little. I know sometimes they may show up. They -- they come in to pick something up or whatever. They might just come into the office for five minutes, ten minutes, or something, but I don't know of very many people now that go into the office weekends. Two years ago, once again, they might have been in there more often.

Q Does Mr. Cook come to the office on the weekends?

A I don't know.

Q Do you remember them coming into the office on the weekend?

A Oh, from -- ya, sure, years ago he used to. He might even have a couple of years ago. It just seems like -- if he did ever go in, I don't -- you know, he wasn't there during the week. So I wouldn't

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even have thought that he would be there during the weekend.

So -- but, I mean, obviously, years ago, when we were first starting up the company, there was a lot of overtime and a lot of weekend work.

Q And that was before you moved into the new building?

A Yes.

Q Is Trade Winds located on just one floor of the building?

A Yes. We own the whole building.

Q You own the whole building, but you occupy one floor?

A Well, actually we don't own -- well, it is -- that's it. It's -- it's the whole building--

Q I see.

A --is -- is Trade Winds. It's under a Realty Trust.

Q What is the name of the Realty Trust?

A Cedar Realty Trust. Cedar, like Cedar Street.

Q I see. At the time that Mr. Cook asked you and the other employees to write a check for Haig for President, did he have any outstanding officer loans?

A I don't know. Right off the top of my head

I don't remember, and that would have been at the -- our fiscal year ends in August. It would have been at the end of the fiscal year. So possibly there weren't any by then.

Q Do you know if he took any officer loans in September of 1987?

A I don't know, but I don't believe he did.

Q Do you have access to records to -- to check on that?

A Um-hum. Yes, I do.

Q Would you be able to provide us with that information?

A Yes.

THE WITNESS: For the month of September, like a -- a cash disbursement journal or--

MR. KELLNER: Well, we would be interested in -- in any documents relating to the disbursement of funds to Donald Cook, in 1987, and in the first six months of 1988.

THE WITNESS: Okay. I can get that.

BY MR. KELLNER:

Q What was the source of funds for the reimbursement of contributions to employees who wrote checks to Haig for President?

THE WITNESS: What was the source of the

funds?

A I don't -- it came out of his pocket that I could see.

Q Do you know where he got the money?

A No, I don't. I don't believe from -- I mean, I don't believe he got them from Trade Winds because I don't remember anything at the time of -- of there being any money taken around that time. So I really don't know where it came from. I don't really even know how much was involved, extent wise.

Q Could the money have come from the C&D Company you mentioned earlier?

A No, I don't think so. I mean, I could look that up, too, but I don't -- I don't think there was any -- I don't think there has been enough money in there for anything for quite awhile.

MR. KELLNER: Okay. If you could find us information about that company, that would be appreciated, too.

THE WITNESS: Um-hum.

BY MR. KELLNER:

Q Is it possible that Trade Winds funds were used to reimburse Trade Winds employees for writing checks to Haig for President?

A I very much doubt it.

Q Was Mr. Cook -- well, why do you doubt that?

A Because I -- I don't recall any -- any money that he -- I don't recall any loans or anything to him through the company around that time, and I -- I mean -- I think everybody is aware of the fact that company money is not suppose to be used for that. So I don't -- I don't think he would have done that anyway.

Q Was Mr. Cook known to have carried large sums of cash on him?

A Ya. I don't know. That's all relative.

MR. KELLNER: It is.

BY MR. KELLNER:

Q Was he known to carry sums of cash greater than $1,000.00?

A No, I don't think so. I've never seen -- I've seen him -- I've seen him with -- with -- with a roll of a few hundred dollar bills in his pocket -- several hundred dollar bills and several fifties. It is probably conceivable he could have carried close to $1,000.00 on him at a time, but I'm -- you know, that sounds to me like a bit more than he normally would carry, but -- like, again, I don't know.

Q Did he have such a roll on the day that he reimbursed you for your check to Haig for President?

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A I don't recall seeing -- I don't recall him coming up with a big fist full of money ripping off the -- the money for me. He may have just had the $250.00, in his hand, when he gave it to me. I really don't recall that.

Q How would you describe the level of political activity at Trade Winds?

A There is only a few of us that really ever get talking about any kind of -- of politics at all. Very few of us, really. I'd have to say it's a very low level of it.

Q Who are those persons?

A Well, me, Maureen White, and -- and most of -- when I say this, it is mostly just discussions of what's going on -- mostly with our State government at the moment.

Q Current events?

A Ya. I guess sometimes Frap -- I'm sorry, Frap. One of the employees, Arseen Frappier, he comes in. He's fairly knowledgeable in -- in political stuff. So a lot of times he'll come in and we'll -- local -- it's all local stuff, though. It's not very often we get heavy into federal election talks or anything.

Q Is there a system for making political

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contributions at Trade Winds?

A No, there isn't.

Q Are political contributions ever deducted from pay checks?

A No.

Q Can such deductions be requested?

THE WITNESS: I don't -- by -- like by the employees you mean?

MR. KELLNER: Yes.

A No, I wouldn't -- well, no, I would -- that would be a pain for me. So I would -- I'd suggest not.

Q Do you know of such a case where such deductions were made involuntarily from an employees pay check?

A Oh, no.

Q What documents did you review in preparation for our meeting here today?

A I just looked over the letter that I received. I looked for my -- for the check, through my bank records, and I looked for -- when they asked about any -- if I'd received any correspondence or something was one of the questions they had asked, and I did look around a little bit, but I'm not a saver of things like that. So if I had ever received anything, I wouldn't have kept it anyway. So I just looked for those. That

was the -- that was the extent of it.

Q What did you do with the $250.00 in cash that Mr. Cook gave to you?

A I probably deposited it into my checking account.

Q Did you receive a receipt for that deposit?

A I would have, if I deposited it, outside of doing it through an ETM, I would have -- I would have received a -- oh, it would be right on my bank statement, anyway.

Q Could you, please, provide for us a copy of the bank statement showing your deposit of -- of the money you received from Mr. Cook?

A Oh. I don't know if that is going to be broken out, but, yes, I -- I can -- I'll just give you a copy of my bank statement.

Q The bank statement, and documents--

A The whole--

Q --relating to it, and receipt--

A Um-hum.

Q --to the best of your ability?

(Pause.)

MR. KELLNER: I'm going to run through a -- a list of Trade Winds employees or former employees--

THE WITNESS: Okay.

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MR. KELLNER: --and ask what you know about them and -- and their involvement in writing checks to the Haig Committee.

BY MR. KELLNER:

Q The first one is -- is Richard Clegg?

A Okay. He's our -- back then he would have probably been the service manager for the company.

THE WITNESS: What do you want to know about him? I don't--

BY MR. KELLNER:

Q Do you know if he wrote a check to the Haig for President Committee?

A Oh, he -- yes, he told me he did. Yes.

Q And what is his current position?

A I guess he is like a project manager, now.

Q How about Bobby Cowart?

THE WITNESS: Bobby Cowart?

MR. KELLNER: Cowart.

A Wow, he wasn't there for long. He worked in the shop for awhile. I don't even know where he is now.

Q You don't know where he is now?

A No, he left the company in -- last address I had for him, it got sent back to me. So he--

Q So you don't have his current address?

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A No.

Q If you come across it, could you get that to us, too?

A I'm just thinking, I think the only one I have -- the last address I have, it was returned. It was returned to us, but--

THE WITNESS: I should be writing all this down. I'm going to forget it all.

MR. KELLNER: You'll be receiving a copy of the transcript. So--

THE WITNESS: Oh, that's right. Okay. Right. Okay.

BY MR. KELLNER:

Q If I name any of the employees that we discussed earlier that were in -- involved in the union activity like we discussed, would you let me know?

THE WITNESS: Involved in?

MR. KELLNER: The union activity that we discussed earlier.

A If I know it, sure. Ya.

Q If they refresh your recollection?

A Sure.

Q How about Anthony DeBona?

A Okay. Tony Debona was a project manager, at the time, and he hasn't been there for I bet just

about two years. I think he left Thanksgiving two years ago.

Q Why did he leave?

A He didn't like the way the organization was running, and -- dissatisfied. He wasn't there for very long.

Q What is he doing now?

A I think he is doing the same thing for another company, on the same idea. Maybe into sales more. I don't know.

Q Do you know if he wrote a check to Haig for President?

A I do, because he went -- he's the one who went to the -- he's the one I knew went to the benefit.

Q And he attended with his wife?

A Yes.

Q Do you know Arseen E--

A Frappier.

Q --Frappier?

A Yes. Frap. He's our field supervisor. He's been there for a long time.

Q Do you know his current address?

A He lives in Middleboro, on Everett -- oh, I think it is Everett Street. It's something like that. Everett.

Q Could you provide for us his -- his current address?

A Sure.

Q Do you know if he wrote a check to the Haig for President Committee, Mr. Frappier?

A I'm not sure. I think he did.

Q Do you know Gregory Gagnon?

A Yes. Greg Gagnon. He's still -- he works in our shop, and I knew he wrote one, because he -- when he got the letter, he was very shaken.

Q What do you mean by shaken?

A Well, no -- let's face it, the language and everything that's in it is -- most of these guys aren't the least bit familiar with anything like this.

So when they get a whole lot of legal things thrown at them, it's a little -- I don't know what the word is but it -- it shook him up a little bit because he didn't understand it.

Q What is his position?

A He just works out in the Sheet Metal Shop, fabricating whatever.

Q Do you know if he wrote a check to the Haig for President Committee?

A Well, he must of because he got -- I'm just saying that because I know he got the letter. So--

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Q Well, did he speak to Mr. Cook about the letter he received?

A I don't know that.

Q What did he say to you about it?

A Just that -- you know, I got one. Does that mean I'm in a lot of trouble. I said that I don't know. Everybody seems to be getting them. So -- I said just -- you know, do whatever it says, and I guess that's what he did.

Oh, he -- the only thing -- yes, he did. I know what it was, because he didn't even know what a -- when it asked for a Notary, he didn't even know what that meant. So I kind of had to -- just tell him to go to a bank or something, and -- and find somebody.

Q Do you know Richard Nolton?

A Yes. He's been gone for -- he's been gone for a couple of years, too. He was a draftsman, and I think he's up in New Hampshire now.

Q Do you have his current address?

A Um, I might be -- I think I should be able to get that. He's in Ossipee or Ossipee or something like that. I think I should be able to get his address.

MR. KELLNER: That would be helpful.

(Pause.)

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BY MR. KELLNER:

Q Do you know if he wrote a check to the Haig for President Committee?

A Don't know.

Q How about Dennis Morancy?

A He's one of the engineers in the office.

Q He's still employed by Trade Winds?

A Yes, he is. Ya.

Q Could you provide us with his current address?

A Yes. He's in Mansfield, too.

Q Has he told you that he wrote a check to the Haig for President Committee?

A Oh, ya. He sits right next to -- his office is right next to mine, and -- ya.

Q Was he surprised to receive a notification letter from us?

A Ya. He was very much the same way I was about it.

Q What was his reaction?

A Why are we getting this? What happened? It didn't -- you know, if I had ever known that this -- you know, that we weren't suppose to do this, I never would have given him the check.

Q Do you know Daniel F. O'Hara, Jr?

A Ya. Danny works out in the shop. He's still there. He's from Rhode Island, and I think I knew he wrote a check, because he got an envelope, too.

Q How about Mary B. O'Hara? Do you know who she is?

A No, Danny is not married.

Q Danny is not married. Do you know if he has any children?

A No. No. He's a -- no. I mean he's a fairly young kid.

Q Is there an employee at Trade Winds named Mary B. O'Hara?

A No, there isn't.

Q How about Frederick H. Shay, III?

A Fred -- I didn't know he was the third. Fred was a truck driver, and he was laid off, but he is still around. He's just not working with us.

Q Could you provide us with his current address?

A I think so. Ya. I -- whatever I have for him I can give you.

Q When was he laid off?

A Oh, I think he was laid off -- at the end of June we had a -- a substantial layoff and I think he was laid off then.

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Q Do you know if he wrote a check to the Haig for President Committee?

A I don't know.

Q Why was he laid off?

A We just -- you know, we had to layoff some people, and he was probably one of the most recent in. So he would have been one of the first off.

Q When was he laid off?

A The end of June, I think.

Q And how long had he been working there?

A A guess -- I don't know, maybe a year or thereabouts. I don't -- I don't really remember how long he'd been there.

Q But he was laid off in June of--

A This year.

Q --1989?

A Eighty-nine. Right. Oh, ya, he had to be there for a couple of years, if he did that. I don't remember a lot of -- I mean, they come and go sometimes. So I don't remember when.

Q Did you mention earlier that Maureen Becker wrote a check to the Haig for President Committee?

A I know that -- once again, for the same reason that -- you know, just talking afterwards. She's--

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Q Did she discuss it with you before she received the letter?

A No, I don't -- if it was, it was at that -- you know, the very short time that -- span that we wrote the check and everything, there was probably just a week or something. If anybody did discuss it, I wouldn't really remember.

Q One more person I would like to ask you about is -- you mentioned her name earlier, Maureen White?

A Right.

Q Do you know if she wrote a check to the Haig for President Committee?

A Yes. I knew -- I knew she wrote it when she wrote it. She was one of the few at the time that I knew she was doing it.

Q And you stated earlier that her occupation was secretary?

A Yes.

MR. KELLNER: Okay. I want to take a short break, if that's okay.

THE WITNESS: Okay. Sure.

MR. KELLNER: Off the record.

(Whereupon, a brief recess was held.)

MR. KELLNER: On the record.

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I would like to run through a few follow-up questions.

BY MR. KELLNER:

Q When you made your -- well, actually, when you wrote your check to Haig for President, at the request of Donald Cook, did you feel that you could refuse to write the check?

A I don't -- I don't recall that it ever even crossed my mind, at that time. I don't -- I didn't have any -- I just -- I think I just automatically did it. I don't even think I had any thoughts about it. I'm sure I probably could have. I mean, what would he say to me? I didn't really think about it.

Q How do you think he would have reacted had you declined to write the check?

A He might have made a joke about it. I mean, if I was the only one in the office that said no, he would have been -- you know, oh, everybody but "Nance".

I mean, I don't -- I wouldn't have had any -- you know, I mean, he -- you know, he just asked me to do it, and I did it. It wasn't a -- I didn't have any reason to question that I -- that I shouldn't. I mean, I didn't know that I had a reason to question that I shouldn't.

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Q To the best of your knowledge, was there anyone else at Trade Winds who requested that employees write checks to Haig for President?

THE WITNESS: Anybody -- other than Donald -- that asked for people to write?

A No, I don't know of anybody.

Q Who runs -- you mentioned earlier that Donald Cook is -- as of late -- out of the office frequently. Who runs the office then?

A Well, that's the problem. We all do our own -- whatever we think we should be, and, basically, it comes down to there isn't any one individual. I run -- I run my portion of it.

If people wonder what they should be doing -- they may come and ask me -- dealing with certain clients or something -- maybe that haven't paid us or whatever. It is pretty much on its own.

None of us really -- in there -- feel -- I will take authority to do it. I haven't necessarily been given it, but somebody in there has to come up with an answer sometimes, and I'll just -- I'll just be the one to make a decision -- right, or wrong, or indifferent.

Q Do you feel that the business has suffered because of this?

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THE WITNESS: My decisions or--

MR. KELLNER: No, I--

A Donald not being there, yes.

MR. KELLNER: Exactly.

A Yes. Terribly. I think it has. Ya.

Q Has it effected getting new business?

A Yes. I think the whole atmosphere -- I think everybody is -- I guess -- I don't want to say disposition. Their -- I'm sorry, I can't think of the word. Kind of attitude. Your -- it is all suffering. Everybody -- I'm trying to think of a word, and I can't. Isn't that awful?

Q Are people disappointed?

A Ya. Do you know when you really want to work and you want -- everybody -- nobody in there wants to work anymore. Everybody feels like we're doing it for nothing, and I know the word, but I just can't think of it. I'm sorry.

Q If you think about it later--

A Ya, if I pop up with a word, that's it.

Q Okay. For the record, you've agreed to provide us with the following information -- let me know if I don't have -- if it is not consistent with your recollection.

The information is information on officer

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loans to Donald Cook from Trade Winds and the--

A C&D.

Q --C&D Design Corporation, in 1987 and the first six months of 1988?

A Okay.

THE WITNESS: You want the whole -- the whole year of '87 and the first six months of '88?

MR. KELLNER: Yes.

A Okay. Fine.

Q Now, bank statement showing your deposit of the $250.00 Donald Cook reimbursed you for your check for Haig for President, and--

A Okay.

Q --any company documents relating to that?

A All right.

MR. KELLNER: We don't need the originals. Just copies.

THE WITNESS: Right.

A I think all I probably have is the bank statement.

Q And the addresses, to the best of your ability, of the following employees or former employees: Bobby Cowart, Arseen E. Frappier, Jr., Richard Nolton, Dennis Morancy, and Frederick H. Shay, III.

Okay. Is -- is there anything else that you'd like to add to the testimony you've given us today?

A I don't think so. I -- like I said, there is not a lot about it I can remember specifically anyway. So -- I'm just sorry I did it. That's it.

Q Any -- any other thoughts or impressions?

A No. I -- the only other thing I think is -- I mean, I feel very, very confident the money didn't come out of Trade Winds.

I'll be very surprised if I run across something that proves it wrong, but I'd be very surprised if it -- if it did have anything to do with the company, itself.

As far as where John Cook got the money from -- whether it was his own or whatever, I don't -- I didn't even -- never thought about it at the time, anyway. I didn't realize there was so much money involved. So I don't know where he got it.

Q Is there anything else?

A I don't think so.

Q Have you given full and complete testimony to -- here today?

A To the best of my knowledge, I have. Ya. I--

MR. KELLNER: Okay. I'd like to -- to thank you, again, for being here today, and being cooperative.

I think we can -- I think we can adjourn this deposition. We're not going to conclude it. I don't think that we'll have to speak to you again. I don't anticipate that. You've been very cooperative.

THE WITNESS: Okay.

MR. KELLNER: Just in case, we're only going to adjourn the deposition, and -- and not end it.

Again, you'll be receiving a copy of the transcript, and we ask that you read the transcript and see if it conforms to your recollection of what took place, and sign it and return it to us.

You should remember that this whole matter is confidential, including the documents that we gave to you.

BY MR. KELLNER:

Q Did you consult with anyone regarding your responses to our questions?

A No. I mean, I -- my only res -- discussion with anybody was that -- just let me go in and -- and tell the truth that you could remember.

I mean, it wasn't a -- a -- that was only made even to people who said, now what am I suppose to

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do. I said, the same thing, I'm going to do. Whatever they ask or whatever they want, give them. I mean--

Q And did you consult with anyone before you sent documents back to us?

A No. The only -- actually, the only person I consulted was that day I called you -- the very first day, because I didn't know if -- I wasn't too sure what this was going to involve, and I didn't known if I was suppose to bring a lawyer or whatever, and that was -- I think you were really the only one that I -- I consulted myself with -- you know, and asked questions about it. You were the only one I had talked to.

Q But you were aware that you had a -- you had a right to have counsel represent you?

A Right. I just -- ya, I just don't have one.

MR. KELLNER: Okay. Again, I'd like to remind you that this matter must remain confidential until the commission closes its file.

Like I said, this invest -- this deposition is continued and not closed, in case we want to speak to you again.

BY MR. KELLNER:

Q I'd like to ask you if you could tell us, now, how -- how long your trip was from -- to get to

this office, because we'll be sending you a fee for appearing as a witness, and -- a milage fee, and that depends upon how far you travelled. If you don't have that information, you can provide it for us later.

A Ya, I was just going to say that it was a -- I'm probably twenty miles away, and I came by train. So I left at just about -- it was just about 7:00 o'clock. I'm sorry, 8:00 o'clock. What am I saying 7:00. Eight o'clock this morning.

MR. KELLNER: Okay. That should do it. Thank you, again.

THE WITNESS: Okay.

(Whereupon, on November 17th, 1989, at 3:00 pm, the deposition was adjourned.)

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CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF SUFFOLK)

I, Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 17th day of November, 1988, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that she was thereupon examined upon her oath, and her examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 5th day of December, 1988.

DANA SWIFT
NOTARY PUBLIC
My Commission Expires:
1/27/95

CORRECTION SHEET

DEPOSITION OF NANCY STOCKUS

PAGE NO.	LINE NO.	SUGGESTED CORRECTION

9 5 0 4 3 6 5 1 7 3 6

SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

_____

Deponent

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____DAY OF

_____, 1983

_____

Notary Public

My Commission Expires: _____

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF DENNIS MICHAEL COOKE, held pursuant to Notice, and Federal Rules of Civil Procedure, before Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the U.S. Attorney, Post Office and Courthouse, Boston, Massachusetts, on Monday, November 20, 1989, commencing at 11:40 o'clock a.m.

PRESENT:

KENNETH KELLNER, ESQ.
PATTY REILLY, ATTY.
Federal Election Commission
999 E Street, N.W., Room 819
Washington, D.C. 20463

DENNIS MICHAEL COOKE, pro se
222 Bailey Street
Canton, MA 02021

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I N D E X

WITNESS:		PAGE
Dennis Cooke		
Examination by Mr. Kellner		3

EXHIBITS:	DESCRIPTION	PAGE
FEC Exhibit 1	Copy of check of Dennis Cooke to Haig for President	40
FEC Exhibit 2	Copy of check of Mary Cooke to Haig for President	43
FEC Exhibit 3	Copy of check of Donald Cooke to Haig for President	52

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D E P O S I T I O N

(11:40 a.m.)

D E N N I S C O O K E, of 222 Bailey Street, Canton, MA, having been sworn by a Notary Public to tell the truth, the whole truth and nothing but the truth, testified upon his oath as follows:

EXAMINATION BY MR. KELLNER:

Q Would you, please, state your full name?

A Dennis Michael Cooke.

Q Do you know that you have a right to have counsel with you at this deposition?

A Um-hum.

Q Do you have counsel representing you today?

A No, I don't.

MR. KELLNER: My name is Kenneth E. Kellner, and I'm representing the Federal Election Commission today along with Patty Reilly.

This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with an investigation under Section 437G of Title 2 of the United States Code.

The statute provides that the confidentiality of this proceeding must be maintained until the Commission closes the file on this investigation.

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Do you understand that this whole matter must remain confidential?

THE WITNESS: Um-hum -- yes.

MR. KELLNER: This investigation is -- matter under review or MUR 2717. Have you ever had your deposition taken before?

THE WITNESS: No.

MR. KELLNER: Okay. In that case I'm going to describe to you what will be going on and give you some instructions.

I'm going to be asking you questions regarding this investigation, and the questions won't necessarily just relate to your involvement, but the involvement of others.

You should treat this as if you were in front of a Court of Law or in front of a jury. Your testimony today has the same effect as if you were in front of a judge or in front of a jury in a courtroom.

Now, please remember that you're under oath. The Court Reporter will be taking down everything we say and will be typing up a transcript.

After she prepares the transcript, a copy will be sent to you, and you should read the transcript and see if it conforms to your recollection of what took place and then sign it and return it to us.

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THE WITNESS: Um-hum.

MR. KELLNER: It is also important -- I think the Court Reporter mentioned before that you answer each question in words because the Court Reporter cannot record nods or responses that would normally mean yes or no that can't be interpreted on tape.

If you don't understand or hear a question, please let me know, and I can repeat it or rephrase the question.

If you give an answer to a question, it will be understood that you understood the question and answered it full and completely.

If you need to modify or add to an answer to a question that you gave earlier, please let me know and you can modify or add to your answer.

If you need to take a break, please also let me know, and if you need to get a drink of water, whatever, let me know, and we can take a break.

BY MR. KELLNER:

Q What is your address?

A It's 222 Bailey Street, Canton, Mass.

Q How long have you lived at that address?

A About 22 years.

Q How old are you?

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A Twenty-four.
Q Where did you live before then?
A With my father in Bourne, Bourne, Mass.
Q Are you married?
A No.
Q What is your educational background?
A Heating and air conditioning.
Q Did you attend school for--
A Yes, I did.
Q Where did you go to school?
A Blue Hills Regional.
Q Where?
A Blue Hills Regional.
Q Where is that?
A In Canton.
Q What kind of school is that?
A It's a vocational school.
Q How long did you attend school there?
A Four years.
Q When did you graduate?
A In 1984.
Q Are you currently employed?
A Yes, I am.
Q Where are you employed?
A Cooling Systems Engineering.

Q What is your job title there?

A Service technician.

Q What are your responsibilities at that position?

A To take care of service calls, basically.

Q What would that entail?

A Fixing air conditioners.

Q Do you work alone?

A Yes, I do.

Q How long have you been at that job?

A Approximately six months.

Q Where did you work before then?

A Trade Wind Systems.

Q And when did you work there?

A From -- let's see, '85 up until six months ago.

Q What positions did you hold at Trade Wind?

A Service technician.

Q How did your responsibilities differ from your current job?

A Not at all.

Q Can you describe for me in a little more detail what your job is?

A I go to work. I get my -- my work orders and -- and go off and do them.

Q Do you work in homes?
A Yeah.
Q And do you work in factories?
A We're a contractor, HVAC contractor.
Q Does Cooling Systems Engineering have an office?
A Yes, they do.
Q Okay. Do you spend a lot of your time there?
A No. About -- maybe two hours out of the day.
Q And what are your regular working hours?
A Quarter of eight until quarter past four.
Q How much time did you spend in the office when you were at Trade Wind?
A On a daily basis? Maybe an hour.
Q Did your job ever require you to spend the full day there?
A Yes. I've been there full days.
Q What kind of work would you do when you were there for full days?
A Just shop -- doing metal fabrication.
Q What is metal fabrication?
A The production of duct work. I don't know if you can understand all that.

Q Well, why don't you tell me about it?

A The fabrication of metal to deliver air.

Q I'd like to ask you a little bit more about Trade Wind.

A Um-hum.

Q What kind of company is Trade Wind?

A An air conditioning contractor.

Q And who are its customers?

A Oh, there's thousands of them.

Q Really?

A There's a lot. I couldn't name them all.

Q Well, what kinds of persons are their customers?

A Corporations, real estate developers, you know, merchants, all types of businesses.

Q Why did you leave Trade Wind?

A There was a personal problem with my father I had.

Q Your father works at Trade Wind?

A Um-hum. He's the President.

Q Who is the owner of Trade Wind?

A Donald Cooke.

Q And is Donald Cooke your father?

A Yes, he is.

Q Has Donald Cooke always been the owner?

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A Yes, he has.

Q Are there any other owners of Trade Wind?

A Not that I'm aware of.

Q Are you a part owner?

A No.

Q Do you now or have you ever received dividends from profits?

A Through a profit sharing plan.

Q Now, what kind of profit sharing plan is that?

A To tell you the truth, I don't know all that much about it.

Q Well, what do you know about it?

A Absolutely nothing, to tell you the truth.

Q You just know that they--

A Eventually I'm going to be owned some money, and that's it.

Q Who are the officers of Trade Wind?

A What do you mean, officers?

Q President, Vice President, those kind of positions.

A I really couldn't -- I really don't know. It's not that big of a company where you get into vice presidents and treasurers and I guess all that.

Q But Donald Cooke is the President?

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A Yes, he is.

Q You said it was not that big a company. How big a company is it?

A I can't be sure, but I'd just guess at 50 employees.

Q Fifty?

A (No verbal response.)

Q Where does this company have offices?

A In Canton. Cedar Street in Canton.

Q How long has it been there?

A At that residence or -- a year.

Q Do you know where Trade Wind -- let me rephrase that. Where does Trade Wind Systems do its banking?

A I believe at the Randolph Savings Bank. Then again, I haven't been there for six months, so I really don't know.

Q But at the time you were there, it was Randolph Savings Bank?

A Yes, it was.

Q Did you receive a paycheck every week?

A Yes, I did.

Q And the check was payable through Randolph Savings Bank?

A Yes, it was.

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Q Does Trade Wind have any other banks it uses?

A Not that I'm aware of.

Q Who is in charge of running Trade Wind Systems?

A Donald Cooke, but then again there were service managers and engineers and such -- such people.

Q Well, who makes all the decisions in terms of the operations of the company?

A Donald Cooke.

Q How did he start the company?

A Just himself. I was pretty young then, so I really couldn't say.

Q Did he ever tell you about it?

A No. I just know he started off just him in a truck and built it from there.

Q It always involved heating and air conditioning?

A Yes, it did.

Q Are you related to anyone else associated with Trade Wind Systems?

A No, I'm not.

Q Who has the authority to issue payroll checks at Trade Wind?

A I assume my fa -- Donald Cooke.

Q Who signs the checks?

A Donald Cooke.

Q He signs all the checks at Trade Wind?

A Yes, he does.

Q Do you have any other brothers or sisters?

A I have two sisters.

Q Do they work for Trade Wind?

A No, they don't.

Q Have they ever worked for Trade Wind?

A No, they haven't.

Q Do they also live in Canton, Massachusetts?

A No, they don't.

Q Where do they live?

A One lives in Dedham. My other sister lives in Florida.

Q Are they older or younger?

A One younger, one older.

Q What sort of people did you come in contact with when you worked at Trade Wind?

A I don't understand the question.

Q Well, as part of your job what other people did you have contact with?

A Outside of work?

Q Well, during the work day.

A My service manager, fellow employees.

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That's about it.

Q Do you ever recall interacting with someone outside of Trade Wind?

A I'm not sure -- I don't understand what you mean.

Q Well, as part of your job responsibilities--

A Um-hum--

Q --I'd like to find out what kind of people you met and worked with. Did you meet with customers?

A Yes, I did.

Q Did you ever meet with any persons who weren't associated with Trade Wind?

A Yes, I did.

Q Did you ever meet with vendors?

A No.

Q Did you ever receive mail at Trade Wind?

A Excuse me?

Q Did you ever receive mail at Trade Wind?

A No.

Q What was your salary when you left Trade Wind?

A Approximately [redacted] a year.

Q And what's your current salary?

A About [redacted]

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Q Did you ever receive any payments other than salary?

A No.

Q Did you ever receive any bonuses?

A Yup, I've received bonuses.

Q What were those bonuses?

A Christmas bonus.

Q Anything else?

A No. That was basically it.

Q Did you always receive a Christmas bonus?

A Not always.

Q Where does your father do his personal banking?

A I really do not know. I guess you could say we're not on good terms.

Q Why would you say that?

A We just had our personal problems.

Q Were they related to the work at Trade Wind?

A No.

Q When you were working at Trade Wind--

A Um-hum--

Q --how were you reimbursed for expenses?

A Such as? I really had no expenses.

Q Did you ever have to purchase materials for

Trade Wind?

A No.

Q Can you recall any time when you were reimbursed for expenses?

A Maybe a toll. That's about it.

Q That would be a good example. How were you reimbursed for that expense?

A I just returned the receipt to the office, and I'd see it in my check.

Q You were given a check to reimburse you?

A It was added into my payroll check.

Q Oh, I see. Was it ever a separate check?

A No.

Q Have you ever volunteered to work in a political campaign?

A No, I haven't.

Q Have you ever made any contribution to a candidate for federal office?

A Yes, I have.

Q Can you tell me about that?

A It was for Alexander Haig.

Q When did you make that contribution?

A I don't have an exact date. Maybe a year ago, year and a half ago.

Q How did you make it?

A Through a check, personal check.

Q Why did you make the contribution?

A To attend a rally in Faneuil Hall. It was supposedly a dinner banquet type thing.

Q Did you attend?

A No, I didn't.

Q How come?

A Because I just could not make that date.

Q What date was that?

A I don't recall.

Q Can you tell me any more about that event at Faneuil Hall?

A No, I can't. I just -- I had purchased tickets, and I just never made it

Q How many tickets did you purchase?

A Two.

Q How much money did you pay to receive two tickets?

A Two Hundred Fifty Dollars.

Q Did you receive an invitation?

A Yes, I did.

Q Did you retain a copy of that invitation?

A Excuse me?

Q Did you save a copy of that invitation?

A No.

Q What did you do with your other invitation?

A I don't -- I don't have them at this time. I'm not known for saving things.

Q You stated that you didn't attend. Did anyone use your tickets?

A No.

Q Who attended this fund raiser?

A I really don't know.

Q Was Alexander Haig at the fund raiser?

A Yes, he was.

Q Can you name anyone else who attended the fund raiser?

A No, I can't.

Q How did you find out about the fund raiser?

A Through Trade Wind Systems.

Q Through Trade Wind Systems?

A Yes, sir.

Q Can you tell me a little bit more about that?

A There wasn't too much.

Q Well, how did you find out exactly?

A Through Trade Winds.

Q Who at Trade Winds circulated notice about the fund raiser?

A Donald Cooke.

Q How did he circulate notice about the fund raiser?

A Verbally.

Q What did he say to you?

A There was a rally or campaign election rally or whatever, I forget the name, but we all purchased tickets for this so-called rally.

Q Was that the only check you wrote for Haig for President?

A Yes, I did.

Q That was your only check?

A Um-hum.

Q When you said we all purchased tickets, who else purchased tickets?

A Well, maybe I should rephrase that. I purchased tickets, but we all were there for the invitation.

Q I'm not sure what you mean.

A I'm not sure what you don't understand.

Q Okay. Was it possible to attend this rally without purchasing a ticket?

A No.

Q Who else purchased tickets?

A I really don't know. I just know I was one of them.

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Q Okay. How were you asked to purchase a ticket?

A To write out a check for it.

Q Donald Cooke asked you, personally?

A Um-hum -- yes.

Q And this was while you were employed at Trade Wind?

A Yes, it was.

Q Are you a supporter of Alexander Haig?

A Yes, I am.

Q How long have you been a supporter of Alexander Haig?

A Maybe two years.

Q How did your interest develop?

A Just by listening to him.

Q Is Donald Cooke a supporter of Alexander Haig?

A I assume he is.

Q How would you describe political activity at Trade Wind?

A Political? I really don't know.

Q Were there employees there that were politically active?

A I couldn't answer that. You see, I really don't have that much to do with the office.

Q What other employees attended the fund raiser or rally?

A I couldn't say because I wasn't there.

Q Who else was around when you were asked to write a check to Haig for President?

A People within the company.

Q Who were they?

A My father -- do you want names?

Q Yes.

A Dennis Morancy, Nancy Stockus, Richard Clegg. Those are just a couple offhand.

Q Can you think of any others?

A No. I don't recollect. There were about eight.

Q How long after you were asked did you write the check to Haig for President?

A Maybe a couple days.

Q Did you write the check when you were at home or at Trade Wind?

A At home.

Q What did you do with the check?

A I gave it to Donald Cooke.

Q Where did you give it to him?

A In his office.

Q So you wrote the check and you brought it

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to work with you?

A Yes, I did.

Q Who else did he collect checks from?

A I -- I wouldn't know.

Q What did he do with the check that you gave him?

A I wouldn't know -- I don't know.

Q Did he put it in his pocket?

A Put it on his desk.

Q Were there any other checks there?

A No, there wasn't.

Q What did he do then?

A Nothing.

Q What did you do then?

A Went to work.

Q Did you say anything when you gave him the check?

A No, I didn't.

Q What did he say to you when you gave him the check?

A Nothing.

Q You wrote your check to Haig for President because Donald Cooke suggested that you did?

A Yes, I did.

Q Was there anyone else at Trade Wind who

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asked you to write a check for Trade Wind?

A To write a check for Trade Wind?

Q Excuse me. Was there anyone else at Trade Wind who asked you to write a check to Haig for President?

A No, there wasn't.

Q What other times were you asked at work to write a check for a political campaign?

A How many other times?

Q Yes.

A Just that once.

Q Was money ever collected around the office?

A Not that I was aware of because I was -- in my position of employment, you're not around the office too long, so --

(Pause.)

BY MR. KELLNER:

Q Was money ever collected around the shop where you worked?

A Not that I was aware of.

Q Were there collections for birthday gifts; do you recall?

A Sure.

Q Collections for anything else?

A (No verbal response.)

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Q Who was your supervisor at Trade Wind?

COURT REPORTER: I'm sorry. Was there a response?

THE WITNESS: I said no.

COURT REPORTER: Thank you.

BY THE WITNESS:

A Who was my supervisor? Jeff McSweeney.

Q Do you know he wrote a check to Haig for President?

A No, I don't.

Q Who is Mr. McSweeney's supervisor?

A Either my father or Richard Clegg.

Q What was your supervisor's job title?

A Service manager.

Q Did Donald Cooke ask anyone else in your presence to write a check to Haig for President?

A Well, he never asked us to write a check. He just wanted to know if we'd be interested in attending a fund raiser at Faneuil Hall.

Q Who else did he ask if they were interested?

A Some of the other employees that were there.

Q Who were they?

A I think I just gave you that list.

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Q Dennis Morancy, Nancy Stockus and Richard Clegg?

A Richard Clegg, yup.

Q Anyone else that you can recall?

A No.

Q Why did Donald Cooke ask employees if they wanted to attend that rally?

A Because he likes Alexander Haig, I guess.

Q Was the check that you wrote to Haig for President cashed?

A Yes, it was.

Q Two Hundred Fifty Dollars was deducted from your bank account?

A Yes, it was.

Q Was that money ever reimbursed to you?

A No, it wasn't.

MR. KELLNER: I'm going to take a short break. Can we go off the record?

(Off the record, briefly.)

MR. KELLNER: On the record. I'd just like to remind you, Mr. Cooke, that you're under oath and Section 18 -- Title 18 of Section -- of the United States Code, Section 1621, subjects you to criminal prosecution for failing to tell the truth in response to our questions here.

BY MR. KELLNER:

Q In light of that, would you like to amend any answers that you've previously given?

A No.

Q Did you receive any money from anybody for writing a check to Haig for President?

A No, I did not.

Q Did you receive money after you wrote your check to Haig for President?

A No, I did not.

Q Was money offered to you for writing a check to Haig for President?

A No, it wasn't.

Q Were you offered anything other than money for writing a check to Haig for President?

A No, I wasn't.

Q Did you receive any money from Donald Cooke for writing a check to Haig for President?

A No, I did not.

Q Were any bills paid for you in exchange for writing a check to Haig for President?

A No, they weren't.

Q Who attended the rally that you described earlier?

A I was not there, so I do not know.

Q Do you know if there were any employees of Trade Wind at that rally?

A No, I do not.

Q Was there a discussion of the rally at Trade Wind after the rally took place?

A There may have been, but I did not hear it.

Q Have you heard anything since?

A No, I have not.

Q Did you observe -- let me rephrase that. You stated that you were asked to -- you were asked whether you wanted to attend the fund raiser in the presence of Nancy Stockus, Richard Clegg and Dennis Morancy.

Did you see any of them give a check to Donald Cooke?

A No, I did not.

Q You didn't see Dennis Morancy hand a check to Donald Cooke?

A No, I did not.

Q Do you recall Nancy Stockus giving a check to Donald Cooke?

A No, I do not.

Q Did you ever discuss your contribution with Donald Cooke?

A No, I did not.

Q You discuss it at any time?

A Like I said before, back then we were so-called friends. Now, we're not. I haven't talked to him since.

Q When you were talking with him, what did you discuss about it with him?

A Not really that much. I was just inquiring whether he was going to attend and whether or not we'll go together and, you know, personal stuff like that.

Q Did he reimburse other employees for checks they had written to Haig for President?

A Not that I'm aware of, no.

Q Did he give $250 in cash to Richard Clegg in return for his writing a check to Haig for President?

A Not that I'm aware of.

Q Did he give $250 in cash to Nancy Stockus in return--

A Not that I'm aware of. I wouldn't know these things.

Q Did you ever discuss it with him?

A No, I haven't.

Q Did he ever tell you that he gave employees cash for writing checks--

A No, he didn't--

Q --to Haig for President?

A No, he did not.

Q Did Donald Cooke make a contribution to Haig for President?

A I do not know.

Q What did you think when you were asked about attending this rally?

A What did I think? I was all for it.

Q Did employees feel free to decline to attend the rally?

A Yes, they did.

Q What makes you say that?

A Because I'm pretty sure not everybody would want to go.

Q Are you related to Mary Cooke?

A Yes, I am.

Q How so?

A Excuse me?

Q How so?

A She's my grandmother.

Q How is she related to Donald Cooke?

A That's her mother -- his mother.

Q Can you describe the extent of your grandmother's political activity?

A No, I can't.

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Q Is she politically active?

A Yes, she is, I would say.

Q How often does she make campaign contributions?

A I do not know.

Q Do you know if she's ever made a campaign contribution?

A I imagine she has.

Q Excuse me?

A I imagine she has.

Q What makes you say that?

A Because she -- she's into that stuff. I don't know.

Q What makes you say that?

(Pause.)

BY THE WITNESS:

A Just because she's -- I don't know what made me say it. Because that's just the way she is. She'll donate to anything.

Q Do you know if she wrote a check to Haig for President?

A No, I do not.

Q Do you understand that you're under oath here today?

A Yes, I do.

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Q Have you ever discussed the check you wrote to Haig for President with your grandmother?

A Not -- not to any extent.

Q Well, to what extent?

A She had just noticed that I received the subpoena in the mail.

Q What did you tell her about it?

A I really didn't tell her anything about it.

Q Do you know if she received one?

A I think she did, yes.

Q Did she discuss it with you?

A No, she didn't.

Q Did she show it to you?

A No.

Q Do you know a woman named Abby Elliott?

A Abby Elliott?

Q That's right, or Allard?

A Allard.

Q Allard?

A Yes, I do.

Q Who is she?

A My father's girlfriend.

Q How long have you known her?

A Four years.

Q Did she write a check to Haig for

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President?

A I do not know.

Q Do you know if she attended the rally you described earlier?

A No, I do not.

Q Is there an accountant at Trade Wind Systems?

A Yes, there is, I do believe. I'm not sure. Let me just say that.

Q Is there someone at Trade Wind that you think is the accountant?

A Let's just say there's people in the office, and I'm not sure exactly what they do, but I know they are office personnel.

Q Who does the accounting at Trade Wind?

A I do not know.

Q Do you know who does the bookkeeping at Trade Wind?

A No, I do not.

Q In whose possession are the company's books and ledgers?

A I do not know.

Q What contacts have you received from the Haig for President Committee?

A None.

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Q Who from the Haig campaign organized the rally?

A I do not know.

Q Who were the organizers of the rally?

A I do not know.

Q Did you ever receive any mail from the Haig for President Committee?

A No, I did not.

Q Were you aware of any communications from the Haig for President Committee?

A No, I did not.

Q Did you ever receive an acknowledgement of the check that you wrote?

A An acknowledgement by who?

Q From the Haig for President Committee.

A Yes, I did.

Q What was that?

A Just a return check.

Q They enclose -- well, did they send you a letter thanking you for your -- for the check that you wrote?

A I honestly don't recall. I do know I got the check back though.

Q What do you know about your father's relationship with the Haig for President Committee?

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A I know nothing about it.

Q What is Donald Cooke's experience in making political contributions?

A I do not know.

Q Who may have Donald Cooke received instructions from in making political contributions?

A I do not know.

Q Was every employee of Trade Wind invited to the fund raiser?

A I would assume.

Q How do you know?

A I don't. I would assume.

Q How was the invitation announced?

A Verbally.

Q By whom?

A Donald Cooke.

Q Did -- who else other than Trade Wind employees were invited to the rally?

A That's one more name I wanted to add to that list was Abby, Abigail Allard. She was there.

Q Was there anyone else?

A Just faces I remember offhand.

Q Was your grandmother invited to the rally?

A No, she wasn't.

Q How do you know?

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A Well, should I just say she wasn't there?
Q How do you know?
A To hear verbally.
Q Excuse me?
A She wasn't at Trade Winds when he verbally told us about it.
Q Was she invited at another time?
A I'd have to say she was.
Q How do you know?
A Because, obviously, she wrote out a check, and she got a subpoena in the mail, I guess.
Q How do you know she wrote a check to Haig for President?
A Because she has -- she received a subpoena in the mail, same as me.
Q How do you know it's the same subpoena?
A I don't exactly, but how many Federal Election Commissions are there?
Q What did she tell you about the check that she wrote?
A She didn't tell me anything about it.
Q How much was her check for?
A I do not know.
Q What bank does she use?
A Excuse me?

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Q What bank does she use?

A I do not know.

Q What bank do you use?

A Randolph Savings Bank.

Q How long have you been banking there?

A Maybe three years now.

Q Did Donald Cooke ask his mother to write a check to Haig for President?

A I do not know.

Q Did Donald Cooke invite anyone to the fund raiser outside of Trade Wind?

A I do not know.

Q What mail did he receive from the Haig for President Committee?

A What mail? I do not know.

Q When you were at Trade Wind, did you do any work for developers from a company called Kurt Sarrison?

A Yes, we did.

Q Can you tell me about that?

A We were just under contract to do work for them. That's all I know.

Q What's the full name of that company?

A Kurt Sarrison Associates, I guess.

Q What kind of work did you do for that

company?

A Building systems, air conditioning systems.

Q You were -- I mean, Trade Wind was working for Kurt Sarrison Associates?

A Um-hum -- correct.

Q Who owns Kurt Sarrison Associates?

A I do not know.

Q Who have you dealt with from Kurt Sarrison Associates?

A Me, personally? No one.

Q Who does Trade Wind deal with at Kurt Sarrison Associates?

A I do not know.

Q Who did you work with when on that job?

A Who did I work with? Just myself.

Q Were there any other employees from Trade Wind with you?

A At different times there were helpers, yeah.

Q What work did you do there?

A Just service calls for buildings they have -- they had installed, that we installed for their buildings.

Q Who gave you your assignments to work there?

A My service manager.

Q And his name again was?

A Jeff McSweeney.

Q Did you ever discuss Kurt Sarrison Associates with your father?

A Nothing other than if we had jobs come up or, you know.

Q What did you discuss?

A We really didn't discuss anything.

Q Were they a big customer?

A I would say yes.

Q Why would you say that?

A Because he has a big company.

Q Who has a big company?

A Kurt Sarrison.

Q Do you know Kurt Sarrison?

A No, I do not. I'm just saying this from the looks of his buildings.

Q Okay. Do you know anything about Kurt Sarrison?

A No, I do not.

Q When you were asked to write a check to Haig for President, what did you say?

A I didn't say anything.

Q What did Abby Allard say?

A I don't recollect anybody saying anything. It was for us to think about.

Q Did you discuss it amongst yourselves?

A Not -- not me, personally, no.

Q Did persons other than yourself discuss it?

A I do not know. I left right after that.

Q Was it unusual to be invited for a political rally?

A I don't know if it's unusual to begin with.

Q Was there a meeting that you know of in which the rally was discussed?

A No, I do not.

Q Did Don Cooke ever ask for money for any other events for Haig for President?

A Not that I'm aware of, no.

Q Do you know if he attended the rally?

A No, I do not.

Q Does he know Al Haig?

A Does he who?

Q Know Al Haig.

A No -- I do not know.

Q How do you know?

A I do not know.

Q Okay.

MR. KELLNER: I'm going to ask the Court

Reporter to mark this document as FEC Exhibit No. 1.

(The document referred to was marked for identification as FEC Exhibit No. 1.)

MR. KELLNER: I'm going to give a copy to the witness and ask him to look at it.

(Pause while witness reviews document.)

BY MR. KELLNER:

Q Mr. Cooke, have you had a chance to look at it?

A Yes, I have.

Q What is FEC Exhibit No. 1?

A This right here?

Q Yes.

A It's a check from me made out to Haig for President.

Q Do you recognize this check?

A Yes, I do.

Q Is this the check you were referring to earlier?

A Yes, I was.

Q Is this the check you wrote in response to your father's telling you about the fund raiser?

A Yes, I did -- yes, it is.

Q What's the date of the check?

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A Ten/fourteen/eighty-seven.

Q What is the amount of the check?

A Two Hundred Fifty Dollars.

Q Whose signature is that?

A That is my signature.

Q What is -- on this page what is below the copy of your check?

A My name, address and telephone number.

Q What is it written on?

A I'm not sure what you mean. Are you talking this right here?

Q Yes, the information contained on Exhibit No. 1 below the check.

A (No verbal response.)

Q Is this a form?

A I'm not sure.

Q Have you seen that document before?

A No, I haven't.

Q Next to where it says name, is that your name?

A Yup -- yes, it is.

Q Did you fill out this form?

A No, I did not.

Q Is this your handwriting?

A No, it is not.

Q Whose handwriting is it?

A I do not know.

Q Is it your father's handwriting?

A I do not know.

Q Would you recognize your father's handwriting?

A Yes, I would.

Q You've seen things that your father has written?

A I know his signature.

Q Have you ever received letters from your father?

A Never a letter.

Q Have you seen him address an envelope?

A No, I haven't.

Q Why do you say this is not his handwriting?

A Because I know my father's signature.

Q Is his signature on this page?

A No. Just according to his signature, it doesn't look like his writing.

Q Next to where it says telephone number, whose phone number is that?

A Trade Wind Systems.

Q Next to where it says name of employer, what does it say?

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A Trade Wind Systems.

Q What does it say after that?

A I really can't make out that first word.

Q What does the second word say?

A Technician, service technician.

Q Who would know that you were a service technician?

A Everybody who knows me.

Q Who at Haig for President would know you were a service technician?

A Nobody.

Q Is this your grandmother's handwriting?

A I do not know whose writing it is.

MR. KELLNER: I'd ask the Court Reporter to mark this document as FEC Exhibit No. 2.

(The document referred to was marked for identification as FEC Exhibit No. 2.)

MR. KELLNER: I'll give a copy to the witness and ask him to look at it.

(Pause while witness reviews document.)

BY MR. KELLNER:

Q This document is one page long. Have you had a chance to look at it?

A Yes.

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Q I'd ask if you've seen Exhibit No. 2?

A No, I haven't.

Q Okay.

(Pause.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I have.

Q What is FEC Exhibit No. 2?

A It is a check from Mary Cooke.

Q And below that?

A Her name, address.

Q What does it say above her name and address?

A Check mark for contribution of $250.

Q What does it say exactly?

A Enclosed is my personal contribution of check mark $250.

Q That's an "x" by the $250?

A Yes, it is.

Q Is that your grandmother's check on the top of the page?

A Yes, it is.

Q Do you recognize her signature?

A Yes, I do.

Q That's her signature?

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A Yes, it is.

Q What is the amount of the check?

A Two Hundred Fifty Dollars.

Q What is the date of the check?

A September 29, 1987.

Q Were you aware that your grandmother had written this check?

A No, I was not.

Q Has she ever spoken to you about Alexander Haig?

A No, she has not.

Q What information is contained on the bottom of the form?

A Haig for President and address.

Q How about above that?

A Name of employer.

Q What is the typed information on the form?

A Retired.

Q And who is that referring to?

A Mary Cooke.

Q Is that your grandmother?

A Yes, she is.

Q Have you seen this form before?

A No, I have not.

Q Who typed the information on this form?

A I do not know.
Q Do you recognize the type face?
A No, I do not.
Q Do you type, Mr. Cooke?
A No, I do not.
Q Have you ever seen your father typing?
A No, I have not.
Q Does your father own a typewriter?
A I do not know.
Q Do you own a typewriter?
A No, I do not.
Q Does your grandmother own a typewriter?
A Yes, she does.
Q Did your grandmother type this form?
A I do not know.

MR. KELLNER: I'm going to take a short break. Can we go off the record?

(Off the record, briefly.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q Mr. Cooke, what funds did you use to cover the check you wrote to Haig for President?
A My personal bank account.
Q Did you have $250 in your bank account?
A Yes, I did.

Q So you didn't have to wait until the next paycheck to cover the check?

A To tell you the truth, I don't remember what my account was at that time.

Q Did you discuss the check that you wrote with anyone when you wrote it?

A No, I did not.

Q Have you discussed it with anyone since you received the subpoena from the Federal Election Commission?

A No, I did not.

Q Did you ever discuss it with any employees of Trade Wind?

A No, I have not.

Q What did you tell your father about it?

A I haven't talked to the guy since, to tell you the truth.

Q Since when?

A When was the last time I talked to him? Months ago.

Q How many months?

A Two months.

Q When you spoke to him, did you discuss the subpoena with him?

A No, I did not.

Q Did he talk to you about it?

A No, he did not.

Q What did your grandmother tell you about her subpoena?

A She didn't really tell me anything about it other than she just got one.

Q Did she discuss it with your father?

A I do not know.

Q Do you routinely have enough money in your account to cover a $250 check?

A It depends.

Q What do you mean?

A At certain times there's well over enough to cover it, and at certain times there isn't.

Q When does Trade Wind loan you money?

A When do they loan me money? They never loan me money.

Q Have you ever gotten a loan from Trade Wind?

A No, I have not.

Q What is the source of funds in your checking account that was used to write the check to Haig for President?

A What was the source?

Q Yes.

A My personal savings.

Q Where does that come from?

A Working.

Q Do you deposit any other funds other than paychecks?

A No.

Q Do you receive money from your father?

A No, I do not.

Q When is the last time you received money from your father?

A Maybe four years ago.

Q How much money was that?

A I think it was $3,000.

Q What was the occasion?

A I was buying a car.

Q Did you have to pay him back?

A Yes, I did.

Q Did you?

A Yes, I did.

Q What can you tell me about C & D Design corporation?

A I can't tell you anything about it because I don't know anything about it.

Q Do you know what it is?

A It's -- I guess it's a company my father

owns.

Q How do you know?

A Because I've seen the business cards before.

Q Where did you see them?

A Just lying around.

Q Lying around Trade Wind?

A Yeah.

Q Lying around at home?

A At home when I lived with him, at Trade Winds.

Q When did you last live with him?

A Probably '82, 1982.

Q I'd like you to look at FEC Exhibit No. 1. Did you provide anyone at the Haig for President Committee with the information to complete this form?

A No, I did not.

Q What does it say right about your name on the form?

A Federal Election Commission requires that we obtain the following information.

Q Where did the Haig for President Committee obtain this information?

A I do not know other than my check.

Q Does it have your employer on your check?

A No, it does not.

Q Is your phone number on your check?

A No, it isn't.

Q Why did you pay $250 to attend a rally and then not go?

A I -- I don't really remember why, but I just knew I couldn't make the date.

Q Did you request a refund?

A No, I didn't.

Q How come?

A I just never thought about a refund. It was going to Alexander Haig, and I let it go at that.

Q Did you give the tickets away?

A No, I did not.

Q Why did you purchase more than one ticket?

A So I could bring my girlfriend.

Q Is she a supporter of Alexander Haig?

A No, she isn't.

Q Who is she?

A Wendy Ostrosky.

Q What's the first name?

A Wendy.

Q How do you spell the last name?

A O-s-t-r-o-s-k-y.

Q What is the extent of her political

activity?

A None.

Q But you think she would have enjoyed going to a rally for Al Haig?

A Sure. It was more or less the company.

Q What do you mean? Oh, your company. You weren't referring to Trade Wind Systems?

A No, my personal companionship.

Q Okay. I misinterpreted.

MR. KELLNER: I'd like the Court Reporter to mark this document as FEC Exhibit 3.

(The document referred to was marked for identification as FEC Exhibit No. 3.)

MR. KELLNER: I'm showing a copy of FEC Exhibit No. 3 to the witness asking him to look at it.

(Pause while witness reviews document.)

BY MR. KELLNER:

Q Have you had a chance to look at it?

A Yes, I have.

Q What is it?

A A check from Donald Cooke, Jr.

Q To whom?

A Haig for President in the amount of $1,000.

Q What was the date of the check?

A April 29, 1987.

Q Whose signature is that?

A Donald Cooke's.

Q Do you recognize that signature?

A Yes, I do.

Q Have you ever heard of the Blue Hill Credit Union?

A Yes, I have.

Q What is the Blue Hill Credit Union's association with Trade Wind Systems?

A I do not know.

Q Have you ever seen anything else your father wrote other than his signature?

A Sure. I've seen his writing.

Q Would you recognize his handwriting if you saw it?

A Oh, yes.

Q Whose address is at the top of Donald Cooke's check?

A That is his personal residence.

Q And when you lived with him, is that where you lived?

A Yes, I have -- yes, I did.

Q Did you receive a subpoena from the Federal Election Commission?

A Yes, I did.

Q Have you complied with the -- with the requests made in the subpoena?

A What requests were those? I did not have any information to submit.

Q The subpoena required you to provide to the Commission all documents referring, relating or pertaining to contributions you may have made to Haig for President including but not limited to copies of both sides of all relevant checks, correspondence and records of telephone conversations.

Have you provided those documents to the Commission?

A No, I have not.

Q Do you intend to provide those documents?

A I have no documents.

Q Do you have access to your canceled contribution check?

A No, I do not.

Q Are you aware that you can obtain copies of those materials from your bank?

A I was not aware of that, no.

MR. KELLNER: Mr. Cooke, I'd like to remind you that you're required to provide all the information that was requested in this subpoena to the Commission.

That includes copies of the bank statements showing the cashing of the check you wrote to Haig for President and deposit slips of the funds into your checking account that provided the source of funds to the check for Haig for President as well as a copy of both sides of the check you wrote and all bank statements and any other documents that you have relating to your contribution including mailings from the committee or telephone conversations.

BY MR. KELLNER:

Q Do you understand that you have to supply that information to the Commission?

A Um-hum -- yes, I do.

Q Do you understand that the Commission has the authority to enforce the subpoena in Federal District Court?

A I do now.

Q Are there any other documents in your possession that relate to the reimbursement of contributions at Trade Wind?

A No, there are not.

Q What documents did you look at in preparation for this meeting?

A I did not look at any documents.

Q Did you tell anyone about this

investigation?

A No, I did not.

MR. KELLNER: I'm going to take a short break. Can we go off the record?

(Off the record, briefly.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q Mr. Cooke, you stated that you did not discuss the check you had written with anybody else?

A Um, no.

Q Is that a no?

A No.

Q You stated that you didn't discuss the contribution you had made with any other employees at Trade Wind?

A Well, with my father, with Donald Cooke

Q And that was only at the time that you gave him the check?

A That is correct.

Q And when he asked you for the check?

A Yes.

Q You stated that you were not reimbursed for the check you had written; is that correct?

A That is correct.

Q You stated that you were not offered any

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money to reimburse you for your check?

A That is correct.

Q You stated that you know of no persons who were reimbursed for checks they had written to Haig for President?

A I know of no one.

Q Do you know a Dominic Saracino?

A I've heard that name before.

Q Where have you heard that name?

A In the offices of Trade Winds.

Q And what have you heard about it?

A I haven't heard anything. I've just heard the name.

Q In what context?

A Business relations. I guess we're doing some work for him.

Q Who does he work for?

A I do not know.

Q What kind of work was being done for Dominic Saracino?

A I do not know.

Q But you know that work was done for him?

A Let me just say I've heard his name.

Q But you don't recall the context?

A No.

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Q Were you concerned about any possible illegality regarding the check you had written at the time you wrote the check?

A No.

Q When did you become concerned?

A To tell you the truth, I never really became concerned.

Q Did you consult with anyone before coming to this meeting?

A No, I did not.

Q Did you seek anyone's advice?

A No, I did not.

Q Will you be complying with the subpoena's request for documents?

A I can now that I know I can get it from the bank.

Q When will you be doing so?

A By the end of the week.

(Pause.)

BY MR. KELLNER:

Q Did you ever suggest to Donald Cooke that he reimburse some employees for checks they wrote to Haig for President?

A No, I did not.

MR. KELLNER: Okay. I think that we can

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adjourn this deposition for now. I'd like to remind you again that you'll be receiving a copy of the transcript of deposition and that you should read it, see if it conforms to your recollection of what took place, sign it and return it to us.

THE WITNESS: Okay.

MR. KELLNER: This deposition is not concluded. It's unclear whether we'll want to speak to you again.

We will be sending you a check for witness fees and mileage. If you can tell us how far you traveled right now, we could use that in sending you a check for witness fees, or you can let us know at a later date.

Do you know what your mileage was in attending?

THE WITNESS: Approximately 20 miles.

MR. KELLNER: I'd like to remind you again that this investigation must remain confidential until the Commission closes its file.

Do you understand that this matter must remain confidential?

THE WITNESS: Yes, I do.

MR. KELLNER: Okay. Thank you for coming. Off the record.

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(Off the record, briefly.)

MR. KELLNER: Back on the record.

BY MR. KELLNER:

Q Is there anything else that you'd like to add to the answers that you've previously given?

A No, I do not.

Q Anything at all that you can think of?

A Nope.

Q Have you given full and complete testimony at this meeting?

A I'm not sure what you mean by--

Q Have you given full and complete answers to the questions we have asked?

A Yes, I have.

MR. KELLNER: Okay. Off the record.

(Whereupon, at 1:30 p.m., November 20, 1989, the above matter was adjourned.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS)
) SS.
COUNTY OF SUFFOLK)

I, Dana Swift, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 20th day of November, 1989, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that he was thereupon examined upon his oath, and his examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 4th day of December, 1989.

DANA SWIFT
NOTARY PUBLIC
My Commission Expires:
1/27/95

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CORRECTION SHEET

DEPOSITION OF DENNIS MICHAEL COOKE

PAGE NO.	LINE NO.	SUGGESTED CORRECTION

9504365 1819

SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

_____

Deponent

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____DAY OF

_____, 1989

_____

Notary Public

My Commission Expires: _____

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COPY

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

IN RE:)
)
ERIC TLAKER)
)
)

D E P O S I T I O N

-of-

ERIC TLAKER

As recorded on Tuesday, November 21, 1989, at 10:00 a.m., at the Federal Building, Office of the United States Attorney, 11 Elmwood Avenue, Burlington, Vermont.

APPEARANCES:

KENNETH KELLNER, ESQUIRE, and PATRICIA REILLY, ESQUIRE, of the Federal Election Commission, 999 E Street, N.W., Room 819, Washington, D.C. 20463, representing the Federal Election Commission;

THOMAS P. SALMON, ESQUIRE, of the firm of Salmon & Nostrand, Centennial Arcade, Suite 300, Bellows Falls, Vermont 05101, on behalf of Eric Tlaker.

COURT REPORTERS ASSOCIATES
74 Buell Street
Burlington, Vermont

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I N D E X

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EXAMINATION BY KENNETH KELLNER, ESQ.	4

E X H I B I T S

Number	Description	Page
FEC 1	6-page Document, Records of checks issued to Haig Campaign	65
FEC 2	Front and back of checks showing deposit of $2,000 to Savings Account	70
FEC 3	Letter to Mr. & Mrs. Tlaker from the Haig Committee	72
FEC 4	Copy of check for Haig Campaign by Jean Tlaker	83

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TUESDAY, NOVEMBER 21, 1989; 10:00 A.M.

ERIC TLAKER

having been duly sworn by the Notary to tell the whole truth and nothing but the truth, deposes and says as follows:

EXAMINATION BY KENNETH KELLNER, ESQUIRE:

Q. Could you please state your full name?

A. Eric Tlaker.

Q. Do you know you have a right to have counsel with you today at this deposition?

A. I do.

Q. Do you have counsel representing you today?

A. Yes.

Q. Who is your counsel?

A. Thomas Salmon.

Q. Is he representing you personally, as an individual?

A. He is representing me in this deposition.

Q. I mean, personally?

A. Yes.

Q. My name is Kenneth E. Kellner, and I represent the Federal Election Commission today, along with Patty Reilly. This deposition is being taken pursuant to a Federal Election Commission subpoena

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issued in an investigation under Section 437-G, Title 2 of the United States Code. This section provides that the confidentiality of this proceeding must be maintained until this matter goes to trial.

Do you understand this matter must remain confidential?

A. Yes.

Q. This investigation is designated Matter Under Review or MUR 27-17.

Have you ever had your deposition taken before?

A. Many, many years ago, about 25 or 30 years ago, during my employment with Fellows Corporation.

Q. Can you tell me a little about that?

A. It had to do with a product performance problem which was covered -- it's metal forming equipment, and I was also involved on the technical side of the matter as a technical expert.

Q. Was Fellows Corporation the defendant in that case?

A. Yes, I believe so. Yes.

Q. In other words, was it Fellows Corporation that was being sued?

A. And I believe there was a countersuit that ensued from that and the matter was settled.

Q. You were testifying on behalf of Fellows

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Corporation?

A. Of Fellows Corporation.

Q. Even though you may have gone through the experience before, I'm going to explain what we are going through today.

A. Please do. Thank you.

Q. Mr. Tlaker, I'm going to be asking you questions regarding this investigation, and these questions won't necessarily just involve your experiences but may also include the involvement of other persons. You should treat this as if you are testifying in front of a court of law or jury. Your testimony today has the same effect as if you are in a courtroom in front of a jury, and you should also remember you are under oath.

The court reporter will be taking down everything we say and will be typing up the transcript. You will be receiving a copy of this transcript and you should read it and see if it conforms with your recollection of what took place here, and sign it and return it to us.

It's important that you answer every question in words, because the court reporter cannot record nods or sounds which aren't an audible response to the question.

If you don't understand or don't hear the question, please let me know, and I can repeat the question or I can rephrase the question so you can understand it.

If you give an answer to a question, it will be understood that you understood the question and that you answered the question fully and completely.

If you realize later that an answer you gave to a question is inaccurate or incomplete, please let me know and you can go back and modify your answer to add to it.

Also if you need if take a break to get a drink of water or whatever, please let me know and you can take a break.

What is your address, Mr. Tlaker?

A. 15 Orchard Street, Springfield, Vermont, and the zip code is 05156.

Q. Did you say your name is Tlaker?

A. Tlaker. It's hard to pronounce.

Q. How long have you lived at that address?

A. Since January, 1961 to the best of my recollection.

Q. Where did you live before then?

A. At Muckross Park, also in the Springfield Vermont.

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Q. Are you originally from the area?
A. No.
Q. Where are you from?
A. I was born in Austria and grew up there.
Q. When did you come to the United States?
A. In 1957, July of 1957.
Q. What year were you born?
A. 1928.
Q. Are you an American citizen?
A. Yes.
Q. Are you married, Mr. Tlaker?
A. Yes, I am.
Q. Can you tell me a little bit about your educational background?
A. Uh-huh. I went to a school in Austria, first public school, then what is called oberschule, gymnasium, and then attended a engineering school, ingenieurschule, from which I then graduated in 1957. Excuse me, it was 1947 in Engineering.
Q. Where was that?
A. Gratz, Austria.
Q. Did you ever attend school in the United States?
A. Not formally, but I lectured at various universities.
Q. Do you have any children?

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A. Yes.
Q. How many children?
A. Four.
Q. Are you currently employed?
A. No.
Q. What was your most recent employment?
A. At Fellows Corporation in Springfield, Vermont.
Q. Why did you leave Fellows Corporation?
A. I elected to take early retirement.
Q. When did you retire?
A. My last working day was September 8, and I had vacation after that.
Q. September 8, 1989?
A. 1989.
Q. How long did you work at Fellows Corporation?
A. For 32, nearly 33 years.
Q. What position did you hold at Fellows Corporation when you retired?
A. I was VP, vice-president of engineering. It was only for a very short period of time, about three or four weeks prior to my retirement.
Q. What position did you hold before that?
A. I was vice-president of technology and development.
Q. How long did you hold that position?

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A. Since February of 1987.
Q. What position did you hold before that?
A. I was director of engineering and R and D.
Q. R and D?
A. Research and development.
Q. And how long did you hold that position?
A. Since 1984.
Q. Can you tell me what position you held before that?
A. Yes. I was manager of research and development, and I held that position since something like 1969, 1970, in that area.
Q. What was your position when you first joined Fellows Corporation?
A. Supervisor of design, basically; yes.
Q. And how long did you hold that position?
A. Approximately two years.
Q. And then you were promoted?
A. I became chief of design.
Q. And how long did you hold that position?
A. Chief of design, 1964 or '65.
Q. And after that position?
A. I was manager of development, metal working, so it covered all of the metal working equipment that Fellows was producing or intending to produce at that

time.

Q. Did you hold that position until you became manager of research and development?

A. Correct.

Q. What were your responsibilities as vice-president of technology and development?

A. I was essentially responsible for development, research and development, and also for tasks and projects assigned specifically by the president.

Q. What tasks and projects were those?

A. Those involved technical market development in overseas accounts, the specific development tasks for cutting tool areas, and a few assignments to investigate the possibility of co-producing Fellows equipment with other concerns for the investigation of possible acquisitions.

Q. What kind of acquisitions?

A. I was looking with others at the possibility to acquire a product line from Barber-Colman. We had some conversations with companies overseas in Germany or Switzerland in terms of co-production.

Q. How did your responsibilities differ from the time you were director of engineering?

A. At the time I was director of engineering I was responsible for the entire engineering operation.

Q. What did that entail?
A. The management of, and engineering of, approximately 70 people, which included research and development, product design, tooling, and special equipment on machinery and also cutting tools. Special applications engineering.
Q. So you supervised 70 persons?
A. Yes. Not directly.
Q. How many people did you directly supervise?
A. I had five and sometimes six people reporting to me directly.
Q. What positions did the people you supervised hold?
A. These were managers of controls, mechanical engineering, applications engineering, cutter engineering and supervisor of the research lab.
Q. How many people did you supervise when you were vice-president of technology and development?
A. No more than two directly.
Q. How did your responsibilities change once you became vice-president of engineering?
A. The R and D areas were included in the engineering area. I'm sorry. My apologies. Perhaps I did not get the question correctly. Please rephrase.

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Q. I will rephrase the question. What were your responsibilities as vice-president of engineering, the last position you held?

A. The last position? As vice-president of engineering, I took on, again, all of the responsibilities for the engineering operations, excluding the cutting tool engineering.

Q. Why did you leave so suddenly after becoming vice-president of engineering?

A. I was told told by the president that he was going to replace me very unexpectedly, and amongst the alternatives of it, I elected early retirement.

Q. Who is the president?

A. Joseph W. Smith.

Q. Why was he going to replace you?

A. I don't really know.

Q. Did you ask him?

A. Yes. It was a very short conversation. And he, in effect, just stated, I will replace you with somebody younger. We need to get fresh blood into the company. And you can take a position to be responsible for R and D, you will move downstairs and I will pay you what was a substantially reduced wage.

Q. How long have you known Joseph W. Smith?

A. I have known J. W. Smith since January, 1987.

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Q. When did Mr. Smith become president of Fellows Corporation?

A. He became president at the time Fellows Corporation was purchased by Goldman Financial in Boston.

Q. When was it purchased by Goldman Financial?

A. To the best of my recollection, I believe it was January 20, 1987.

Q. Who owned Fellows Corporation before that?

A. Emhart Corporation.

Q. How do you spell that?

A. E-m-h-a-r-t Corporation.

Q. How long did Emhart Corporation own Fellows Corporation?

A. I believe they purchased Emhart in 1975.

Q. And Emhart purchased Fellows?

A. Purchased Fellows in 1975.

Q. How would you describe your relationship with Joseph Smith up until the time he told you he was going to replace you?

A. Difficult, I'd say.

Q. What do you mean?

A. I think Mr. Smith is a very difficult person to please, but generally not very easy or cooperative in the working environment.

Q. What is Mr. Smith's background?
A. I'm not familiar with Mr. Smith's background.
Q. Is he --
A. From discussion, he appears to come out of a manufacturing and purchasing background.
Q. In what part of the country?
A. I believe he was previously associated with Harsco Corporation somewhere in Pennsylvania.
Q. Is Goldman Financial affiliated with Goldman-Sax, do you know?
A. Goldman-Sax? No, I don't think so. I don't know.
Q. Did Mr. Smith hold any other position at Fellows Corporation prior to becoming president?
A. No.
Q. You were promoted to vice-president of technology and development after Mr. Smith became president; is that right?
A. Yes. Except I do not call it a promotion.
Q. What was it then?
A. A shift sideways, I think. But different duties assigned. Fellows was purchased in an LBO buyout. Fellows had a difficult time in the marketplace as a result. Our customers were concerned whether we were to stay in business or not. So my job was changed.

I spent a lot of time in the field with customers, working with customers and assuring our customers that Fellows would continue to have technical support in a complete machine tool operation.

Q. What kind of company is Fellows Corporation?

A. Fellows Corporation is a machine tool company, produces machinery and cutting tools for the manufacture of gears.

Q. Gears?

A. Yes.

Q. How old a company is it?

A. It's nearly a hundred years old.

Q. How did the company get started, do you know?

A. Yes. Fellows was started as Fellows Gear Shaper Company by a Mr. E.R. Fellows who invented a process for the generation of gears and established a small company in Springfield, Vermont in 1889 or something like that. And out of this enterprise grew Fellows Corporation. It used to be Fellows Gear Shaper Company until Emhart purchased it, and it became Fellows Corporation, and it is still, I think, Fellows Corporation.

Q. How many employees does it have now?

A. I would estimate in the area of 500, perhaps

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550.

Q. How many employees did it have when it was purchased by Goldman Financial?

A. Perhaps 500 or something more, 600 or something.

Q. Why are there fewer employees now?

A. There has been a substantial reduction in staff and particularly in the non-productive areas at the time Goldman took over.

Q. How come?

A. Fellows, at the time it was sold, was not profitable for several reasons. The market fell out of the machine tool company at that time. There were very few orders in the bank. I think Fellows had at this time not come to grips with the problem and not made sufficient cutbacks to bring the company back on a profitable basis. So Fellows had been losing money for a number of years.

Q. Who owns Fellows corporation now?

A. I'm not certain, but I believe it is owned by Goldman Financial.

Q. Okay. Is Goldman Financial the sole owners?

A. Yes.

Q. So there is only one owner?

A. There is only one owner and that is Goldman Financial. Goldman Financial, I would assume, yes.

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Q. What can you tell me about Goldman Financial?
A. Very little. It is a financial services area in Boston and is a holding company for Fellows. That is about all I can tell you, but --
Q. Did you ever work with anyone from Goldman Financial?
A. I have worked on some recently -- well, no. Correction. No. Not directly.
Q. How about indirectly?
A. Only to the extent that it concerned patent matters. And there we worked through patent attorneys who were hired by Goldman.
Q. Hired by Goldman Financial?
A. Yes.
Q. Do you know who hired the attorneys?
A. I would presume Goldman Financial.
Q. Do you know any individual at Goldman Financial?
A. No.
Q. What can you tell me about the leveraged buyout?
A. Goldman Financial purchased Fellows in January of 1987 from Emhart Corporation. I do not know any more about the buyout terms and conditions.
Q. Do you know the purchase price?
A. No.
Q. What makes you say that at the time of the sale

Fellows Corporation was not profitable?

A. I was aware of the fact that Fellows, while under Emhart, was not making a profit.

Q. How do you know?

A. I was a part of the executive committee and as such, was told that we did not make a profit.

Q. Who was on the executive committee after the purchase?

A. There was -- I was still on the executive committee as one of the people. There was besides, in addition to me was a Jeffrey Allen, Don Chabot, Carl Johnson, and Henry Swierczynski.

Q. Okay. What were the responsibilities of the executive committee?

A. The members of the executive committee had responsibility for the various operating divisions in the company.

Q. There were five members of the executive committee?

A. Yes. Certain names. Of course the chairman was Mr. Smith, the president.

Q. So who would you say was in charge of Fellows Corporation?

A. Mr. Smith.

Q. What decisions did the executive committee make?

A. Only decisions that concerned the operations of their respective areas.
Q. What was your area?
A. As previously discussed R and D and as directed by the president. In R and D areas I would work on approved projects.
Q. What was Mr. Allen's area?
A. Finance. Administration and finance.
Q. Mr. Chabot did you say?
A. Chabot, marketing?
Q. Mr. Johnson?
A. Was manufacturing.
Q. And Mr. Swirczinski?
A. Was engineering.
Q. Did this executive committee operate differently prior to the purchase by Goldman Financial?
A. No.
Q. Who was the president before Mr. Smith?
A. Robert Johnson, Bob Johnson.
Q. Is he related to the Johnson in charge of manufacturing?
A. No. No.
Q. What other officers of Fellows Corporation or rather who are the other officers of Fellows Corporation?

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A. Officers?
Q. Officers, treasurer, vice-president, secretary?
A. People in charge? The people that I have mentioned as members of executive committee are the people that operate the company. I do not know whether they are officers of the company, that is as the term "officer" applies to it. I'm not an officer of the company.
Q. Okay. Who else is in charge of the company's operations? Is there anyone else?
A. At this time this was the line-up. Since then things have changed.
Q. Since When?
A. Since Mr. Allen has left the company.
Q. When did Mr. Allen leave?
A. I cannot remember. Must have been about a year ago perhaps.
Q. Is there a treasurer of Fellows Corporation?
A. Yes.
Q. Who is the treasurer?
A. Carl Easler.
Q. How do you spell that?
A. E-a-s-l-e-r.
Q. Is there a secretary of the corporation?
A. The title of Mr. Easler is VP, finance. I

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believe that is the closest thing.
Q. Okay. Are there any other vice presidents?
A. No.
Q. Is Mr. Allen the vice-president?
A. Yes.
Q. He was the vice-president of finance administration?
A. Yes.
Q. That is different than Mr. Easler who is vice-president of finance?
A. I think the title has changed to finance. Could be still finance administration. I'm not sure.
Q. Did Mr. Easler replace Mr. Allen?
A. Yes.
Q. When Mr. Allen was vice-president of finance, was there a treasurer at Fellows Corporation?
A. No. No. To the best of my knowledge, no.
Q. Mr. Chabot is a vice-president?
A. He is the vice-president, marketing.
Q. Mr. Johnson is vice-president?
A. Manufacturing.
Q. And Mr. Swierczynski is a vice-president?
A. Yes.
Q. Has anyone else other than Mr. Allen left the company?

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A. Mr. Chabot has recently left.
Q. When did he leave?
A. I cannot say for certain. Approximately two weeks after I left.
Q. Has anyone else left?
A. Out of this group, no. They are still there. Mr. Swierczynski now is there in a different function.
Q. What is his function now?
A. I think Mr. Swierczynski is now manager of mechanical engineering.
Q. How were relations between other employees and Mr. Smith?
A. I can't comment on that. I do not know.
Q. Do you know if other employees had difficulties with Mr. Smith?
A. It would appear now that they had difficulties with Mr. Smith now and then.
Q. What makes you say that?
A. They commented on some occasions that they had difficulty.
Q. Who commented to you?
A. Mr. Swierczynski did on occasions and Carl Johnson did sometimes.
Q. How about Mr. Allen?

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A. I don't know his --
Q. What things did Mr. Swierczynski say to you about it?
A. In effect that he had difficulty doing the work that he was supposed to be doing with the people that were left in the organization and it was somewhat upsetting to him.
Q. How about Mr. Johnson?
A. Mr. Johnson had held many different positions from now and then as he went down the road, so perhaps his comments were that he didn't know what hat he was going to wear tomorrow.
Q. Would you consider these other members of the executive committee friends of yours?
A. Yeah. Have been working with them for a long time.
Q. Do you keep in touch with them?
A. No. I do not. If you speak of in terms of friends, do you mean personal friend or do you refer to it as people that I have been working with that would understand the subject of the business? If you mean subject of the business, then we have been working together, yes, we have been working reasonably well together.
Q. Had you ever observed anyone arguing with Mr.

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Smith?

A. No. To to my knowledge.

Q. Would you say that Mr. Smith was in control of the company?

A. I don't know. I cannot answer.

Q. Who had responsibility to hire and fire employees?

A. Mr. Smith ordinarily had the responsibility to hire and fire and the level below him could hire and fire people that reported to them, so the organization went on down.

Q. Who was the next level below Mr. Smith?

A. The vice-president.

Q. So you would be a part of that next level?

A. Correct. We reported to Mr. Smith.

Q. And Mr. Smith would have the authority to hire and fire members of the executive committee?

A. Yes.

Q. How was Mr. Smith selected for his position?

MR. SALMON: If you know.

A. I don't know if he was and how he was.

Q. Who is David Goldman?

A. I know David Goldman as the owner or key person at Goldman Financial services in Boston. He was also I believe a chairman of Fellows. I'm not certain.

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Q. Does Fellows have a chairman?
A. The operating division of Fellows in Springfield Vermont does not have a chairman.
Q. What do you mean?
A. We talk of our organization in Springfield not as a chairman of anything, a board chairman. I don't know whether a board exists.
Q. What location is Fellows Corporation?
A. Springfield, Vermont.
Q. Are there any other locations?
A. No.
Q. All its offices are contained in one location?
A. To the best of my knowledge, all the operations in Springfield is Fellows. I do not know how Goldman Financial ties into here. Goldman Financial could be part of Fellows, but not to my knowledge. I don't know how the two work together.
Q. Is there a board of directors?
A. If there is, I don't know.
Q. So you are unsure if David Goldman is chariman of Fellows Corporation?
A. I would think Fellows -- that David Goldman is chairman of Fellows Corporation but he is not at Fellows, right. He is at Goldman Financial Services.
Q. Okay. What are the responsibilities of the

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chairman?
A. I don't know.
Q. Does he supervise, Mr. Smith?
A. I do not know what the relationship is between Mr. Smith and Mr. Goldman.
Q. Do you know Mr. Goldman personally?
A. I have met Mr. Goldman, yes.
Q. When did you meet him?
A. I met him the first time prior to the acquisition of Fellows at Fellows Corporation.
Q. What were the circumstances of your meeting?
A. Emhart Corporation brought Mr. Goldman and his associates to Fellows to familiarize themselves with the corporation location at the Fellows business. At that time I met Mr. Goldman.
Q. Did you speak with him?
A. Yes.
Q. When was that meeting?
A. When was that meeting?
Q. Uh-huh.
A. Late in 1986.
Q. Who else was at the meeting?
A. The then president of Fellows, Mr. Johnson, Bob Johnson and then at various times, the directors of the operating divisions of Fellows. Those were then

Mr. Chabot, Mr. Johnson, myself, and Mr. Allen.

Q. How many other times did you meet with Mr. Goldman?

A. I think it was once or maybe twice after that. Once at a meeting in Boston where the Fellows executive group was asked to come to Boston for a business meeting and the other time I met Mr. Goldman at his residence.

Q. Prior to the meeting at his residence, what did you know about Mr. Goldman?

A. That he was head of Goldman Financial, that he had purchased Fellows Corporation and that he was the chairman of the corporation.

Q. Would this be a good time to take a short break?

(The deposition recessed at 10:45 and reconvened at 10:50 a.m.)

BY MR. KELLNER:

Q. I was going to ask you some follow-up questions to questions you answered earlier and then I'd like to move on to the meeting you had at Mr. Goldman's house that you mentioned earlier also.

Do you know the company's gross earnings or income since it was taken over by Goldman Financial?

A. Um, not precisely.

Q. Can you give a range?

A. Oh, somewhere between 30 and perhaps 45 million.
Q. How about before the takeover?
A. It varied. At its highest level, about 60 million. That was I think in 1981. And I think at its lowest level, in 1983 or 1984, the bottom fell out of the tool business in the United States. Perhaps in the area of 20, 22 million.
Q. Why did the bottom fall out of the machine tool business in the United States?
A. The capital equipment purchases were stopped, a restructuring occurred in the machine tool business and in the automotive areas which are our main customers. They stopped buying equipment and as a result, this segment of the market fell out for us. The overseas areas had not been penetrated subsequently by Fellows at that time, primarily because of high dollar values.
Q. Who did you report to at Fellows Corporation?
A. I reported to the president. I did report to the president.
Q. Did anyone else other than Mr. Smith join Fellows after the takeover by Goldman Financial?
A. You mean in the executive level.
Q. Uh-huh?
A. There was a Mr. Bockout who joined Fellows in

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the manufacturing areas. He was let go.
Q. Why was he let go?
A. Cannot tell you precisely, but that must have have been about a year and a half ago.
Q. Why was he let go?
A. Don't know.
Q. How long was he at Fellows prior to being let go?
A. Relatively short period of time, perhaps six months?
Q. How do you spell his last name?
A. I think it is Bockout, B-o-c-k-o-u-t. It's Bob Bockout. And recently a gentleman joined Fellows to take on the engineering division.
Q. And who was that?
A. I can't recall his name.
Q. Do you recall when Mr. Bockout joined Fellows?
A. No.
Q. Do you recall the year?
A. That would be late 1987 or very early in 1988, that time frame.
Q. Do you own any stock in Fellows Corporation?
A. No.
Q. Have you ever owned any stock in Fellows Corporation?

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A. I owned some stock in Emhart Corporation. Yes.
Q. What happened to your stock?
A. Well, Emhart Corporation was sold to Black and Decker and I sold my stock in that operation so I now own no stock in Emhart.
Q. You sold your stock to Black and Decker?
A. No. I sold it.
Q. When did you sell it?
A. Just about that time when Black -- at the end of tender offer that was made by Black and Decker for Emhart stock. I think it must have been this year, about mid-year.
Q. It was 1989 now?
A. Yes.
Q. What was your salary when you left Fellows Corporation?
A. [redacted] plus bonuses.
Q. What bonuses did you receive at Fellows Corporation?
A. There was an executive bonus paid by Emhart Corporation and then for the last two years also after Fellows was purchased by Goldman Financial, a bonus was paid.
Q. What was the bonus system after it was taken over by Goldman Financial?

A. I do not know the precise system that had been used but it was based on the experiences of the salary based on gross profits I think, and the level of profits dictated the bonus.

Q. Is that a different system than the one you had under the previous owner?

A. Yes. Previous owner paid a bonus that was partially based upon earnings of the company and partially based upon performance on the job. This was based on earnings or profits only.

Q. Are you related to anyone who is employed by Fellows Corporation?

A. No.

Q. Have you ever been related to anyone who is employed by Fellows Corporation?

A. My son was employed by Fellows Corporation for a short time.

Q. When was that?

A. In 1985 and 1986, and then he was laid off and worked again for Fellows in 1988 until early 1989.

Q. Why did he leave?

A. Last time he left was because he found another employment opportunity that presented a greater advantage.

Q. What position did he hold when he left Fellows

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Corporation?

A. He was an analyst programmer in manufacturing.

Q. What does that position entail?

A. To manufacture parts which we need in manufacturing and to write computer programs for NC and C and C machine tools.

Q. What does NC stand for?

A. Numeric controlled.

Q. What was that?

A. Numeric controlled. C and C stands for computer numeric controlled.

Q. Are you currently involved in any lawsuit with Fellows Corporation?

A. No.

Q. When did you receive your bonus after the takeover by Goldman Financial?

A. I do not remember. One was paid, I think, December or January. I received in January of this year, the 1st and 2nd of January this year the first one, and that was a bonus that was for 1988, the fiscal year, 1988. And then this year I received a bonus in August, and I think the last one was paid in late September for the fiscal year 1989. The fiscal year goes from June to June.

Q. All those bonuses were bonuses based on profit?

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A. Yes. I would think so. Yes.
Q. Did you receive any other bonuses?
A. No.
Q. How much in dollars were the bonuses?
A. In 1988, fiscal 1988, the total amount was in the vicinity of $12,000 and in 1989 the total was nearly 19,000, between 19,000 and $20,000.
Q. Did you receive any other bonuses?
A. No.
Q. Did you receive any other payments from Fellows Corporation?
A. Only these bonuses, yes.
Q. How were you reimbursed for expenses at Fellows Corporation?
A. I would be reimbursed for actual expenses incurred on approved business trips or approved assignments.
Q. How were you reimbursed?
A. By submitting an expense report which was then approved by the VP finance which included expenses plus those items for which the company paid, such as airline tickets and supplies, and then a check was issued to cover the expended amounts. On occasions an advance for expenses was provided.
Q. In what form?

A. A check or in cash. This of course had to be accounted for in the expense account.
Q. How much were the amounts of an advance?
A. That would depend upon the duration and the location of the business trip. Anywhere from perhaps 150 to maybe $2,000. This is as far as my situation. This concerns my situation.
Q. When you were reimbursed or given an advance by check, was the check from Fellows Corporation?
A. Yes. Travel advance was from Fellows Corporation, yes.
Q. Did you receive advances for any other purposes?
A. No.
Q. What bank does Fellows Corporation use?
A. I think it's the Bank of Boston.
Q. Does it use any other banks?
A. There were other banks before that, but I'm not -- I cannot recall really which ones they were.
Q. You think when you left, it was the Bank of Boston?
A. Well the old bank was the First National Bank of Springfield but the business accounts were with the Bank of Boston.
Q. Do they have a branch in Vermont?
MR. SALMON: If you know.

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A. I don't know.
Q. Do you know any other banks Fellows may have used?
A. No.
Q. To your knowledge -- let me start again. Did you work closely with customers of Fellows Corporation?
A. Yes. Reasonably close with a number of the major accounts.
Q. Did you ever work with a company called Tradewind Systems?
A. Tradewind? No. I don't recall.
Q. Did you ever recall hearing the name Tradewind Systems?
A. No.
Q. Could the executive committee that you were on ever overrule Joseph Smith?
A. No.
Q. Was the executive committee's relationship with the previous president, Mr. Johnson, better than the relationship with Mr. Smith?
A. I cannot say. My relationship with Mr. Johnson was better than with Mr. Smith.
Q. How long did you know Mr. Johnson for?
A. Oh, since he joined Fellows in 1982. Perhaps.

I think.

Q. When were you at the home of David Goldman?

A. When? On August 15, 1987.

Q. What was the occasion of your being at his home?

A. Was in response to an invitation to attend a dinner for General Alexander Haig.

Q. What else can you tell me about it?

MR. SALMON: If he understands the question.

Q. Of course. Do you understand the question?

A. My wife and I were invited to attend a dinner at the residence of Mr. David Goldman in honor of the the then presidential candidate General Alexander Haig. And there were -- we were amongst quite a number of people that were at that dinner.

Q. Who invited you?

A. The invitation was actually issued by David Goldman.

Q. Did he invite you personally?

A. No. We received an invitation which was handed to us.

Q. Handed to who?

A. To me, I think, by Mr. Smith, as best I can recollect.

Q. Was the invitation for you and your wife?

A. Correct.
Q. It was one invitation for the two of you?
A. Yes.
Q. Who else at Fellows Corporation was invited?
A. I don't know who was invited. I may have refused or -- but I know that invitations, people that I know that received invitations were Mr. Allen, Jeffrey Allen, Mr. Harry Swierczynski, Carl Johnson, Don Chabot and Mr. Smith and their spouses.
Q. Did all those persons attend the dinner?
A. Yes.
Q. You saw Mr. Chabot, Mr. Allen, Mr. Swierczynski and Mr. Johnson at the dinner?
A. Yes.
Q. And they were with their spouses?
A. Yes.
Q. Were any of your children invited to the dinner?
A. No.
Q. Were any other employees of Fellows Corporation at the dinner?
A. Yes. Mr. Smith.
Q. Okay.
A. Mr. Smith.
Q. Anyone else?
A. Not that I can recollect. Those were the

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people.
Q. How big was the dinner?
A. I would say it might have been more than fifty but less than a hundred.
Q. And it was hosted by Mr. Goldman by himself?
A. It was at the residence of Mr. Goldman, but it was hosted by perhaps his wife and I think his daughter was there and there may have been also people from Goldman Financial.
Q. How many children does Mr. Goldman have?
A. I know two of Mr. Goldman's children. I do not know.
Q. Do you know their names?
A. One of Mr. Goldman's daughters is Carrie Goldman and his son, I cannot recall his name at the moment but it will come.
Q. Okay. When did you meet the children?
A. Carrie Goldman came to work at Fellows in various capacities shortly after Fellows was purchased by Mr. Goldman. And Mr. Goldman's son joined Fellows approximately six months ago, something in that range.
Q. In what capacity did his son join Fellows?
A. I'm not certain as to what capacity he held when he joined Fellows. He reported to Mr. Smith and he

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was on project assignments. Since that time he was given the job of managing the comparitory division.

Q. What is the comparitory division?

A. The comparitory division is a product line which was required by Fellows subsequent to the acquisition of Fellows by Goldman, and it was purchased from Jones, Lamson. It's an optical measuring device.

Q. What were some of the project assignments Mr. Goldman's son would be involved with?

A. I am not familiar with what they are.

Q. Does David Goldman own Goldman Financial?

A. I don't know.

Q. Do you know other than persons he already mentioned, do you know anyone else who attended the dinner for Alexander Haig?

A. There were many people there. But only I think maybe one or two that I can recall. One was Larry Schwoeri, I think, Schwoeri, Larry, and his wife, who was then group president of -- group vice-president for Goldman Financial. I think the Fellows president reported to the group vice-president and Mr. Smith reported to him. There was also a Eric Petersen who may have been -- who is an associate, I think, of Goldman Financial, but I don't know which aspect. That is about it. There were many others.

(The deposition adjourned for lunch at 1:50 and reconvened at 2:30 p.m.)

BY MR. KELLNER:

Q. Back on the record. Let me ask the court reporter to read back the last question before we went to lunch.

(Previous question read, as follows:)

BY MR. KELLNER:

Q. Were there any celebrities at the dinner that you went to for Al Haig?

A. General Haig and his wife.

Q. Anyone else?

A. Not that I can recall.

Q. Was Billy Dee Williams at the event?

A. Billy Dee Williams? I do not know him.

Q. Do you know the name of Mr. Smith's personal secretary?

A. Personal secretary? Current, no. Current secretary, no, I don't.

Q. Do you know the name of his secretary when you left?

A. No. Did not have at that time I believe a personal secretary. He was looking for one.

Q. Okay. What jobs did Mr. Goldman's daughter do at Fellows Corporation?

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A. She had several market research jobs, information gathering and compilation while she was at Fellows. She later then was assigned to Jones and Lamson which Goldman purchased. She did specific work for Mr. Smith and her position then was the assistant to the president.

Q. Why were you invited to the dinner at David Goldman's house in honor of General Haig?

MR. SALMON: Again, if the witness knows. I don't want to object to the question, but the question requires some knowledge on your part and I'm saying if you know the answer to that question, you can answer it of course.

A. At that point, no, it was just an invitation. There were other things the happened prior to that.

Q. How would you describe the level of political activity at Fellows Corporation?

A. Fairly low key. Not much discussion.

Q. Were any of the vice presidents of Fellows active in politics?

A. No. Not to my knowledge.

Q. Have you ever volunteered to work in a political campaign?

A. No.

Q. How would you describe your own level of

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political activity?

A. I'm not politically inclined.

Q. Are you a registered voter?

A. Yes.

Q. How long have you been a registered voter?

A. Oh, since 1960. '64, 65.

Q. Is your wife a registered voter?

A. Yes.

Q. Has she ever volunteered to work on a political campaign?

A. Not to my knowledge.

Q. Is her level of political activity the same as your own?

A. Approximately, yes.

Q. Have you ever made a contribution to a candidate for federal office?

A. Have I made a contribution? To a candidate for federal office? Yes and no. I issued a check for a contribution to the Alexander Haig campaign for president. That is, my wife and I did jointly issue such a check. And that was done at -- oh, about the beginning of August of 1987.

Q. Was this the only time you ever wrote a check for a political campaign?

A. I believe, yes.

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Q. Can you describe for me the circumstances surrounding your writing of that check?

A. Yes. At approximately the end of July or very early in August of 1987, I was approached by Mr. Smith with a -- I wouldn't call it a request, but a strongly worded -- he asked that I contribute $1,000 to the campaign of Alexander Haig for President and that my wife do likewise.

And after that we then discussed the matter, my wife and I, and decided to support the campaign of Alexander Haig for President by issuing a check jointly for $2,000 drawn on our account in the First National Bank in Springfield,. That check then as requested was sent to Mr. Smith. The indication was that Mr. Goldman had some sort of commitment to the campaign of General Haig and asked for support from us.

Q. Then what happened?

A. The check was returned to me and I can't recall if it was the same day or maybe a day later or somewhere in that area with the statement that payment at this time would not be required, at this time would not be necessary, and that Mr. Smith would let us know or let me know how to discharge that obligation.

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Q. Who told you that?
A. As a result -- that came from Mr. Smith. As a result I tore the check up and put the money back into the savings account.
Q. Mr. Smith told you the money was not necessary at that time?
A. At that time. I do not know and I did not know as to when payment would be required or how payment should be made because it was the check that we drew, you know.
Q. So Mr. Smith told you that?
A. Yes. And that was also where the initial request came from.
Q. What was the source of the funds you used to write the check with?
A. The funds were removed from our joint savings account and put into our joint checking account. A check was drawn against a checking account at the First National Bank of Springfield.
Q. Where did the money in your savings account come from?
A. Oh, out of wages, you know.
Q. Were you offered any money to write the check to Haig for President?
A. No.

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Q. Did anyone offer to reimburse you for the check you had written?
A. No.
Q. Did anyone offer you something other than money to write the check for Haig for President?
A. No.
Q. Did anyone offer to pay any bills for you in return for writing the check for Haig for President?
A. No.
Q. The source of funds in your savings account were paychecks from Fellows Corporation?
A. Well, yes. Paychecks I think at that time from Fellows Holding Company, of Fellows Holding Corporation which were issued from Boston, I think.
Q. Is that who generally issued your paychecks?
A. At the beginning when Fellows was purchased, some of the checks came out of Boston. And later on then they were drawn against the account in Springfield.
Q. Why did you write a check to Haig for President?
A. Well, I had a job at Fellows. It was pretty important to me and I had been there for a long time so I wished to remain, to stay there. That was Number One. Number two, General Haig did have certain qualities, personal qualities and views that

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I felt I could support, perhaps not to that extent, but still support.

Q. And you were prepared to contribute $1,000 of your own money on behalf of the Haig Campaign?

A. I think I did that, yes.

Q. Did you feel that your job -- let me rephrase that. Did you feel you could decline to write a check for Haig for President?

A. Yeah I felt I could have declined to write a check, but I did not think it would have been advisable.

Q. How come?

A. Well the situation at Fellows was pretty strained and my particular situation and Fellows was rather difficult, so I felt that considering all points that Haig would be the best move for me to make, of course knowing that I could support General Haig.

Q. Did you feel that not writing the check to Haig for President might place your job in jeopardy?

A. I don't know whether I would want to make it that strong, but I did feel uncomfortable about it. It might have. Nobody knows.

Q. Excuse me?

A. It might have, but I don't know. Then again, it

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might not.

Q. You stated that you discussed writing this check with your wife. What were her views on writing the check to Haig for President?

A. That generally her level of support for General Haig was lower than mine and -- but in talking about it, she agreed to support the Haig for President Committee with that amount of money and that contribution.

Q. Why do you say that her support was less than yours?

A. Well, she felt that General Haig did not have much of a chance in the campaign to be elected and that no matter what, for that reason she felt perhaps this would not be her first choice, but it might be well to contribute just to air our views in the campaign.

Q. Why did she change her mind?

A. Why did she change her mind?

Q. I believe you stated that after you spoke to her she was willing?

A. She spoke about it because before that she did not know about about the request for campaign contributions. That request was made to me by Mr. Smith. I conveyed that request to my wife. Because

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it was also requested that she make a contribution and we discussed the matter.

Q. Mr. Smith also requested that your wife make a contribution?

A. He requested that each of us and our spouses make a contribution.

Q. What do you mean by "each of you"?

A. Other vice presidents of the company were asked by Mr. Smith the same for the same contributions and they told me about it.

Q. Who specifically?

A. Mr. Swierczynski, Mr. Johnson, and also Jeff Allen. I don't think Mr. Chabot ever told me anything about his situation.

Q. Do you know if Mr. Chabot ever wrote a check to Haig for President?

A. Yeah, he said he did write a check for the campaign for Haig for President.

Q. Do you know if his check was cashed?

A. I do not know.

Q. Do you know if Mr. Allen wrote a check for Haig for President?

A. I don't know.

Q. Was his check cashed?

A. I do not know.

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Q. But you know that Mr. Allen was requested to write a check for Haig for President?
A. Yes.
Q. But you are unsure whether Mr. Chabot was requested to write a check for Haig for President?
A. I won't say I'm sure that he was because he had never told me. I know now that he had been.
Q. Okay. What did Mr. Smith say to you exactly. Do you recall?
A. I do not recall exactly what he said, but the request was made in very few words, saying that Mr. Goldman had some sort of commitment to the Haig for President campaign and that he asked to provide a campaign contribution for $1,000 for myself and $1,000 for my wife.
Q. At that time were you aware of the limit on the amount you could contribute to a candidate for president?
A. I was made aware of it but I think -- if I think correctly by Mr. Smith because that was the maximum amount that could be contributed by an individual.
Q. But before then you were not aware?
A. I had no idea, no.
Q. Had you ever considered writing a check to Haig for President on your own?

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A. I thought about it, but I might not have supported it to that degree. I might not have supported the campaign to that degree. I might have split it.

Q. What day did Mr. Smith make this request to you?

A. I cannot -- it was late July or the beginning of August. Very early in August if it was, just a few days.

Q. And how long after that did you give Mr. Smith a check?

A. This check was made out on the 6th of August and it was given to Mr. Smith on that day.

Q. When Mr. Smith made his request to you, was there anyone else around?

A. I can't recall, but I think there were other people around.

Q. Do you recall who they were?

A. No. I'm not sure if it was alone or whether one of the other vice-presidents was there at the same time.

Q. Did you discuss Mr. Smith's request to you with anyone else at Fellows?

A. Yeah, briefly. I think with Mr. Swierczynski and briefly with Mr. Johnson and just so we knew that same request was made of them also. And that was

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about it. It was left up to us to make the decision.
Q. Did anyone else feel that it would enhance their position at Fellows if they wrote a check to Haig for President?
A. I don't know if that was the case.
Q. Do you know if that was not the case?
A. I don't know that either.
Q. Were you invited to the dinner at David Goldman's house as a result of the check you wrote on behalf of you and your wife?
A. I did not interpret it as that. I thought it was an invitation to go down there and meet General Haig. But not as a sort of a contribution made at that point. It was committed, but the check had been returned.
Q. Were all the persons at the dinner contributors to General Hague's campaign?
MR. SALMON: If you know.
A. I don't know.
Q. How long after you wrote the check was it returned to you by Mr. Smith?
A. As I say, I don't know whether it was the same day or the next day, but it was very, very quickly after that.
Q. Again, what did Mr. Smith say to you when he

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gave the check back to you?
A. That payment at this time would not be required, at the time would not be required. Didn't need the check at this time.
Q. Did you speak to anyone else at Fellows about this?
A. Yes, I think so. Because the checks were returned to other sources.
Q. You found out the checks had been returned to the other vice-presidents?
A. Yes.
Q. What did you say to Mr. Smith after he told you that the money would not be required at this time?
A. Yeah, just how where do we go from here. And the question was then "we'll let you know" and it was some implication that the people in Boston were working on some other way, and I interpreted that as saying perhaps it will be paid out of a deduction and be taken out some other way than a straightforward check. But I don't know.
Q. When you say "people in Boston", do you know what people in Boston?
A. No. Just the people in Boston, Fellows Holding Company.
Q. Can you tell me again about Fellows Holding

Company. What is Fellows Holding Company?
A. Fellows was purchased -- I don't know exactly as to what the corporate organization is. But the company was formed and that was called Fellows Holding Company which owns Fellows. And that holding company is somehow tied in with Goldman Financial.
Q. Do you know who owned or ran Fellows Holding Company?
A. No.
Q. Do you know if Mr. Smith was an officer in Fellows Holding Company?
A. No.
Q. What was Mr. Goldman's involvement in Fellows Holding Company?
A. I don't know that either, exactly as to what Mr. Goldman's involvement is.
Q. Did Mr. Smith say anything to you to the effect that people in Boston will decide later what you should do about writing a check to Haig for President?
MR. SALMON: Well I think he has explained that situation and in his own words, those are your words. Maybe if you ask if he agrees with that characterization, but I think he has been over that.

Q. He can say yes or no. I don't understand it myself. That is the reason I'm going over it. I'm not trying to confuse anyone.

MR. SALMON: No, I'm a little confused but I don't know but maybe the reporter can repeat it.

(Previous question read.)

A. No, he just said he'd let me know as to what will happen next.

Q. So you just assumed on your own that perhaps someone in Boston would decide later?

A. Only that this representation was made that the people in Boston are looking at different ways or another way, that that was all. It was my assumption that perhaps a different way of making the contribution would be conveyed back to me. The check was later returned, funds were allocated to it and now let me know what I ought to do next, and that was it. The funds are still there.

Q. Why do you think that was implied?

A. Because the check was returned. He said, I don't need it right now, and that people in Boston were working on it.

Q. Is that what he said, our people in Boston are working on it?

A. Yes. I can't exactly remember, but that was the gist of it.
Q. Do you know what people he was referring to?
A. No. No specific person, but I would assume that it was Fellows Holding and Goldman. Goldman Financial, not Goldman.
Q. What did you do with the check when it was returned to you?
A. I tore it up.
Q. Did Mr. Smith ask anyone else at Fellows Corporation to write a check to Haig for President?
A. Yes.
Q. Anyone else that you haven't previously mentioned?
A. Not to my knowledge. I don't know.
Q. Did anyone else at Fellows ever talk to you about writing a check to Haig for President?
A. No, no one except those that I have already mentioned.
Q. Did Mr. Smith -- what else apart from what you already told me did Mr. Smith say to you when he returned the check?
A. That is it.
Q. What else did you say to him?
A. Nothing. It's all right. You know.

Q. And what did you tell your wife about it?
A. I just told her that the check was not required at this time. I said I had been told, that she should take the funds and move them out from the checking account and put them back into the savings.
Q. And she did?
A. She did, yes.
Q. Prior to Mr. Smith's request that you make a contribution for Haig for President, did you receive any mailings from the Haig Campaign?
A. No. I cannot recollect that I did.
Q. What mailings did you receive from the Haig Campaign after that?
A. I did receive a letter from -- I would think several months after the dinner at the residence of David Goldman.
Q. What did you receive?
A. To me it appeared to be -- I can't recollect precisely, but it appeared to be a request for a signature card that the Haig Campaign wanted and I made out that signature card and returned it to the Haig Campaign, and it had to do with a campaign contribution. That was my contribution. I just did not know as to whether they would send me a request to pay or the next thing might have been a debit note

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from the campaign. I don't know.
Q. What did you do then?
A. We returned that paper and returned it to the Haig Campaign. It was a return envelope enclosed.
Q. What do you mean "we"?
A. I got one and my wife got one like it.
Q. I see. Did you receive a letter with this signature card?
A. Yeah. I think there was a small note with the card.
Q. Do you have a copy of it?
A. No. No, I wish I had.
Q. Do you have a copy of what you signed?
A. No.
Q. And does your wife?
A. We looked for it and we could not find one, or else I would have it with me.
Q. What other correspondence did you receive from the Haig Campaign?
A. I think that is all I can remember.
Q. Do you recall anything else with the letter you received?
A. It implied that a contribution was made to the Haig Campaign and that for that reason they needed the signature on it. That is what I can recollect.

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And my interpretation was that was correct, I did make a contribution, I did give money to the campaign and that was the thing, that was my doing. I don't know if some other guys did something.

Q. But the check you wrote and gave to Mr. Smith was given back to you; is that correct?

A. Yes.

Q. And the funds were redeposited in your savings account?

A. Yes.

Q. Did you write another check to the Haig committee?

A. Not after that, no. We were holding.

Q. Did you write a check to the Haig committee at any time since then?

A. I have not, no.

Q. So no funds of yours have ever been given to the Haig Campaign?

A. No funds of mine have ever been given to the Haig Campaign. They have been committed, but they have not been given.

Q. What do you mean by "committed"?

A. Well, we did support the Haig Campaign by making out a check and presenting it to Mr. Smith and that check was returned saying that he would let me know

as to how that payment should be made and ever since the funds are there.

Q. Did he ever get back to you on that?

A. Never, no.

Q. Nothing was mentioned.

Q. What did he do with the check that you handed him?

A. Just said, We don't need it. Just don't need it right now and I will just let you know what needs to be done.

Q. I mean at the time you gave him the check and before he gave it back to you, what did he do with the check?

A. I don't know.

Q. Did he put it in his pocket, do you recall?

A. No. No. I don't know.

Q. Did you see him accept checks from anyone else?

A. No.

Q. Did Mr. Smith make any marks on the check?

A. No, I don't think so. At least I don't know.

Q. So to the best of your recollection the check was returned to you in the same condition that you gave it to him in?

A. Best of my recollection, yes.

Q. This would be a good time to take a five minute

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break.

(The deposition temporarily recessed at 2:10 p.m. and reconvened at 2:25 p.m.)

BY MR. KELLNER:

Q. I want to ask you some follow-up questions to the questions you answered earlier and then I'd like to walk through some documents, some of which you submitted to us.

A. Okay.

Q. What is Joseph Smith's involvement in politics?

A. I do not know of any involvement in politics of Joseph Smith.

Q. Did he ever ask you to make a contribution other than the one to Haig for President?

A. No.

Q. Did anyone else at Fellows ever ask you to make a contribution for a political candidate?

A. No.

Q. The check that you gave to Mr. Fellows (sic) made out the Haig for President, who signed the check?

A. I'm not sure, but I believe both of us, my wife and I signed it.

Q. Did you have enough money in your account to cover the check?

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A. Yes.
Q. Because you transferred your savings to the checking account?
A. Yes. We don't keep very much money in the checking account.
Q. And how much was the check for?
A. $2,000.
Q. Why did both of you sign the check?
A. The contribution was for $1,000 for each of us so the sum was $2,000 for the check for Jean and Eric Tlaker, and the checks that we have say Jean or Eric Tlaker.
Q. Did someone tell you that both of you had to sign the check?
A. No.
Q. When you normally write checks on your accounts are both of you required to sign the check?
A. No.
Q. Who told Joseph Smith to seek contributions to Haig from employees of Fellows Corporation?
MR. SALMON: If you know?
A. I don't know.
Q. How long did the dinner you attended last?
A. Approximately between four o'clock in the afternoon, four or five o' clock in the afternoon

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until nine or nine-thirty in the evening.
Q. Were there any speeches?
A. Yes. There was a speech by General Haig and I think some remarks from his wife and a short speech by David Goldman.
Q. Outside of Fellows Corporation, who else did Joseph Smith ask to make a contribution?
A. I don't know whether he did.
Q. Were contributions requested at the dinner?
A. No.
Q. Did you have to show your invitation to get in?
A. Yes.
Q. You did?
A. We did show an invitation to get in.
Q. At the dinner, did anyone thank you for making the contribution?
A. No, not to me, no.
Q. You stated that you received a letter and a signature card from the Haig Committee?
A. Yes.
Q. And that your wife received a letter and a signature card?
A. Yes.
Q. Did all that arrive together?
A. I don't know whether they came the same day but

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they came very close in space. It was maybe a day or two of each other.

Q. Were they in separate envelopes?

A. Separate envelopes.

Q. After you received that and signed the signature card and mailed it back in, did you offer to give money to the Haig Campaign?

A. I did not, no. I made no offer, no written offer. I was really concerned about it. I did not know whether that signature card that came, that whether that was the time to send the check or whether I would get another bill from some other person for another $2,000.

It was very, very difficult to determine what to do because there was still outstanding a situation that, as I explained before, I did not know, that they would let me know as to how to proceed and what to do about it. But initially the check was issued, the commitment was made, payment could have been requested any time either through Mr. Smith, through Fellows, because of involvement, in my opinion, involvement of Mr. Goldman with the campaign or could have come from the Haig Committee as a request to send the check in. I don't know.

Q. Did you ask anyone?

A. It's still there.
Q. Excuse me?
A. The funds are still there. I don't know.
Q. If you were asked, would you make a contribution today?
A. Well, it's committed. Yes. We did commit the funds at that time, right? And we issued a check for the campaign at that time. And the funds have been set aside to cover that commitment in that area, and so the campaign has a claim against us for that amount of money. That is my interpretation.
Q. Why do you think that?
A. Because it has been committed. We have committed it and I haven't given anyone else permission to commit money or to give money for us.
Q. Do you feel you were legally bound?
A. I think so. I think I have. I feel that we promised to do that, and we have other commitments that we take on such as church support, community support or whatever it is in the area and we commit funds to it and we pay that on a monthly basis or we pay them as we go along or in a lump sum. But it's a promise made. It's a commitment made and --
Q. After you received the letter and signature card from the Haig Committee, you said you became

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concerned?

A. Yeah. Because I did not know whether that was the time now to send it back, but I thought that somebody conveyed to them our commitment to the Haig Campaign, our commitment to support the campaign and this is our promissory note that we will do that at any time they requested cash.

Q. Did you seek anyone's advice?

A. No.

Q. Did you talk to anyone at work about it?

A. Yeah, I think I did because the other vice-presidents had received similar notes, I understand, and we weren't sure as to what to do in this area. That is what we did, we assumed there is a signature card showing our commitment to support the Haig Campaign to the degree that we have committed.

Q. Did you ask anyone what you should do?

A. No, not -- no, not really.

MR. KELLNER: I'm going to ask the court reporter to mark this six page document as FEC Exhibit Number 1. And I'd like to hand a copy of it to the witness and counsel to look at it.

(FEC Exhibit Number 1 was marked for identification.)

bY MR. KELLNER:

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Q. Have you had a chance to look at FEC Exhibit Number 1?
A. This is One?
Q. Uh-huh. You have had a chance to read it?
A. Yes.
Q. Do you recognize these documents?
A. Yes.
Q. What are they?
A. They are records of the check issued to the Haig Campaign, the corresponding deposits into the checking account of the funds to cover the contribution, the withdrawal of these amounts from a joint savings account and ultimately the redeposit of the $2,000 back into the savings account by a cashier's check drawn against the checking account. Cashed check.
Q. Are these the documents that you previously submitted to this commission?
A. Very, very difficult to read, but yes, they are.
Q. Are these all the documents? I mean I know what we received and I want to make sure you have them all in front of you.
A. Yes. Yes.
Q. I'd like the record to reflect the witness is looking at the originals of these documents which are

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right in front of him.

A. Yes.

Q. On the first page of FEC Exhibit Number 1, this is a copy of the check used to redeposit funds into your savings account?

A. Yes. Sample. It isn't a check. It is a check drawn against the checking account for cash in the amount of $2,050. The check number is 7769. This amount of this $2,050 were redeposited in the savings account as shown on the entry on the last page of the exhibit that I have.

Q. On the second to last page of FEC Exhibit Number 1?

A. Yes. This check is a withdrawal here, 7769, of which $2,000 for redeposit and $50 for something personal I think. The redeposit also I think shows on the savings account.

Q. You are looking at the last page of exhibit --

A. The last page of the exhibit which is a copy of the savings account which shows the entry of the $2,000 redeposited.

Q. What is the copy from on the last page of the exhibit. What is this?

A. That is a savings account booklet.

Q. It's a bank book?

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A. It's a bank book.
Q. It's showing the redeposit of the check for$2,000 plus $50 for --
A. $50 did not go back into the account, the cash. $50 came for cash and the purpose of it, I think you will find, is recorded in 7669, and it says "redeposit $2,000".
Q. And Sandy's wedding, $50?
A. Yes.
Q. You are looking at the second to the last page of the exhibit?
A. Yes.
Q. Turning back to page 1 of the exhibit, whose signature is that at the bottom?
A. That is Jean Tlaker, my wife.
Q. You say it's your wife's signature?
A. Yes.
Q. Your wife completed the rest of this check?
A. Yes.
Q. What is page 2 of the exhibit?
A. I cannot -- sample page 2 is illegible. But it appears to be the reverse side of the check, the reverse check side of this check.
Q. The document there which is page 2 is a duplication of the document you sent to us and due to

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the quality of the documents that were sent to us, the copies came out very poorly. But you have brought with you the original of the check depositing $2,000 plus receiving back $50 in cash?

A. Yes. This is just a better copy of what this is in here. So this here is the reverse side of this check.

Q. And it appears to be similar to page 2 of FEC Exhibit Number 1?

A. Yes, I can see the same characteristics on the signature.

Q. Looking at the back of the original you gave to me, what is on the back of the original?

A. An endorsement of this check made out to cash by my wife, Jane Tlaker for cash on August 14, 1987. So with that endorsement the bank paid $2,050 of which $2,000 were redeposited into the savings book and $50 were used for other purposes.

Q. Okay. And I think you have this entry in the exhibit's last page?

A. You have handed me a copy of the savings bank, savings book.

Q. Showing the deposit into the savings account of $2,000?

A. Right.

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Q. And this is the same as the last page of Exhibit 1?

A. Correct.

Q. Does your --

A. It also shows the withdrawal of $2,000 from the joint savings account on the 6th of August, which was withdrawn from the savings account and transferred to the checking account to cover the $2,000 check made out for the Haig for President campaign.

Q. Does your wife normally handle your family's finances such as these?

A. Yes.

(Discussion off the record.)

BY MR. KELLNER:

Q. While we were off the record, the witness and his counsel agreed to allow us to attach to the record duplicates of the documents in Exhibit Number 1 but are better and more legible copies. And I'd like to go through those with the witness samples that we haven't been through yet. We went through most of them. I will go through them again very quickly.

These documents will be marked as FEC Exhibit Number 2.

(FEC Exhibit Number 2 was marked for

identification.)

Q. The first two documents are of course as you explained, were the front and back of the checks showing the redeposit to your savings account of $2,000; is that correct?

A. It shows the withdrawal of the $2,000 from the checking account.

Q. And the deposit into your savings account?

A. The record that shows that the $2,000 were redeposited into the savings account appear on the --

Q. Last page?

A. Last page savings book entry of $2,000 redeposited.

Q. And the earlier entry shows?

A. The earlier entry shows $2,000 with drawn from the joint savings account and deposited into, for deposit into the checking account.

Q. And that is on page 3 of Exhibit 2?

A. This one, yes.

Q. That's correct?

A. Yes.

Q. And the second to last page shows your personal check register?

A. Yes.

Q. Which conforms with the answer you have just

given?

A. Which shows check Number 7766 made out for $2,000 to the Haig for President campaign, and it shows later on the cash withdrawal from the checking account of $2,000 for redeposit into that savings account.

Q. Okay. Whose handwriting is that on your personal check register?

A. Mostly my wife's, except for Al Haig which is -- except for check 7766.

Q. Which is your handwriting?

A. Yes.

Q. And that was the check that you tore up?

A. Yes. Together with that check is also an entry that my wife made on the 6th which says "transferred from savings $2,000", right, on the 6th to cover that check for $2,000 that I made out.

Q. I'm going to ask the Court reporter to mark a two page document and this is FEC Exhibit 3, and I am handing a copy to the witness and his counsel and ask him to look at it.

(FEC Deposition Exhibit 3 was marked for identification.)

MR. SALMON: Can I have a moment with my client? This document I have never seen. Do you

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want to step outside?

(Discussion off the record.)

BY MR. KELLNER:

Q. Back on the record. While we were off the record did you confer with counsel, Mr. Tlaker?

A. Yes.

Q. As the result of conferring with counsel, is there anything you'd like to add to your testimony you have previously given?

A. I don't think so.

Q. Okay. Have you had a chance the look at FEC Exhibit Number 3?

A. Yes.

Q. Do you recognize this two-page document?

A. Yeah. I think it is that communication we received from the Haig Campaign, but I thought it was later than that. I'm not too sure.

Q. What is the first page of Exhibit 3?

A. It's a letter addressed to Mr. and Mrs. Eric Tlaker.

Q. What does the letter say?

A. It says thank you for a generous contribution for the Haig for President campaign.

Q. The first line says -- what does the first line say exactly?

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A. "Dear Mr. and Mrs. Tlaker: Thank you for your very generous contribution to the Haig for President campaign."

Q. Okay. And what instructions did the letter then give you?

A. It says: "I need your help with one additional matter. Federal election law requires that we affirm the signature of the person making the contribution. Therefore because your contribution was made in the form of a treasurer's check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope. We appreciate your help and prompt attention to this very necessary step in your contribution."

Q. What documents were included with this letter?

A. I thought -- yeah, it appears to be a similar facsimile of a treasurer check.

Q. What is the date of the check? The letter?

A. Says September 4, 1987.

Q. Do you recall receiving this letter on or around that date?

A. I can't recollect. I think -- I thought it was later than September 4.

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Q. How much later?
A. I don't know. I thought it was months after that thing at Mr. Goldman's residence.
Q. What are these handwritten notes on the first page of the document? Do you recognize those?
A. No.
Q. Whose phone number is that?
A. 802 is -- that is our phone number.
Q. Yours and your wife's?
A. Yes.
Q. Did you ever receive a telephone message from the Haig Committee?
A. No. I can't recall.
Q. Did you ever recall speaking to anyone at the Haig Committee?
A. No.
Q. Please look at the second page of the exhibit. Do you want a chance to look it over some more?
A. I don't know what the notes mean.
Q. On page one?
A. Uh-huh. It has our telephone number and it says some dates on here, that is notes of somebody that was in the Haig Campaign, I presume. I don't know.
Q. What did you do after you read this letter after you received this letter in the mail?

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A. It appears I signed this and returned it.
Q. What did you sign?
A. I signed a facsimile of a treasurer check. That is what it says.
Q. This is on page 2 of attachment 3; is that correct?
A. Yes.
Q. Whose name is at the top of the check?
A. This is my name.
Q. And who is the check made out to?
A. Haig for President.
Q. What is the date of the check?
A. August 1, 1987.
Q. How much is the check for?
A. $1,000.
Q. What is the check number in the upper right-hand side corner of the check?
A. 4971.
Q. Who signed the check?
A. Treasurer's check signature. I don't know.
Q. What bank issued this check?
A. It says it's issued by the Olympic International Bank and Trust Company.
Q. Do you have an account at the Olympic International Bank and Trust Company?

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A. No.
Q. Did you purchase this treasurer's check?
A. No.
Q. The lower left-hand side of the check, is that your signature?
A. Yes.
Q. Now you signed the check? You signed the copy of the check that was mailed to you by the Haig Committee?
A. I signed a facsimile of a check that had been made out.
Q. Made out to the Haig Committee?
A. Yes.
Q. Pursuant to the instructions in the letter that was sent to you?
A. Yes. Well, yes. To sign and return.
Q. What were your concerns when this letter and facsimile of the check arrived in the mail?
A. Well, considerable. I was puzzled because we did not quite know how to handle that matter. We had made a commitment to the Haig for President campaign and issued a check against our account to cover it. That check had been returned to us with the remark that perhaps some other ways may be found to do that, and I did not know whether or not this was another

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way to do that. My commitment was still there to cover that check.

Our intent here was to inform the Haig for President Committee that I would be liable for this amount to pay to them. I have not -- I don't know who the Olympic International Bank and Trust are. I had not given anyone permission to pay any amount for me to the Haig Campaign.

This, I thought, related back to the discussions or the discussion with Mr. Smith when he returned the original check and said maybe some other way can be found to cover it, and then I did not know who was going to bill me back for that, but the coverage was still there.

Q. Did you give anyone $1,000 to purchase this check for you?

A. I did not.

Q. Did you give anyone any money to purchase this check for you?

A. No. I did not transfer cash.

Q. Have you ever seen this check?

A. I must have. I must have seen this, but I don't know whether I interpreted it as a check or interpreted this as a commitment to pay that. Although I should have, I did not know whether

somebody advanced some money in the area and would pay me back, but having the agreement that I would do that as conveyed to Mr. Smith and passed through to the campaign.

Q. Do you know who purchased this check?

A. I have no idea.

Q. Who do you think purchased this check?

MR. SALMON: if he knows the answer. Calls for speculation.

A. I don't know who bought it. Anyone could have. If it is purchased, I think -- yes.

Q. Have you ever purchased a money order?

A. No not for this purpose.

Q. For any purpose?

A. Money order for any purpose? Yes, I think I have,Way back.

Q. Have you purchased it from a bank?

A. No. No. Post office money order. A bank draft, you mean?

Q. Yeah.

A. I think my wife does that for me.

Q. What does it say on the line that follows Haig for President? What does it say right before Haig for President?

A. Pay to the order of Haig for President. Is that

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what you mean?

Q. Uh-huh.

A. $1,000.

Q. Is that your name and address on top?

A. It is. It's typed in there; right?

Q. And you have purchased a bank draft before?

A. Yeah.

Q. Did you think this was --

MR. SALMON: I don't think the evidence indicates he has. I thought you testified -- the record will speak for itself -- that his wife may have purchased a draft, but you don't recall purchasing one yourself, just for the record.

A. Is it a bank draft or is it a copy of a facsimile of a bank draft?

Q. Let me ask you again, have you ever purchased a money order or bank draft or treasurer's check for any purpose?

A. I may have, but not very recently I do know. My wife keeps my account.

Q. Did it occur to you that the document you signed was a facsimile of the treasurer's check?

A. It occurred to me that it may be a facsimile made out like a treasurer's check to show a commitment to somebody. I don't know who the Olympic

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Bank is. Could be a fictitous bank.

Q. Did you seek any --

A. Doesn't exist.

Q. Did you seek anyone's advice after you received this?

A. No.

Q. Do you ever recall signing any commitment to make a contribution to Haig for President?

A. I thought this was the commitment to make the contribution. This was the commitment to show my signature, that is.

Q. Looking at page 1 of the exhibit, what did you think when you read the line that says, "Thank you for your very generous contribution to the Haig for President campaign"?

A. Well, I thought I had made that. I offered the check and it was rejected that time with the remark that perhaps the people would find some other way to do that and then perhaps charge me back for it. So that is what I -- yeah, that was the intent.

Q. You thought that even though you had torn up the check, you had written to the Haig for President Committee?

A. Yes.

Q. And you thought that and you thought that even

though none of your money had ever been given to the Haig for President Committee?

A. Yeah, this commitment was made, right. And the check was made out initially. And that was my interpretation of this, of this form, that anyone could come back to me at this point and request for me to pay to the Haig Campaign $1,000 at that point. I had not given my permission to use my name and to pay that amount to anyone. I confirmed -- I thought I confirmed my intent to support the campaign to that amount.

Q. Does the letter request that you give any money to the campaign?

A. No, it doesn't. It does not. It says you have.

Q. At any time did the committee ever ask you for money?

A. No.

Q. Did you ever consider writing on the check that you have not given any money to the committee?

A. I thought about it, yes. I thought about many things and one was not to return it at all and just forgetting about it. The other was indicating that we expect an invoice for it or ask us to pay for it because I did not think this was an actual treasurer's check, just a facsimile of a treasurer's

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check before that would indicate the commitment to the campaign. Or in a separate letter telling them that we had committed the funds to it, we had not really made out the check at that point to pay.

Q. Did you consider calling the committee and asking them about it?

A. I don't know whether we did.

Q. Did you ever call the committee?

A. No. In that respect, I should have asked what it was all about in retrospect.

Q. Why didn't you call?

A. I didn't call because it did not appear to be my understanding, perhaps wrongfully, it did not appear to be a great big problem. I had the money to make it and it was available. They can have it any time. I did not know where the request would come from.

Q. But you transferred the money from your checking account back into your savings account; is that right?

A. Yes. Anyone would do that. You don't keep money in a checking account where it doesn't draw interest. If it's in there a week, you lose. But it is in the savings account. It can be made available from there on an hour's notice.

Q. Do you usually have more than $2,000 in your

savings account?

A. Yes.

Q. I'm going to ask the court reporter to mark this two-page document as FEC Exhibit Number 4 and I will give a copy to the witness and his counsel and ask them to look at it.

(FEC Deposition Exhibit Number 4 was marked for identification.)

BY MR. KELLNER:

Q. Have you had a chance to look at the document?

A. Yes.

Q. Do you recognize it?

A. Yes.

Q. What is this document?

A. The first page is an entry to the first page of the previously discussed exhibit. Then the second page contains a form, it's for similar addresses, check made out to Haig for President bearing the name of my wife, Jean Tlaker.

Q. The amount of the check is the same as the amount of the treasurer's check with your name on it?

A. Yes.

Q. Whose signature is at the lower left-hand side of your wife's check?

A. Signature of my wife and -- it looks like the

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signature of my wife.
Q. What is the check number?
A. 4972.
Q. What is the check number on your check?
A. 4971.
Q. What did you think when you received your wife's check?
A. We received the same paper for my wife, same thing as previously discussed. It was a confirmation of our commitment to the campaign.
Q. Even though the copy of the treasurer's checks were different from each other?
A. Yeah. Each of us committed $1,000.
Q. Were you concerned that the numbers on each of the checks were different?
A. I didn't even look at the numbers.
Q. Is that your wife's address on top of the check?
A. Yes.
Q. What bank issued this check?
A. The Olympic International Bank and Trust Company.
Q. Do you know if your wife purchased this check?
A. I don't know, but I don't think she did.
Q. Do you know if your wife gave anyone money to purchase this check for you? Purchase this check on

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her behalf?

A. I don't know, but I don't think so.

MR. KELLNER: We'll take a short break.

(Discussion off the record.)

BY MR. KELLNER:

Q. Back on the record. Mr. Tlaker, after you received the mailing from the committee, did you talk to anyone else about them?

A. Yeah. I thought that we had them. When I -- we had talked to the people that were at Fellows who had also received similar requests for their signature and they did not quite know what to do with them. We made a commitment, we did that, so we signed it and returned it. But that was about the gist of it.

Q. You discussed it with people at work?

A. Yes.

Q. Do you know if they received mailings such as these?

A. It appeared they had.

Q. They acted the same as you did?

A. I thought they did.

Q. Did Mr. Smith tell you?

A. Maybe I should.

Q. What other -- which employers are you referring to?

A. I think it was Henry Swierczynski and I believe Carl Johnson.
Q. Anyone else?
A. No. I don't any so.
Q. Did you ever hear any talk about Mr. Smith purchasing money orders to make contributions to the Haig Committee?
A. No.
Q. Did Mr. Smith ever tell you he purchased money orders in your name to give to the Haig for President Committee?
A. No.
Q. Was there ever a meeting held to discuss contributions to be made to the Haig Committee?
A. No.
Q. Have you ever heard of someone named Dominick Saracino?
A. No.
Q. How about a company called Kurt Saracino Associates?
A. No.
Q. Do you know if Fellows has ever done business with the company called Kurt Saracino Associates?
A. I don't know if they have.
Q. What can you tell me about the relationship

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between Joseph Smith and David Goldman?
A. Very little. We don't talk about it.
Q. Do you know if they were friends?
A. I would not venture a guess. They were business associates.
Q. Who supervises Joseph Smith?
A. He reports directly to David Goldman.
Q. What is Mr. Smith's experience in operating a company prior to joining Fellows Corporation?
A. I do not know. He was -- his background, I do know that. He was works manager at I think Arsco Corporation, so that is a fairly large responsibility in a corporation.
Q. Is that company in the same business as Fellows Corporation?
A. No. No, it is not.
Q. Did you receive a notification letter from the Federal Election Commission?
A. Yes.
Q. Other than your wife and counsel, who did you discuss that notification with?
A. I received a letter on the 13th of September. Yeah, the 13th of October.
Q. You have to review your notes to answer that question?

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A. Can I please?

MS. REILLY: Sure.

A. On the 13th of October.

Q. Okay your written record shows that you received it? You have a written record that shows you received it?

A. Yeah. I just consulted my notebook but I also noted it on the letter. And it was received.

Q. Do you have notes that would show the date you received the letter from the committee?

A. Yes. Let me find it. This one here? Uh-huh.

Q. You have shown me a copy of your notification letter to you. Do you keep a record of incoming mail, Mr. Tlaker?

A. Some. I noted this because after I read it, it required a reply, and I wanted to be sure that I had the receipt for that and it was by registered mail. Anyway I received it on the 13th, and it disturbed me greatly because I didn't think I had done anything wrong.

So on the 13th I called Mr. Smith at Fellows Corporation. I was no longer working at that time. And I said I had received such a letter from the election Commission and what is it all about. I never had any other communication. But in that

instance he said that he had also received a letter similar to that, 13 pages or whatever in it, and that I wanted to know as to what might best be done. That was the extent of the conversation.

He implied that he would be talking with David Goldman about this letter that he received, and then see what can be done with respect to counsel and he would let me know. It was on Friday the 13th and he would let me know by Monday. I did not hear anything back.

Q. Did he say anything else to you at that conversation?

A. No. That was it.

Q. Have you heard from him since?

A. I heard from him on Thursday, the 19th.

Q. Of September?

A. Of October.

Q. October.

A. This is all October. And he called just to say that Mr. Goldman was trying to arrange for legal counsel in Washington.

At that time though I had also had a phone call from Henry Swierczynski who had received a letter like that, the same date, and we discussed on the phone the matter and we agreed that we would like to

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seek independent counsel, not related in any form to Goldman or to the corporation, and we would ask Mr. Thomas Salmon to represent us. So I never replied any further to that phone call.

And we then on the same date, I think it was Thursday, contacted Mr. Salmon to ask him to represent us. That was the extent of my --

Q. Did you speak to anyone else?

A. Yeah. Only with, I think, Henry Swierczynski. That was it on that day, and we met the next day and then met with counsel.

Q. Have you had any other communications from Joseph Smith?

A. There was one communication, a copy of a FAX that he distributed to Henry Swierczynski and through Henry Swierczynski to me that gave a name of an attorney in Washington that he had selected if we were to choose to -- if we were to choose to be represented by somebody that was selected through the Goldman organization.

Q. Did you bring a copy of that FAX?

A. I have one.

Q. Can we see a copy of it?

MR. SALMON: There is no objection but how could it possibly be relevant to anything?

MS. REILLY: If you don't mind, we'd be interested in seeing it.

(Discussion off the record.)

BY MR. KELLNER:

Q. Back on the record. While we were off the record, Mr. Tlaker showed me a copy of the letter that he referred to earlier and we have given him back without requesting a copy.

Were there any other communications from Joseph Smith?

A. No.

Q. Did you speak to anyone else?

A. No counsel.

Q. Were there any communications from David Goldman?

A. None.

Q. What contacts or communication were you aware of from the Haig Committee and anyone associated with Fellows Corporation?

A. Repeat that please.

(Previous question read.)

Q. Were you aware of any contacts or communications between the Haig Committee and anyone associated with Fellows Corporation?

A. No.

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Q. Other than what you previously testified to?
A. Just this here.
Q. What documents did you review in preparation for this meeting?
A. Your letter, a copy of the interrogatories that had been mailed to you by counsel, Thomas Salmon.
Q. Anything else? Did you review a copy of the documents that you sent to us, the checks, copies of checks you showed to us?
A. Yes, I did those but at the time it was part of the interrogatories.
Q. Did your wife receive any communications from Joseph Smith or was that all done through you?
A. The entire contact was mine.
Q. Did your wife have any separate communications with anyone concerning this matter?
A. No. Except she was present with counsel.
Q. Is there anything that you'd like to add to the answers you have given here today or add to the response that was submitted on your behalf to the commission?
A. No. I think it's pretty thorough. I just want to reemphasize that I did not consider this as a bank draft but as a commitment to pay and on that basis I felt reasonably justified to sign it and return it to

the committee. But in particular, I want to emphasize that I have not given anyone permission to make that payment for me. I have not done that and although this might imply that it is, I have not done it.

Q. Is there anything else you'd like to add?

A. No thank you..

Q. Have you given full and complete testimony in response to the questions that were directed at you today?

A. Yes.

MR. KELLNER: Mr. Salmon, are there any questions you'd like to ask the witness?

MR. SALMON: None whatever.

MR. KELLNER: Okay. At this time I think we can adjourn the deposition. We are not concluding, we are simply adjourning for this time. We don't anticipate that we will have to speak to you again, but just in case, we are simply going to adjourn at this time.

Again, I'd like to remind you that you will be receiving a copy of the transcript that the court reporter will be preparing and you should read the transcript and make sure it confirms your recollection of what took place here. You can let us

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know now or you can let me know at a later time how far you traveled to attend the deposition and we'll be sending you a check for witness fees. In calculating the fees we always include a certain amount of money per mile.

Do you remember how far you traveled?

MR. TLAKER: It is 125 miles. I have traveled it quite often. That's one way. Three and a half hours.

Q. I'd like to remind you again the investigation must remain confidential. Do you understand that this matter must remain confidential?

MR. TLAKER: I do.

MR. KELLNER: Okay. I'd like to thank you for your cooperation. Thank you.

(Deposition adjourned at 4:30 p.m.)

I have carefully read the foregoing deposition and the answers made by me are true.

_____
ERIC TLAKER

STATE OF VERMONT
COUNTY OF _____

At _____ in said county this _____ day of _____, 19___ personally appeared the above-named ERIC TLAKER, and made oath that the foregoing answers, subscribed by him, are true.

Before me,

_____
Notary Public

C E R T I F I C A T E

I, CAROL A. BOONE, Court Reporter and Notary Public, hereby certify that the foregoing pages, numbered 3 through 94, inclusive, are a true and accurate transcription of my stenographic notes of the deposition of ERIC TLAKER, taken before me on the 21st day of November, 1989, at 10:00 a.m., at the offices of the United States Attorney, 11 Elmwood Avenue, Burlington, Vermont, and transcribed under my direction for use in the matter of Eric Tlaker, now pending before the Federal Election Committee of the United States of America.

_____
CAROL A. BOONE

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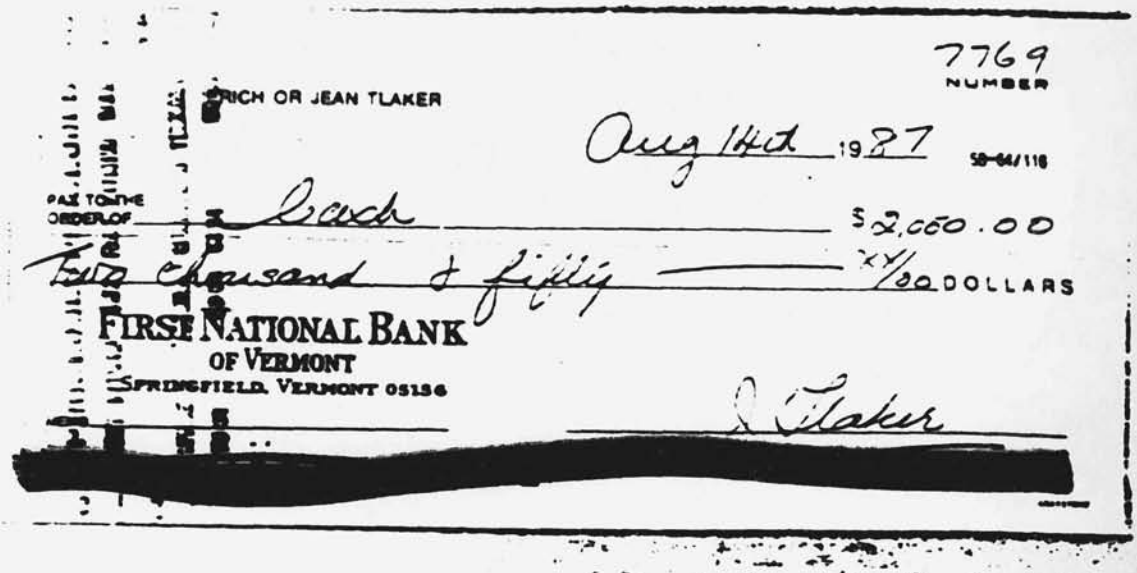

7769
NUMBER

RICH OR JEAN TLAKER

Aug 14th 1987

58-64/116

PAY TO THE ORDER OF Cash $2,000.00

Two thousand & fifty xx/00 DOLLARS

FIRST NATIONAL BANK
OF VERMONT
SPRINGFIELD, VERMONT 05156

J Tlaker

[redacted]

9504365 1948

DEPOSITION EXHIBIT
FEC 1
11/21/89 CAB

8 1 4 8 7

7769
NUMBER

RICH OR JEAN TLAKER

Aug 14th 1987

PAY TO THE ORDER OF Cash $2,050.00

Two thousand & fifty XX/00 DOLLARS

FIRST NATIONAL BANK
OF VERMONT
SPRINGFIELD, VERMONT

J. Tlaker

[redacted]

9 5 0 4 3 6 5 1 9 6 9

DEPOSITION
EXHIBIT
FEC 2
1/4/89 CAB

HAIG
LEADERSHIP FOR AMERICA

September 4, 1987

Mr. & Mrs. Erich Tlaker
15 Orchard Street
Springfield, VT 05156

862/885-4235
9/18 left message
9/28 "mailed it back"
Rec'd 9/30
$2000

Dear Mr. & Mrs. Tlaker:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

enclosures

9504365 1950

DEPOSITION EXHIBIT
FEC 3
11/21/89 CAB

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590
Paid for by Haig for President, Inc

6-[illegible]
50

ERICH TLAKER
[redacted]

4971

AUGUST 12 87 19 5-207 110

PAY TO THE ORDER OF ***** Haig for President ******

$ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

8/14/87 # 2

Fellows Corp
Director of Engineering

9504365.95

HAIG
LEADERSHIP FOR AMERICA

September 4, 1987

Mr. & Mrs. Erich Tlaker
15 Orchard Street
Springfield, VT 05156

862/885-4235
9/18 left message
9/28 "mailed it back"
Rec'd 9/30
$2000

Dear Mr. & Mrs. Tlaker:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby

Pauli Kirby
Fundraising
Special Events

enclosures

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DEPOSITION EXHIBIT
FEC Y
7/21/89 CAB

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590
Paid for by Haig for President, Inc.

G-4
[illegible]

JEAN TLAKER
[redacted]

4972

AUGUST 12 19 87

5-207
110

TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

J Tlaker

TREASURER'S CHECK

[redacted]

8/14/87 # 2
NO memo

9 5 0 4 3 6 5 1 9 5

OGC 4924

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM
89 DEC 20 AM 10: 13

SALMON & NOSTRAND
CENTENNIAL ARCADE, SUITE 300, BELLOWS FALLS, VERMONT 05101
(802) 463-4507

THOMAS P SALMON
GEORGE W NOSTRAND
LAWRENCE G SLASON
RICHARD H COUTANT

FACSIMILE
(802) 463-9713

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 DEC 19 PM 11: 16

December 14, 1989

Carol A. Boone, Court Reporter
Court Reporters Associates
74 Buell St.
Burlington, Vt. 05401

Re: United States of America Federal Election Commission
In re: Erich Tlaker
MUR 2717

Dear Ms. Boone:

I am enclosing a photocopy of the Errata Sheet in conjunction with Mr. Tlaker's deposition. We have retained the signed original in our file for future filing.

I am sending a copy of this letter and the Errata Sheet to Kenneth Kellner, Esq., attorney for the Federal Elections Commission.

Very truly yours,

SALMON & NOSTRAND

Thomas P. Salmon

TPS/lf

Enclosures

cc: Kenneth Kellner, Esq.
Federal Elections Commission
99 E. Street, N. W.
Washington, D.C. 20463

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ERRATA SHEET

NOW COMES Erich Tlaker, Deponent, and says under oath that from the best of his recollection the following errors or omissions occur in the stenographic transcription of his deposition taken November 21, 1989, in Burlington, Vermont.

On Page 3, Line 9, delete Eric and insert Erich in this location and on the original cover page and wherever else it appears throughout the deposition.

On Page 6, Line 24, delete the word the.

On Page 7, Line 21, delete the word Gratz and insert Graz.

On Page 7, Line 23, strike the words I lectured and insert the words I attended lectures.

On Page 10, Line 15, delete the word for and insert the word or.

On Page 11, Line 2 should read: The management of an engineering staff of approximately....

On Page 12, Line 12, delete the words of it and insert the words offered.

On Page 13, Line 15, delete the word Emhart and insert the word Fellows.

On Page 13, Line 24, strike the words or cooperative and insert the words to cooperate with.

On Page 14, Line 24, add the word going after the word were.

On Page 16, Lines 12, delete the word of and insert the word for and in Line 13 delete the words in the bank and insert on the book.

On Page 17, Line 2, after the word is insert the word in.

On Page 17, Line 18 the answer No may have been given but is inadvertently incorrect. As I believe I answered elsewhere in the deposition, I knew Mr. Goldman and other individuals at Goldman Financial. I believe I was attempting to answer No to the question of whether or not I had directly worked with any of these people.

On Page 20, Line 19 and Line 21, on reflection I am not sure whether Mr. Easler was also Treasurer of the company or whether he was Secretary of the corporation.

On Page 21, Line 3, my answer that there were no other Vice Presidents of the company was with reference to my statement that there were no other Vice Presidents besides those I had mentioned previously, namely myself, Mr. Chabot, Mr. Johnson, Mr. Swierczynski, Mr. Allen, and Mr. Easler who had replaced Mr. Allen.

On Page 24, Line 5 after the words know, add the words how to answer the question.

On Page 26, Line 14, delete the word at and insert the word and.

On Page 27, Line 24, I attempted to answer a question with respect to gross earnings or income when what I was thinking about was gross revenues from shippings of which I was aware. I do not know what the gross earnings or income of Goldman Financial were.

On Page 28, Line 16, delete the words subsequently and insert the word successfully.

On Page 30, Line 4, delete the word operation and insert the

word corporation.

On Page 31, Line 2, strike the words the experiences of and insert the words a percentage.

On Page 32, Line 2, strike the words an analyst programmer in manufacturing and insert the words an N.C. programmer. In Line 4, to strike the word manufacture and insert the word methodize, and in Line 6 strike the words C and C and insert the word CNC, and in Line 10, strike the words C and C and insert the word CNC.

On Page 34, Line 21, strike the words the old and insert the word payroll.

On Page 37, Line 5, strike the word I where it secondly appears and insert the word who, and on Line 8 strike the word Harry and insert the word Henry.

On Page 38, Line 14, strike the word Carrie and insert the word Terri, and do the same on Line 18.

On Page 39, Line 2, strike the word comparitory and insert the word comparator, and on Line 3 and 4 make the same change as in Line 2, and in Line 5 delete the word required and insert the word acquired, and in Line 7, insert the word and after Jones and eliminate the comma, and on Line 22 strike Eric Petersen and add Erick Pettersen.

On Page 44, Line 9, strike the words we drew, you know, and insert the words was returned.

On Page 45, Line 13, strike the word of and insert the word or.

On Page 47, Line 16, strike the word our and insert the word their, and on Line 22 strike the word she and insert we.

On Page 51, Line 13, strike the word sort and insert the word result.

On Page 52, Line 15, strike the word question and insert the word answer and strike the words it and insert there, and on Line 18 strike the word and, and insert the word or, and in Line 19 after the words other way than insert the words instead of.

On Page 53, Line 3, strike the word the after but and insert the word a.

On Page 54, Line 14, after the word way add the word and.

On Page 56, Line 3, strike the words, I said I had been told, and insert, as I had been told, and on Line 14, insert after the word from, the words The Haig for President Committee.

On Page 57, Line 4, delete the word it and substitute the word There.

On Page 58, Line 1, after the word that, add the word that.

On Page 69, Line 15, delete Jane and insert Jean.

On Page 73, Line 19, strike Eric and add Erich.

On Page 75, Line 22, strike the words that is and insert these are.

On Page 79, Line 2, strike the word pay and insert the word charge, and insert the pay after the word would and strike the words do that.

On Page 84, Line 15, strike the words an entry and insert the word identical.

On Page 86, Line 9, after the word had insert the word discussed and after the word I, add the words received the mailings, and in Line 23, strike the word I and insert the word

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he.

On Page 87, Line 4, strike the words any so and insert the words recall any more.

On Page 88, Line 11, strike the words Arsco and insert the word Harsco.

Dated at Bellows Falls, Vermont, this 13th day of December, 1989.

ERICH TLAKER, DEPONENT

STATE OF VERMONT
WINDHAM COUNTY, S.S.

At Bellows Falls this 13th day of December 1989, before me personally appeared Erich Tlaker, and he swore to the truth of the foregoing Errata Sheet.

Before me:

NOTARY PUBLIC

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I
1 - 61

UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF JOANN O'BRIEN, held pursuant to Notice, and the Federal Rules of Civil Procedure, before Eric S. Pedersen, a Court Reporter and Notary Public within and for the Commonwealth of Massachusetts at the Office of the U.S. Attorney, J.W. McCormack Post Office and Courthouse, Boston, Massachusetts, on Tuesday, December 19, 1989, commencing at 11:25 o'clock a.m.

PRESENT:

KENNERTH KELLNER, Esq.
DANIEL J. BLESSINGTON, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

JOHN P. CONNELLY, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA. 02110

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I N D E X

WITNESS		PAGE
Joanne O'Brien		3

EXHIBITS	DESCRIPTION	PAGE
FEC Exhibit 1	Copy of treasurer's check	42
FEC Exhibit 2	Copy of treasurer's check	43
FEC Exhibit 3	Letter explaining contributions	45

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D E P O S I T I O N

(11:25 a.m.)

J O A N N E O ' B R I E N, of 242 Adams Street, Quincy, MA, having been sworn by a Notary Public to tell the truth, the whole truth and nothing but the truth, testified upon his oath as follows:

EXAMINATION BY MR. KELLNER:

Q Would you, please, state your full name?

A Joanne O'Brien.

Q Do you know that you have a right to have counsel with you at this deposition?

A Yes.

Q Do you have counsel representing you today?

A Yes.

Q Could you identify your counsel?

A John Connelly, to my left.

Q Is your counsel representing you, personally, as an individual?

A I believe so, yeah.

MR. KELLNER: Mr. Connelly, are you representing Ms. O'Brien in her personal capacity?

MR. CONNELLY: I'm representing Mrs. O'Brien, that's correct.

MR. KELLNER: In her personal capacity?

MR. CONNELLY: That's correct.

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MR. KELLNER: For the record, who else--

MR. CONNELLY: That's her only capacity.

MR. KELLNER: For the record, who else do you represent in this matter?

MR. CONNELLY: For the record, my law firm, the law firm of Hutchins and Wheeler in Boston, represents Olympic International Bank & Trust Company.

We represent William O'Brien, Victor Nicolazzo, Susan Fraser, Michael Tierney, Judith Curtin,, Matthew Curtin and Dr. Joseph Maloney.

MR. KELLNER: Do you represent Joseph Snyder and Cynthia Snyder?

MR. CONNELLY: Yes.

MR. KELLNER: Okay. My name is Kenneth E. Kellner, and I'm representing the Federal Election Commission here today along with Daniel Blessington.

This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with an investigation under 437G of Title II of the United States Code.

The statute provides that the confidentiality of this proceeding must be maintained until the Commission closes its file.

Do you understand that this matter must remain confidential?

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THE WITNESS: Yes, I do.

MR. KELLNER: The investigation is designated Matter Under Review 2717. Now, have you ever had your deposition taken before?

THE WITNESS: No.

MR. KELLNER: Okay. I'd like to explain to you a little bit about what goes on here. I'm going to be asking you questions seeking information regarding this matter.

The questions will not necessarily be limited to your involvement, but may involve other persons.

You should treat this as if you were in front of a Court of Law in front of a judge or jury. Please, remember that you're under oath.

Your testimony here today as the same effect as if you were in front of a judge or a jury. The Court Reporter will be taking down everything we say and will be typing up a transcript.

It is important that you answer each question in words. The Court Reporter cannot record nods or any response which is unspoken.

If you don't understand or hear a question, please let me know, and I can repeat it or rephrase the question so you can understand it.

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If you give an answer, it will be understood that you understood the question and that you answer the question fully and completely.

If you realize later that an answer you've given is incomplete or inaccurate, please let me know, and you will have a chance to add to or modify your answer.

Also, if you need to take a break, get a drink of water or anything, please let me know, and we can take a break.

THE WITNESS: Uh-huh.

BY MR. KELLNER:

Q What documents did you review in preparation for this deposition?

A I don't recall reviewing anything.

Q No documents at all?

A I did sign a document regarding a check that I -- a paper yesterday.

Q Excuse me?

A I signed a paper a while back, and I reviewed it yesterday. I looked at it yesterday.

Q And what was that paper?

A It was a copy of a check that was drawn on my account, and the paper stated that I had given permission to my husband to charge my account.

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Q What was the purpose of that paper?

A I don't know.

Q Did it relate to a contribution to Haig for President?

A Yes, right.

Q What is your address?

A It's 242 Adams Street in Quincy.

Q How long have you lived at that address?

A Three years. Just under three years.

Q Where did you live before that?

A At 162 Elliott Avenue in Quincy.

Q Are you from that area?

A Originally from Boston.

Q You've always lived in Massachusetts?

A Um-hum, yes.

Q Are you married?

A Yes.

Q Are you employed?

A Yes.

Q Where are you employed?

A At the Nobili Allergy Clinic.

Q Can you spell that for us?

A N-o-b-i-l-i.

Q Can you repeat that again?

A It's the Nobili Allergy Clinic,

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N-o-b-i-l-i.

Q The Nobili Allergy Clinic?

A Right.

Q What is the Nobili Allergy Clinic?

A It's an allergists' office. They treat patients with asthma and allergies.

Q What is your job title?

A I'm a medical receptionist.

Q What is your educational background?

A I graduated from Monsignor Ryan Memorial High School in Boston.

Q Did you ever work at Olympic International--

A No.

Q Ever?

A No.

Q Have you ever worked at any bank?

A No.

Q Are you related to anyone who works at Olympic Bank?

A Yes.

Q Who is that?

A My husband, Bill, works there.

Q That's William O'Brien?

A Yes.

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Q How long has he worked there?

A Probably four and a half years.

Q What is his job title at Olympic?

A He's the President and CEO.

Q By CEO you mean chief executive officer?

A Yes.

Q What did he do before he was President of Olympic Bank?

A He was the Executive Vice President of United States Trust Company and the Charles Bank Trust Company.

Q Are you related to anyone else who works at Olympic Bank?

A No.

Q Do you have any children?

A Yes.

Q How many children?

A Four.

Q None of them work for Olympic Bank?

A They have in the past, during the summer, school vacations.

Q Can you tell me a little bit more about your children's jobs at Olympic Bank?

A I really don't know what they did. I know they filed checks, and maybe my daughter may have

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answered the telephone, but that's all. I really don't know what they did.

Q Which of your children worked there?

A Diane and Timothy.

Q Where are they currently employed?

A My daughter is employed by the Marriott Corporation in Cambridge, and Timothy is a senior in college.

Q And your other children, where are they employed?

A My son is employed by K & C Contracting, and my youngest son is still in high school. He's not employed.

Q What is K & C Contracting?

A It's a plumbing contractor.

Q Where is it located?

A It's in South Boston, I believe.

Q What kind of work do they do?

A They do plumbing contracting, I guess.

Q Do you know what K & C stands for?

A No.

Q What is his job title at K & C Contracting?

A He's Project Manager. He prices jobs.

Q Do you know anything else about his work there?

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A No.

Q Do you know who owns K & C Contracting?

A I believe Michael Tierney.

Q Are there any other owners of K & C Contracting?

A I'm not sure. I don't know.

Q What kind of company is Olympic International Bank & Trust?

A It's a bank.

Q How did it get started?

A My husband and a group of investors started it maybe four and a half years ago.

Q Why did they start it?

MR. CONNELLY: Objection.

MR. KELLNER: Please answer the question.

MR. CONNELLY: If you know.

THE WITNESS: If I know? I don't know. I don't know.

BY MR. KELLNER:

Q Who were the other investors?

A In the bank?

Q Yes.

A I don't -- I don't recall. The original investors?

Q Yes.

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THE WITNESS: Excuse me a minute.

(Pause while witness confers with counsel.)

THE WITNESS: Who do you mean by the original investors? I don't--

MR. KELLNER: You mentioned--

THE WITNESS: I know some of the people that are on the Board of Directors who were involved from the beginning, but who they are, I'm not sure.

MR. KELLNER: Well, you mentioned earlier that your husband and a group of investors--

THE WITNESS: Group of investors, yeah.

MR. KELLNER: And those of the people I wanted to know who they were.

BY THE WITNESS:

A Peter Donadio, Victor Nicolazzo, Bob Abrams, John Moran, George Montilio -- I'm not sure. I'm not sure.

Q Was Dominic Saraceno--

A Yes, Dominic, yeah.

Q Who owns the bank currently?

A The stockholders, I believe. It went public a while ago.

Q When did it go public?

A I don't recall.

Q Does your husband own shares of Olympic

9504365 1971

Bank?

A Yes.

Q How much of the bank does he own?

A I don't know. I don't even -- I think -- I'm not sure if they're his shares or mine.

MR. CONNELLY: You can only answer what you know.

THE WITNESS: I don't -- I don't know. I don't know.

BY MR. KELLNER:

Q How many employees does the bank have?

MR. CONNELLY: You understand, she's never worked for Olympic Bank?

THE WITNESS: I don't -- I mean, I only know from conversations at home and Christmas parties and things. I'm not involved in the bank.

MR. KELLNER: Your knowledge is greater than my own, and you can only tell me what you know.

THE WITNESS: Right. What was the question again?

BY MR. KELLNER:

Q How many employees work at the bank?

A I would say around 30.

Q Does that include officers of the bank?

A No. These are the employees that work at

950436597 2

the bank.

Q What is the structure of the bank?

A I don't know. I am not familiar with what goes on. I'm not a banker.

Q Well, who supervises your husband?

A There's a Board of Directors. I presume they do.

Q What are your husband's responsibilities as President and CEO?

A I don't know what his responsibilities are. As far as I know he runs the bank. He makes loans. I don't know.

Q He's in charge of running the bank?

A I would say with the Board of Directors, yes.

THE WITNESS: Excuse me one minute.

(Pause while witness confers with counsel.)

MR. CONNELLY: I would explain to Mr. Kellner you've never been employed by the bank.

THE WITNESS: That's right.

BY MR. KELLNER:

Q How did your husband obtain his position as President?

A I presume he was voted by the Board of Directors.

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Q Do you know if there was one investor in the bank who invested more than anybody else?

A I don't know that.

Q Do you know if there was a primary investor in the bank?

A I don't know that.

Q Do you know if anyone owns more than half the bank's stock?

A I don't know that.

Q Where's the bank located?

A At 303 Congress Street in Boston.

Q Where are its other branches?

A There are no other branches.

Q All the bank's offices are located in that one building?

A Yes.

Q Have you ever received a check from Olympic Bank?

MR. CONNELLY: Objection. What kind of check are you talking about?

THE WITNESS: I don't understand.

MR. KELLNER: Any check at all.

THE WITNESS: Have I received? I have my husband's pay check, and I deposit it in my account, but it's not made out to me.

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BY MR. KELLNER:

Q It's made out to your husband?

A Yes.

Q Have you looked at the checks?

A Have I looked at them? No.

Q But you know they're made out to your husband?

A I presume they are. He's the one that works there.

Q Do you endorse the checks?

A No.

Q Your husband endorses the checks?

A I think they're deposited right into our account.

Q But you deposit your husband's checks?

A No. They're in an account, and they go right -- I never see the check. I just goes right into my account.

Q So it's a direct deposit into--

A Right.

Q Into your husband your joint account?

A No. My account.

Q Into your account?

A Yes.

Q Do you have an account at Olympic Bank?

9504365 1975

A Yes.

Q What is the nature of that account?

A It's a checking account, and I use it for my household expenses.

Q Do you use it for anything else?

A Yes.

Q What's that?

A I use it for tuition payments, tickets, social events, whatever expenses I have.

Q Does your husband have an account at the bank?

A Yes.

Q Are all his pay checks deposited into your account?

A His pay check is divided into two. I know I get a certain amount, and another goes into another account.

Q What do you mean by pay check?

A Well, every two weeks, on the first of the month and the 15th of the month, I receive my deposit, and I use it for my expenses.

Q Does your husband receive any other payments from the bank?

A I don't know.

Q Do you know what his salary is?

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A I know what my deposits are each month.

Q What are the deposits each month?

A Well, in my account they're [redacted] and an odd amount. I'm not sure of the amount, and I think there's another [redacted] or [redacted] that goes into another account.

Q Whose other account is that?

A I believe it's in Bill's name.

Q What other payments does he receive from the bank?

A I don't know.

Q Do you know how he's reimbursed for expenses?

A I don't know.

Q Has he been President of the bank since it opened?

A Yes.

Q And he's still President today?

A As far as I know, yes.

Q Does he have the responsibility or the power to hire and fire employees?

A Yes.

Q But you've never seen any checks issued to your husband from Olympic Bank?

A No.

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Q Who's Dominic Saraceno?

A He's a member of the Board of Directors, and his company is Kurt Saransen Corporation, I believe.

Q His company?

A (No verbal response.)

Q Mr. Saraceno's?

A Right.

Q He owns Kurt Saransen?

A As far as I know.

Q How do you know that?

A I don't -- I just know it. I don't know how I know it.

Q Have you met Dominic Saraceno?

A Yes, yes.

Q How long have you known him?

A Probably about four years.

Q What else do you know about him?

A What else do I know about him?

MR. CONNELLY: Objection.

BY THE WITNESS:

A I really don't know other than meeting him at -- through the bank. I don't really know anything about -- about him.

Q Well, as a member of the Board of

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Directors, what does he do?

A I don't know.

Q Do you know of any kind of bonus program at Olympic Bank?

A No.

Q Do you know if your husband ever received a bonus?

A I believe he received a Christmas bonus at Christmastime.

Q He receives one every year?

A I don't recall. I believe so. I don't -- I really don't know.

Q You don't see the checks for those?

A No.

Q Does your husband work with Dominic Saraceno?

A Well, I know he's on the board. I don't know if they work together.

Q Has Mr. Saraceno ever been to your house?

A No.

Q Have you ever attended any social functions with Dominic Saraceno?

A I have been to his home at Christmastime.

Q When was that?

A I believe the last time was two years ago.

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Q Who are Olympic Bank's customers?

MR. CONNELLY: Objection.

BY THE WITNESS:

A I have no idea.

Q Do you know if there's any kind of banking Olympic Bank specializes in?

A I don't know.

Q Do you know how Olympic Bank got its name?

A I don't remember.

Q You used to know?

A I used to. I can remember talking about the logo and -- and what -- I really don't know. I don't remember.

Q How would you describe political activity in Olympic Bank?

A I don't know--

MR. CONNELLY: Objection.

BY MR. KELLNER:

Q Have you ever volunteered to work on a political campaign?

A You mean during my lifetime?

Q Yes.

A Yes.

Q When was that?

A When I was younger, I worked for the State

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Treasurer, and I worked on his re-election campaign, and I worked on my father-in-law's campaign when he ran for state representative. Other than that, I don't recall any other person I worked for.

Q No other time at all?

A I don't recall.

Q When was your most recent involvement?

A My most recent involvement actively in a campaign? I would have to say when my father-in-law ran in 19 -- let's see, probably 1965. I'm not sure if that's the exact year.

Q Did he win?

A Yes, he did.

Q Is he still in office?

A No. He's passed away.

Q Do you frequently attend campaign fund raisers?

A No.

Q Have you ever attended, more recently, a campaign fund raiser?

A Yes.

Q When was that?

A I would say probably two or three months ago. I went to Kevarian's fund raiser.

Q Who is Kevarian?

9504365 1981

A He is the speaker of the house in Massachusetts, and I don't usually go to these functions, but we were having dinner with friends, and we stopped in and then went to dinner.

Q What is Kevarian running for?

A I believe he's running for State Treasurer.

Q Have you ever made any contribution to a political candidate?

A Yes.

Q When was that?

A I made a contribution to the Haig campaign. I don't recall when it was. It was quite a while ago.

Q Have you made any other contributions?

A I don't recall.

Q Was the contribution to the Haig campaign the only contribution that you've ever made?

A I'm sure I probably have made them through the years, but I don't -- I don't remember to who or --

(Pause.)

BY MR. KELLNER:

Q Do you recall when you contributed to Haig for President?

A I believe it was 1987.

Q Do you know when in 1987?

9504365 1932

A No.

Q Why did you contribute to Haig for President?

A Because my husband asked me to.

Q Do you have a checking account?

A Yes.

Q How much was your contribution for?

A It was for $1,000.

Q Why did you contribute to Haig for President?

A Because my husband asked me to.

Q Any other reason?

A No.

Q Were you a supporter of Al Haig?

A No.

Q How long after your husband asked you to make a contribution did you make a contribution to Haig for President?

A I made it immediately.

Q Same day?

A I don't recall. I would think so.

Q Where did he ask you?

A I believe he called me on the telephone.

Q Did you ask anything -- let me rephrase that. Did you ask why he wanted you to make a

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contribution?

A I don't recall.

Q What did you say when he asked you to make a contribution?

A I told him to charge my account.

Q What does that entail?

A I don't -- I don't know what it entails. I know that he tells me the amount, and I would just -- so that I can deduct it from my checking account.

Q Did you write a personal check?

A No.

Q How did you make the contribution?

A I had -- had my account -- was charged.

Q Who can make charges to your account?

A I believe Bill. I don't know if anyone else at the bank can. I don't know. I know, for instance, my son will need money for school, and if Bill is home in the morning and I know about it, I will write a check to deposit in my son's account.

If my son calls from school and he has no money in his checking account or he has called the bank, Bill will charge my account, and the money will be deposited into my son's account, and I just have to know about it so that I can adjust my checkbook.

Q Why didn't you write a check this time?

9504365 1984

A Because he called me on the telephone.

Q Was he in a hurry?

A He's always in a hurry. Probably. I don't --

(Pause.)

MR. KELLNER: Okay.

BY MR. KELLNER:

Q So you told him to charge your account?

A Yes.

Q I'm still not sure what that means exactly. Does that mean he withdraws funds from your account?

A He -- right.

Q So he has access to the funds in your account?

A Well, with my permission.

Q Did he get your written permission?

A No.

Q You just told him over the telephone?

A Yes.

Q Did he tell you how much your contribution should be for?

A Yes.

Q He said $1,000?

A I asked him how much so that I could put it in my -- my checkbook.

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Q What did your husband -- relating to that contribution, what did your husband do then, charge your account?

A Yes.

Q How did he give the money to the Haig campaign?

A I believe he write a treasurer's check. I don't know. I didn't see the check.

Q You never saw the check?

A I saw a copy of the check.

Q When did you see a copy of the check?

A I'm not sure.

THE WITNESS: Excuse me.

(Pause while witness confers with counsel.)

THE WITNESS: I'm not sure if I saw the transaction in my statement when it came back.

BY MR. KELLNER:

Q What did you call the check he wrote?

A I believe it's a treasurer's check.

Q Do you regularly receive copies of treasurer's checks?

A I don't recall.

Q When have you seen a copy of the treasurer's check?

A I saw a copy yesterday.

9504365 19386

Q Any other time?

A I don't recall.

Q What did your husband do with the check?

A I believe he sent it -- I don't know what he did with it.

Q Was the check cashed?

A I presume.

Q You say he phoned you. Where were you when he phoned you?

A At home.

Q And he was at work?

A Yes.

Q At the bank?

A Yes.

Q Why did your husband ask you to make a contribution to Haig for President?

MR. CONNELLY: Objection.

BY THE WITNESS:

A I don't know his reason for asking me. I believe because he was asked to make a contribution.

Q Who asked him?

A I believe Dom Saraceno.

Q How do you know that Dom Saraceno asked your husband?

A Because Haig is a friend of Dom's, and I

9504365193837

know Dom was working on his campaign, and I believe he asked his friends if they would contribute.

Q How do you know that Haig is a friend of Dominic Saraceno's?

A I presume that Bill told me.

Q Did he tell you anything else about Dominic Saraceno's relationship with Alexander Haig?

A No.

Q Nothing at all?

A Not that I recall.

Q Who's the treasurer of Haig for President?

A I don't know.

Q Have you met Alexander Haig?

A No.

Q You ever been invited to a fund raiser to meet Alexander Haig?

A Yes.

Q You didn't attend?

A No.

Q When your husband asked you to make a contribution did you ask your husband if he had made a contribution?

A No.

Q Did you ever ask him?

A No.

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Q Did your husband make a contribution?

A I believe he did.

Q How do you know?

A I believe he told me. I didn't ask. He told me.

Q How much was his contribution?

A I believe his was for $1,000.

Q Why do you believe that?

A I don't know. I presume he had told me at one time.

Q How did he make his contribution?

A I don't know.

Q Do you know who he gave your contribution check to?

A No.

Q Tell me more about the fund raiser you were invited to?

A I don't even remember. I remember receiving an invitation, and I didn't go.

Q Who did you receive an invitation from?

A I don't remember.

Q Did you receive it in the mail?

A Yes.

Q Was it addressed personally to you?

A I think probably it was.

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Q Why did you receive an invitation?

MR. CONNELLY: Objection.

BY THE WITNESS:

A I don't know.

Q Was it before or after you made a contribution?

A I don't know. I presume it was after.

Q Do you think you were invited to the fund raiser because you had made a contribution?

MR. CONNELLY: Objection.

BY THE WITNESS:

A I don't know.

Q Why didn't you go to the fund raiser?

A Because I don't like political functions. I don't go unless -- unless I know the candidate and I want -- I want to go.

Q Was your husband invited?

A Yes.

Q Did he attend?

A I don't know.

Q Do you know who attended the fund raiser?

A No, I don't.

Q Who signed the treasurer's check that was used to make your contribution?

A I believe Susan Fraser.

9504365 1920

Q Why did Susan Fraser sign the check?

A I don't know.

Q Who is Susan Fraser?

A She is -- I don't know what her official title is at the bank. She works at the bank.

Q Do you know what her responsibilities are?

A I know she's an -- she's an officer of the bank, and she does -- I really don't know what her duties are.

Q Did she make a contribution to Haig for President?

A I don't know.

Q How many officers of the bank are there?

A I don't know.

Q Did you tell anyone about your contribution to Haig for President?

A Did I tell anyone?

Q Yes.

A I don't remember.

Q Did you ever discuss it with your husband?

A The contribution? After it was done, no.

Q Have you discussed it with your husband since then?

A Yes.

Q What was the nature of your discussions?

9504365 1901

A As far as -- I told him I was annoyed at having to come in here today. That was the nature of it.

Q Did he tell you anything more about it?

A No.

Q Did you receive a letter from us?

A I don't know.

Q Did you show your husband what you received?

A Yes.

Q What did he say when you showed it to him?

A I don't remember.

Q Who else did you tell about the subpoena you received from the Federal Election Commission?

A I probably told the people in work that I work with and maybe a friend or two. That's all.

Q Who did you tell, specifically?

A Specifically? I told my friend, Kathy, that I had to come in here today.

Q Did you tell her why?

A Because I had made a contribution, and they were questioning my contribution.

Q What is her last name?

A McLeod.

Q And do you work with her?

9504365 1922

A No.

Q Just a friend of yours?

A Yes.

Q Does she work at Olympic Bank?

A No.

Q Did you tell anyone else?

A I probably told the girl I work with.

Q Is there anyone else that you showed the subpoena to?

MR. CONNELLY: Objection. I don't think she said she showed the subpoena to anybody.

MR. KELLNER: Excuse me?

MR. CONNELLY: I don't think she said that she showed the subpoena to anybody.

MR. KELLNER: Oh, okay.

BY MR. KELLNER:

Q Is there anyone else that you told -- well, did you show the subpoena to anybody?

A I don't recall.

Q Who else did you tell about the subpoena?

A I don't remem -- I told my daughter this morning where I was going. I can't think of anyone else that I told.

Q Did your daughter make a contribution to Haig for President?

9504361923

A No.

Q Who else did your husband ask to make a contribution?

A I don't know.

Q Do you know anyone else who made a contribution to the Haig campaign?

A I think some of the directors made contributions because Dom is on the board, and he asked his friends on the board to make contributions. Who they are, I don't know.

Q How did you come by that knowledge?

A I don't recall.

Q Did your husband tell you?

A Possibly.

Q What was the source of funds used to make your contribution to Haig for President?

A The source of my funds? My husband's pay check that was deposited into my account. I wrote it out of that -- charged my account from that.

Q What other monies go into that account?

A I don't believe anything else. If we received an income tax check or something, that would go into that account.

Q Anything else?

A Not that I know of. If we received a gift

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or something, I would deposit it in that, a Christmas gift or anniversary gift or something.

Q Do you regularly have enough money in the account to write a check for $1,000?

A Yes.

Q Did you ever receive anything from the Haig campaign thanking you for your contribution?

A Yes, I believe I did.

Q What did you receive?

A A letter.

Q Did you retain a copy of the letter?

A No.

Q Did you make a notation in your -- well, let me rephrase that. Do you keep a check register?

A Yes.

Q And when you made -- when you authorized your husband to have a check issued to the Haig campaign, you made a note in your account -- in your check register?

A I wrote withdrawal for $1,000, I believe.

Q Can you furnish us copies of your check register?

A Did I--

Q Could you?

A Could I? I suppose.

9504361925

Q Did you receive a bank statement showing the cashing of the check from the Haig campaign -- to the Haig campaign?

A I believe so.

Q Could you provide us with a copy of the bank statement?

A If I have it. I'm not sure I have it. I'm not noted for my organizational skills, so I don't know.

MR. KELLNER: This would be a good time to take a short break and come back in about five minutes.

(Whereupon, a brief recess was taken.)

MR. KELLNER: On the record. I just will ask you some follow-up questions, and then I'd like to just show you a few copies of documents--

THE WITNESS: Okay--

MR. KELLNER: --and ask you to describe them.

BY MR. KELLNER:

Q Were you surprised when your husband asked you to make a contribution to Haig for President?

A No.

Q Does he regularly ask you to make contributions like that?

A I don't recall.

9504365 1906

Q Has he done it any other time?

A I'm sure. I don't remember exactly when or to whom.

Q Has he asked you to make a contribution to charity?

A Yes.

Q And were those contributions made with a treasurer's check?

A I don't recall.

Q Did you ever ask for your money back for your contribution?

A No.

Q Did you ever ask your husband for money for it?

A No.

Q Did he ever offer it to you?

A No.

Q Did anyone offer to reimburse you for your contribution?

A No.

Q Did anyone offer to do any favors for you in return for your contribution?

A No.

Q Anyone offer to pay any debts for you for your contribution?

9504365 1927

A No.

Q Did you ever speak to anyone on the phone from the Haig campaign?

A Not that I recall.

Q Did you ever speak to Dominic Saraceno about your contribution?

A No.

Q Did he ever thank you, personally?

A No.

Q Did you ask anyone about the legality of your contribution?

MR. CONNELLY: Objection.

THE WITNESS: Do I answer that?

BY MR. KELLNER:

Q At the time you made--

MR. CONNELLY: Is there anyone who you asked that to?

THE WITNESS: No, no.

BY MR. KELLNER:

Q When did you seek legal counsel?

A I don't recall.

(Pause while witness confers with counsel.)

THE WITNESS: I don't know when it -- I presume it was recently.

BY MR. KELLNER:

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Q Did you sign a statement designating Mr. Connelly as your counsel?

A I don't remember.

Q Why did you seek legal counsel?

A I don't know.

Q Did someone tell you, you should seek legal counsel?

A Yes.

Q Who was that?

A My husband, Bill.

Q What did he tell you?

A I don't remember. He told me -- I presume that he told me that he got an attorney that would come with me today -- who would come with me today.

Q When did he tell you that?

A Recently, within the last few weeks.

Q What did you do then?

A I don't understand what you mean.

Q What did you do after he told you that?

A What did he do?

Q What did you do?

A What did I do?

Q Yes.

A After I complained about having to come in, nothing. I just said set up a date, preferably, you

9504365 1909

know -- he told me that it was supposed to be on Friday, and we changed it to today because today's my day off.

Q You told your husband that?

A I told him that Friday was a very inconvenient day for me.

Q And your husband arranged the rescheduling?

A I don't know who arranged it. I presume it was him.

Q But you spoke to no one else but your husband?

A No one else, no.

Q Do you know who else Dominic Saraceno asked to make contributions?

A No, I don't.

Q Do you know if he asked people outside of Olympic Bank?

A I presume he did.

Q Do you know if he asked everybody in Olympic Bank?

A I don't know.

MR. KELLNER: I'm going to ask the Court Reporter to mark this document as FEC Exhibit No. 1 and hand a copy of the document to the witness and her counsel and ask them to look at it.

9504365200

(The document referred to was marked for identification as FEC Exhibit No. 1.)

BY MR. KELLNER:

Q Have you had a chance to look at--

A Yes--

Q --FEC Exhibit No. 1?

A Yes.

Q Which is one page long. Do you recognize it?

A Yes.

Q What is it?

A It's a copy of a treasurer's check.

Q And who's the treasurer's check to?

A It is to Haig for President.

Q What's the date of the check?

A April -- I'm not sure if that's 29th or 19th or 9th of '87.

Q Is this the check you described earlier?

A Yes.

Q Whose name and address are on the check?

A That's my name and address.

Q Did you fill that information in?

A No, I didn't.

Q Who filled it in?

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A I believe it's my husband's printing.

Q Do you recognize your husband's handwriting?

A It's not -- it's the printing. I believe it's his. I'm not sure.

Q Who typed in Haig for President?

A I don't know.

Q And who signed the check?

A It's signed by Susan M. Fraser.

Q And when did you first see a copy of this check?

A I don't remember.

Q Do you know if Susan Fraser regularly signs treasurer's checks?

A I don't know.

MR. KELLNER: I'm going to ask the Court Reporter to mark this two page document as FEC Exhibit No. 2.

(The document referred to was marked for identification as FEC Exhibit No. 2.)

MR. KELLNER: I'm going to hand a copy to the witness and counsel and ask them to look at it.

BY MR. KELLNER:

Q Have you had a chance to look at Exhibit

9504365202

No. 2?

A Yes.

Q What is it?

A It's a copy of a treasurer's check.

Q Are these two pages the documents you supplied to the Commission in response to your subpoena?

A I believe so.

Q Looking at the first page of Exhibit No. 2, is this a copy of the front and back of the check?

A Yes.

Q And the back of the check shows that it was deposited to the credit of Haig for President?

A Yes.

Q Where does the Haig campaign have a bank account?

A Where does it have a bank account?

Q Yes.

MR. CONNELLY: If you know.

MR. KELLNER: Yes.

BY MR. KELLNER:

Q Do you know?

A No, I don't know.

Q What is the second page of FEC Exhibit No. 2?

9504352007

A This would be the copy that I would receive in my statement.

Q When you receive a bank statement in the mail, this is what would be included if you--

A Yes--

Q --wrote a treasurer's check?

A I believe so.

Q Or authorized one. Is that your account number in the upper lefthand corner?

A I don't know. I don't know my account number offhand.

Q But this was completed so that a treasurer's check could be issued from your checking account?

A Yes.

Q From your personal checking account?

A Yes.

MR. KELLNER: I'm going to ask the Court Reporter to mark this one page document as FEC Exhibit No. 3.

(The document referred to was marked for identification as FEC Exhibit No. 3.)

MR. KELLNER: I'm handing a copy to the witness and her counsel and asking them to look at it.

9504365204

BY MR. KELLNER:

Q Have you had a chance to look at the document?

A Yes.

Q What is it?

A It's a letter explaining contributions, and it gives the amount and the date and my signature is on the bottom.

Q Do you recognize it?

A Yes.

Q Did you fill in the information on the bottom?

A I don't recall filling in the name. I recall signing it. That's my signature.

Q Is that your handwriting?

A Yes.

Q Next to where it says name, is that your handwriting?

A No.

Q And the address is not in your handwriting?

A No.

Q Whose handwriting is it?

A I don't know.

Q Do you recall signing this document?

A I -- I don't recall when I signed it. That

9504365205

is my signature.

Q What were the circumstances surrounding the signing of this document?

A I don't recall.

Q Do you recall when you received a copy of it?

A No.

Q Who did you give it to after you signed it?

MR. KELLNER: Off the record.

(Off the record, briefly.)

MR. KELLNER: Back on.

BY MR. KELLNER:

Q Do you recall who you gave it to after you signed it?

A I would presume I gave it to Bill.

Q Who gave it to you to sign it?

A I don't recall. I imagine it was Bill.

Q Is this your husband's handwriting?

A I don't think it is, no.

Q Why did you sign this?

A Why did I sign it? Because I gave the contribution, and it says here it's to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the committee.

9504365 2006

Q Is David Goldman a friend of your husband's?

A I know he's a business acquaintance. I don't know if he's a friend. I presume he's a friend.

Q When did you meet David Goldman?

A I met David Goldman at his home in Bristol, Rhode Island. We were on our way to visit my son who goes to school in Newport, and we stopped in to see his new home.

Q Did you ever attend a part of his?

A I attended a cocktail party last year.

Q What was the occasion of the cocktail party?

A I don't -- I don't recall.

Q Were there any famous people at the cocktail party?

A Not that I knew.

Q Was Billy Dee Williams at the cocktail party?

A I don't know.

Q When else were you at David Goldman's house?

A Those were the only two occasions.

Q Has he been to your house?

A No.

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That's why I signed it.

Q Have you ever filled out a document like this before?

A I don't remember.

Q Regarding the fund raiser you mentioned earlier, who organized that fund raiser?

A I don't know.

Q Do you recall who you received the invitation from?

A I received an invitation in the mail. I don't recall who it was from. I don't recall when it was. I just know that I didn't go.

Q Do you know someone named Donald Cook?

A No.

Q Have you ever met someone named Steve Jernigan?

A No, not that I recall. Maybe I did. I don't think so.

Q Do you know someone named Joseph Smith?

A No.

Q How about David Spiegel?

A Yes.

Q Who's he?

A He is a member of the Board of Directors at Olympic Bank, and he owns a car dealership on Route 1.

9504365 2007

Q Do you know if he made a contribution to Haig for President?

A Do I know if he made a contribution? No, I don't know if he made a contribution.

Q Do you know David Goldman?

A Yes.

Q Who's David Goldman?

A He is a friend of Dom Saraceno's. I believe he's a customer at the bank.

Q What do you mean by customer at the bank?

A He does business with my husband.

Q Does David Goldman's business have an account with the bank?

A I don't know.

Q Have you met David Goldman?

A Yes.

Q Where does he work?

A I believe he has a company in Boston.

Q Do you know the name of it?

A I think it's Goldman Financial.

Q Have you met David Goldman?

A Yes.

Q Have you met his family?

A I've met his wife and his son and his daughter.

9504365200 8

Q Is David Goldman a friend of your husband's?

A I know he's a business acquaintance. I don't know if he's a friend. I presume he's a friend.

Q When did you meet David Goldman?

A I met David Goldman at his home in Bristol, Rhode Island. We were on our way to visit my son who goes to school in Newport, and we stopped in to see his new home.

Q Did you ever attend a part of his?

A I attended a cocktail party last year.

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A I don't -- I don't recall.

Q Were there any famous people at the cocktail party?

A Not that I knew.

Q Was Billy Dee Williams at the cocktail party?

A I don't know.

Q When else were you at David Goldman's house?

A Those were the only two occasions.

Q Has he been to your house?

A No.

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Q Do you know if he made a contribution to Haig for President?

A Did he? I presume he did. I don't know if he did.

Q Why do you presume that he did?

A Because he's a friend of Dom Saraceno's.

Q And do you presume that because he's a friend of Dom Saraceno's that he asked Mr. Goldman to make a contribution?

A Well, I think that David Goldman is a friend of Haig's, also.

Q How do you know that?

A I recall someone saying that he has stayed at his home. Haig has stayed at David Goldman's home.

Q Who told you that?

A I don't recall.

Q Do you know someone named Steve Myers?

A I'm sorry?

Q Steve Myers?

A No, I don't know the name.

Q Can you tell me again why you think David Goldman made a contribution to Haig for President?

A Well, I presume if he knew Haig well enough to have him at his home that -- that he would contribute to his campaign.

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MR. KELLNER: Let me take another short break. Off the record.

(Off the record, briefly.)

MR. KELLNER: I'd just like to ask you a few more follow-up questions.

THE WITNESS: Okay.

BY MR. KELLNER:

Q You stated there are about 30 employees at the bank?

A Yes.

Q And do you know how many directors there are?

A I think there might be 12.

Q Has your husband ever talked to you about his work?

A Occasionally.

Q I wonder if you could tell me in more detail what he does on a day to day basis?

A I -- to be honest, I don't know what he does. I know he's on the telephone quite a bit, and he has board meetings on Thursdays, and I know there's an advisory board, and the general workings of the bank, I'm not familiar with.

Q When he's on the phone, who does he talk to?

9504365201 1

MR. CONNELLY: Objection.

BY THE WITNESS:

A I don't know.

Q I'm just interested in finding out more about the inner workings of the bank.

A I don't know the inner workings of the bank. I mean, when I say that we talk about the bank, it's so and so had a baby and this one is -- I mean, it has nothing to do with the workings of the bank. It's the people that work there, so and so moved or bought a house, personal type things.

Q Are there Christmas parties at the bank?

A Yes.

Q Do you ever attend?

A Yes. Always.

Q About 30 employees at the bank, you said?

A Yes, and some of the directors attend, also.

Q And the parties are held at the bank?

A No. They're held at different places, usually a hotel or restaurant.

Q To the best of your knowledge, how would you describe the atmosphere working at the bank?

A Pleasant--

MR. CONNELLY: Objection. To the best of

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your knowledge.

THE WITNESS: To my knowledge, I have always found the employees very pleasant. I don't see them all that often, but --

(Pause.)

BY MR. KELLNER:

Q As far as you know, it's a friendly atmosphere?

A Yes.

Q When you attend, let's say, a Christmas party, do you see a lot of familiar faces?

A Yes.

Q Everyone seems to know each other?

A Yes.

Q Any friends that work at the bank?

MR. CONNELLY: Excuse me. I didn't hear the question.

BY MR. KELLNER:

Q Are you friends with anyone that works at the bank?

A Well, I feel that I know a lot of them. Do you mean do I go out socially with any of them? Occasionally.

Q Who in particular?

A I've gone out with Rita Hodan and -- I

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don't recall anyone else that -- we've been at different places that they have been. I can't recall anything specific other than the Christmas party that I see them.

Q Did anyone bring their contributions to the Haig campaign to your attention?

A No.

Q What can you tell me about the relationship between Olympic Bank and the Haig campaign?

A I don't know any relationship between them.

Q Do they have any financial relationship?

A I don't know.

Q Has the bank made any loans to the Haig campaign?

A I'm not sure.

Q Why aren't you sure? Have you ever heard about any loans?

A Not that I recall.

Q Who did you consult with in preparing a response to the Commission's subpoena?

MR. CONNELLY: Outside of counsel?

MR. KELLNER: Outside of counsel.

BY MR. KELLNER:

Q Outside of counsel, who did you consult with in preparing a response to the Commission's

9504365201 4

subpoena?

MR. CONNELLY: If anyone.

BY THE WITNESS:

A I don't -- I didn't talk to anyone about it other than my friend that I told I was coming in here today, my daughter.

Q Do you understand this matter must remain confidential?

A Yes, I do.

Q And you can't discuss it with anyone?

A Yes.

Q And that includes the subject matter of this deposition?

A Yes.

Q And any exhibits we've given you?

A Yes.

Q Is there anything else you'd like to add to the answers you've given here today?

A No.

Q Nothing at all?

A (No verbal response.)

Q Is there anything you'd like to say at all?

A No.

Q And you'll provide copies of the documents we discussed earlier?

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A If I--

MR. CONNELLY: If they exist.

BY THE WITNESS:

A If they exist, if I can find them, I -- I will.

Q Are you going to check on those right away?

A After Christmas.

Q Have you given full and complete testimony in response to the questions directed at you today?

A Yes, I feel that I have.

Q And are you sure there's nothing else you'd like to add?

A No.

MR. KELLNER: Would you like to ask the witness any questions, Mr. Connelly?

MR. CONNELLY: No.

MR. KELLNER: None?

MR. CONNELLY: You already asked me that. Yes, no.

MR. KELLNER: Just making sure. Okay. I'd like to thank you, Mrs. O'Brien, for being here. I think we can adjourn this deposition for now.

You will have an opportunity to read the transcript and make sure it coincides with your recollection of what took place here today.

9504365 2016

Can you tell me how far you traveled to come to this meeting? We will be sending you a check for witness fees and that includes mileage.

MR. CONNELLY: Quincy.

MR. KELLNER: Do you know how many miles you traveled?

THE WITNESS: It's probably about 12 miles.

MR. CONNELLY: Twelve, yes.

MR. KELLNER: Okay. This deposition is not concluded, but is merely continued. We don't anticipate having to speak to you again, but just in case, you know, we're just adjourning the deposition for now.

Again, I have to remind you that this matter is confidential and will remain so until the Commission closes its file on this matter.

(Whereupon, at 1:01 p.m., December 19, 1989, the above matter was concluded.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS)
) SS.
COUNTY OF SUFFOLK)

I, Eric S. Pedersen, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 19th day of December, 1989, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that she was thereupon examined upon her oath, and her examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 2cd day of January, 1990.

Eric S. Pedersen
NOTARY PUBLIC
My Commission Expires:
2/14/94.

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CORRECTION SHEET

DEPOSITION OF JOANN O'BRIEN:

PAGE NO.	LINE NO.	SUGGESTED CORRECTION
27	7	wrote (not write)
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2	3	Joann (not Joanne)
2	3	" " "
3	3	" "
3	9	"

Joann M. O'Brien

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Registered Professional Reporters
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SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

Joann M. O'Brien

Deponent

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DEPOSITION EXHIBIT
FEC#1 12/19/89
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JOANN M O'BRIEN ✓

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Olympic Bank
BOSTON, MASSACHUSETTS 02210

NOTICE TO BOOKKEEPING DEPT.

e have CHARGED to your account the amount stated below. Please DEDUCT this amount from your balance with us.
voucher for this charge will accompany your cancelled checks for the current month.

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APPENDIX 22

DOCUMENTATION REQUIRED FOR INITIAL SUBMISSION OF CONTRIBUTIONS RECEIVED IN THE FORM OF MONEY ORDERS, CASHIER'S CHECKS OR OTHER NEGOTIABLE WRITTEN INSTRUMENTS

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $ 100.00 cc, dated 4/29/87, and drawn on a (identify whether money order, cashier's check), issued by (name of issuer), serial # 4557 1, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Committee Representative

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF JUDITH S. CURTIN, held pursuant to Notice, and the Federal Rules of Civil Procedure, before Eric S. Pedersen, a Court Reporter and Notary Public within and for the Commonvealth of Massachusetts at the Office of the U.S. Attorney, J.W. McCormack Post Office and Courthouse, Boston, Massachusetts, on Wednesday, December 20, 1989, commencing at 9:12 o'clock a.m.

PRESENT:

KENNERTH KELLNER, Esq.
DANIEL J. BLESSINGTON, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

JOHN P. CONNELLY, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA. 02110

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I N D E X

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Judith S. Curtin	3

EXHIBITS:	PAGE
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FEC No. 3	83
FEC No. 4	91
FEC No. 5	102

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JUDITH S. CURTIN, 39 Maugus Hill Road, Wellesley Hills, Massachusetts 02181, having been duly sworn by the Notary Public to tell the truth, the whole truth, and nothing but the truth, testified upon her oath as follows:

Q Will you please state your full name?

A Judith, initial S as in Sam, Curtin, C-u-r-t-i-n.

Q Is that your middle name, Sam?

A I beg your pardon?

Q What is your middle name?

A My maiden name, Sicking, S-i-c-k-i-n-g.

Q You're just taking the middle initial S?

A M-hm.

Q Do you know that you have a right to have counsel with you at this deposition?

A Yes.

Q Do you have counsel with you today?

A Yes, I do.

Q Would you identify your counsel?

A Yes.

MR. CONNELLY: I'll identify myself. John Connelly from the law firm of Hutchins & Wheeler, 101 Federal Street, Boston, Massachusetts.

Q Mr. Connelly is representing you today?

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A Correct.

Q Is he representing you in your personal capacity? Is he representing you personally as an individual?

A Yes.

MR. CONNELLY: That's her only capacity.

MR. KELLNER: Mr. Connelly, do you represent other Respondents in this matter?

MR. CONNELLY: I represent other people who have received materials on this matter, yes.

MR. KELLNER: And those include Olympic Bank and several other individuals?

MR. CONNELLY: That's correct.

MR. KELLNER: But you're here representing Ms. Curtin personally?

MR. CONNELLY: Yes.

MR. KELLNER: My name is Kenneth E. Kellner, and I'm representing the Federal Election Commission here today along with Daniel Blessington.

This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with an investigation under Section 437G, Title 2, of the United States Code.

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Our statute provides that the confidentiality of this matter must remain -- must be maintained until the Commission closes its file.

Q Do you understand that this matter must remain confidential?

A Yes, I do.

Q This investigation is designated Matter Under Review 2717.

Have you ever had your deposition taken before?

A Yes.

Q When was that?

A 1986.

Q Can you describe the circumstances surrounding that?

A It was in regard to my divorce.

Q Have you ever been involved in any other legal proceedings?

A No.

Q So you're no longer married?

A That's correct.

Q Well, even though you've been through a deposition before, I'm going to explain to you a little bit of what will be going on here.

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I'm going to be asking you questions regarding this investigation. These questions will not necessarily be limited to your own knowledge, but may involve the actions and things that other persons may have done.

MR. CONNELLY: Just to be clear, she can only testify from her personal knowledge. That's the only thing she knows about.

MR. KELLNER: Well, I think it goes without saying.

MR. CONNELLY: I think -- you didn't ---

MR. BLESSINGTON: I think you misspoke, Ken. You said "knowledge," and you meant "involvement."

MR. KELLNER: Okay.

Q You should treat this as if you're in front of a court of law, in front of a Judge, or in front of a jury.

Your testimony today has the effect as if you're in front of a Judge or a jury, and you should remember that you're always under oath.

The Court Reporter will be taking down everything you say and will be typing up a transcript.

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It's important that you answer every question in words because the Court Reporter can't record nods or other things that might normally mean yes or no but can't be recorded on tape.

If you don't understand or hear a question, let me know and I can repeat or rephrase the question. And if you answer a question it will be understood that you understood the question and answered the question fully and completely.

Finally, if you -- well, not finally -- but also if you give an answer that you realize later is incomplete or inaccurate, please let me know, and you'll have the chance to modify or change your answer.

Finally, if you need to take a break for any reason at all, please let us know and we can take a break.

Where do you live, Ms. Curtin?

A At 39 Maugus, that's M-a-u-g-u-s, Hill Road, Wellesley Hills, Mass., 02181.

Q How long have you lived there?

A Since 1973.

Q Do you have any children?

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A Yes.
Q Who are they?
A I have three step children and one natural child. The step children are Holly, Allison, and Christopher, and the natural child is Matthew.
Q How old is Matthew?
A Matthew is 20.
Q Does Matthew live with you?
A No.
Q When did he most recently live with you?
A He moved out on Thursday, I think a week and a half ago. I don't know what date that was.
Q Where did he move to?
A He moved to No. 23 Wigglesworth Street in Roxbury, Mass.
Q Had he lived with you his whole life prior to moving?
A Yes. Other than when he boarded at Northeastern last year.
Q That's a university?
A Northeastern University, correct.
And -- and the previous summer when he took a trip to Australia for two months or so. I -- you know.
Q What is he doing now?

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A He is on his work segment of co-op. So he is working. He's doing the work portion. They alternate work and study, and he is working at Grunthal, which is a security dealer.

Q What is co-op?

A Co-op is -- is a system -- a college system whereby you alternate working for a company, hopefully in your field of interest, and your major with attending university.

Q So he's still enrolled at Northeastern?

A Correct.

Q What's he majoring in?

A He's majoring in marketing, advertis -- he wants to go into advertising.

Q How long has he been a student there?

A He's starting his -- he's in his sophomore year.

Q What is your educational background?

A I completed three years of college.

Q In Massachusetts?

A No.

Q Where did you go to school?

A I went two years to Marquette University in Milwaukee, and one to the University of Cincinnati.

Q That was prior to your living at 39 Maugus Hill

9504365207

Road?

A That's correct.

Q What did you say the company was named that Matthew's working at?

A Grunthal & Company, G-r-u-n-t-h-a-l, & Company.

Q You said it's securities?

A They sell stock. They're stockbrokers.

Q And what does he do there?

A He's what's called a dialer for one of the brokers. In other words, he places cold calls to enable the man he works with immediately to try to sell stock or whatever.

Q So he's calling potential customers?

A Right. But he does not then -- once he -- once he gets there -- because he's precluded, he's not licensed -- he's precluded from speaking with the person. Immediately hands to the phone to the broker, the licensed broker.

Q How long has he been there?

A I think he's been there since September or October. Early October.

Q Does he take classes while he's in this program?

A No. You -- it's strictly when you are working you strictly work. And then when you are -- when you are at school you're simply at school, unless

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you want to take a part time job elsewhere.

Q Are you employed?

A Yes, I am.

Q Where are you employed?

A At Goldman Financial Group, Incorporated.

Q How long have you been employed there?

A Since -- well, it's a year and a half, so -- in June. Year and a half ago.

Q What do you do at Goldman Financial?

A I look for companies to add to Goldman. We buy companies internationally. We own about 21 companies.

And I also act on behalf of other corporate clients who want to buy other companies.

Q What is your job title?

A Vice president.

Q Vice president of anything in particular?

A No.

Q How many vice presidents are there?

A I don't know.

Q Tell me a little bit more about Goldman Financial.

What kind of company is that?

A It's a holding company, and we own primarily

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industrial companies, machine tool, chemical, and automotive component companies.

Q And Goldman Financial just owns them?

A Correct. They've purchased them through leveraged buyouts, primarily. They were awarded one company in a -- in a bankruptcy because they had such a good history of employee relations in the town, and of other companies they've purchased.

Q What company was that?

A I don't know. I think it was J & L.

Q J & L?

A J & L Metrology. I believe that was the one.

Q Do you know when ---

A It was prior to my coming there.

Q Okay.

A And I don't know exactly which one it was.

Q Well, how old a company is Goldman Financial?

A I believe it was originated about 1983.

Q Who owns Goldman Financial?

A David Goldman.

Q Are there any other owners?

A Not to my knowledge.

Q You don't -- you're not a part owner?

A No.

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Q You receive a salary?
A That's correct.
Q What is your salary there?
A [redacted] thousand.
I take that back. I -- I believe it's higher now, because I did get an increase, and I don't know what it was. I started at [redacted]
Q When you started there a year and a half ago it was [redacted] thousand?
A Correct.
Q How many people are employed by Goldman Financial?
A I -- I used to know approximately that number. I don't know. I think with all the companies it may be about two thousand people. I could be way off on that.
Q Two thousand involved in all the companies that it owns?
A Right.
Q Do they receive -- do all these employees receive checks from Goldman Financial?
A You mean directly from the head corporate office as opposed to the individual companies?
Q M-hm.

9504365207

A I don't know.
Q Where is Goldman Financial, the holding company, located?
A At 100 Federal Street.
Q And how many people work in that office?
A I'd say between 25 and 30.
Q And one of them is David Goldman?
A Correct.
Q Is it located just on one floor?
A Yes. The entire floor.
Q So you know everyone who works there?
A Does he know everyone?
Q No. Do you know everyone who works there?
A No. We just hired someone two days ago that I don't know, and so I -- I must say no. I didn't meet them.
Q But generally is it a small collegial atmosphere?
A Yes.
Q And you're on a first name basis with everyone there?
A Yes.
Q Do you know someone named Joseph Smith?
A Yes.
Q Who is Joseph Smith?
A He is one of the operating people, one of our

9504365208

major ones, in Vermont, of the machine tool company.

Q And what's his job title?

A I don't know.

Q And how have you met him?

A I've met him because he's been at our office.

Q Ever been to Vermont for -- for work?

A No. I have been encouraged to go, but because I buy -- I really work outside of the confines of Goldman in that I look for other companies for us to buy, and I felt it wasn't necessary to go.

Q What companies does Joseph Smith operate?

A I don't know.

Q You can't name any particular?

A I believe he operates J & L Metrology, the -- what else is up there? Does he operate Bryant? I don't know. I don't deal as much with the companies we already own as look for other companies, so I don't -- I don't interact with them.

Q Does David Goldman work closely with Joseph Smith?

A I don't know.

Q How did you come to be employed by Goldman Financial?

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A Goldman Financial was a customer of mine at Olympic Bank.
Q And then what happened?
A David offered me a job. Which I accepted.
Q The job as vice president?
A I don't think it was put on a title basis at that time.
Q Is Joseph Smith paid by Goldman Financial?
A I don't know. Because I don't know whether his salary comes from Goldman Financial, the parent company, or, again, from the companies that he's affiliated with. I don't know.
Q So Goldman Financial was a client of Olympic Bank?
A Correct.
Q By Olympic Bank, we mean Olympic International Bank & Trust?
A Correct.
Q When did you work at Olympic Bank?
A Let's see. From June -- I'd have to sit back chronologically and figure this out. I worked there for three years. Let's see, if this is 1989, therefore I started at Goldman in June of 1988. I worked at Olympic Bank from June of 1985, I believe, was when they opened, or the

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previous month.

Q So you worked there from June of '85 until you became employed by Goldman Financial?

A M-hm.

Q How did you come to obtain your position at Olympic Bank?

A I went into Olympic Bank -- I had been selling real estate, and I went into Olympic Bank because I also had worked for the First National Bank of Cincinnati for four years, and I wanted to head up -- they were a new bank, and I wanted to head up their mortgage loan department, and I went to apply for that position.

Q And how did you learn about mortgage loans?

A Oh, basically through -- through my real estate brokerage.

Q Did you own and operate your own brokerage?

A No.

Q Who were you employed by?

A Well, I'm associated with Hill & Company Real Estate in Wellesley.

Q What was your job title at Olympic Bank?

A Vice president.

Q That was your full title?

A I -- yes. I was in the marketing department. I

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don't -- I don't know that it was vice president, marketing. I wasn't head of marketing.

Q That was the job you applied for?

A No.

Q So you were hired in a different position than the one you applied for?

A That's correct.

Q How did that happen?

A The bank made the decision not to do in house mortgages, but to do them cooperatively through other lending institutions, and -- but they felt that they needed people in marketing, because they were a new bank, to encourage new accounts, and they asked me if I would be interested in that, to which I replied that I would.

Q How did Olympic Bank get started?

A Well, I've heard various stories. I've heard that there was a man whose name I can't remember who -- who was originally a director and is no longer whose idea it was, and -- and I believe Nicky Nicolazzo and Bill O'Brien were involved in the idea of it, in the idea of having a small bank that catered to middle sized businesses and also to the investments of professional athletes who they happened to have as personal friends,

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some of them.

Q When did they come up with the idea?

A When?

Q M-hm.

A I don't know.

Q Who else was involved in its formation?

A I suppose everybody that's -- well, there are some new members -- newer, more recently appointed members on the Board of Directors, but for the most part the people that sit on the Board.

Q Can you name them?

A John Moran. Probably Dom Saraceno, certainly. He's on the Executive Committee. Tony Medagila who is an attorney here, I believe. Let's see. Who else? I'd have to look at a roster of the people to remind myself.

Bobby Orr. K. C. Jones. Let's see. Mr. Lichter, who's the treasurer, and his son are on the Board. Mr. Cardullo is one of the original ones. Mr. Montillio.

I can't remember every one.

Q Who is Mr. Lichter, you mentioned earlier?

A He's the treasurer of the bank.

Q What's his first name?

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A David. David. I'd have to look at the roster.
Q Okay.
And you mentioned his son. He works at the bank too?
A No, he doesn't.
Q Maybe I've misunderstood what you're saying. Just Mr. -- the only Lichter you know about who works in the bank is -- is the treasurer?
A That's correct.
Q Is that John Lichter?
A No. John Lichter is the treasurer's son.
Q John Lichter is the treasurer's son.
A Correct. And he's on the Board of Directors.
Q John Lichter, the treasurer's son, is on the Board of Directors?
A Right.
Q You don't know his father's first name?
A I guess it's David Lichter. I can't -- I don't have a good -- I'm getting Alzheimer's.
Q You don't really have Alzheimer's.
A I -- I sometimes question that, but that's all right. Go on.
No, I do not, in reality. I have not been diagnosed at this moment.
Q You've never seen a doctor or anything.

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A No. No.
Q You were just joking.
A Correct.
Q But other persons you mentioned, like Bobby Orr, and K. C. Jones, are members of the Board of Directors?
A Correct.
Q Have they been -- have they been members since the inception of the bank?
A M-hm. M-hm.

K. C. I assume still is, although he moved away now since he left the Celtics. I don't -- I mean, my assumption is he's still on. I don't have any idea if he is.

Q And Dominic Saraceno. You mentioned he was a member of the Executive Committee?
A M-hm.
Q What is the Executive Committee?
A I believe -- to my understanding is that the Executive Committee is a group that -- I don't know what they do. I really don't know what they do.
Q Who else is on the Executive Committee?

MR. CONNELLY: Just a time frame, you talking now, or -- or when, exactly?

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Q Well, at the inception of the bank who was on the Executive Committee?
A I don't know if they had an Executive Committee at the inception of the bank.
Q When did they first have an Executive Committee?
A I -- I don't know.
Q Who do you know that was ever on the Executive Committee?
A Bill O'Brien, Nicky Nicolazzo, Dom Saraceno, Tony Medagila. I think there was another member. John Moran. If there were more -- there may have been more -- I don't know.
Q What are the responsibilities of this committee?
A I don't know.
Q Were they different from the Board of Directors?
A I don't know. I would assume so, since it's a different body.
Q Which body has the greater authority?
A I don't know.
Q Who runs Olympic Bank?

MR. CONNELLY: What do you mean by "runs"?

A You mean operates, or -- or sets policy, or ---
Q Both. Just tell me who's in charge.
A Well, Bill O'Brien is the President, so obviously

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he's the major manager there. I would say that -- that he basically -- he runs it.

Q He hires and fires employees?

A Correct.

Q How many employees are there?

MR. CONNELLY: Again, what time period?

Q At the time you left, how many employees were working at Olympic Bank?

A I don't know. My guess would be about 26.

Q Do you know how many employees there were when you first started there?

A About the same.

Q They all work in the same location?

A I beg your pardon?

Q They all work in the same location?

A Yes.

Q At the bank's only branch?

A Correct.

Q Who interviewed you for your job?

A Nicky Nicolazzo.

Q Did you meet with anyone else?

A Bill O'Brien, and there was another man there initially whose name I've forgotten. He's not --he's no longer there.

Q There was someone else, but you don't remember

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who that was?

A Correct. I'm not positive I spoke with him in regard to actually being interviewed. I was interviewed by Nicky. Period.

Q Does that mean Mr. Nicolazzo?

A Mr. Nicolazzo. M-hm.

Q Why did you leave the bank?

A I left the bank because I saw I had no future there as far as making better money.

Q You earned a greater salary -- or you currently earn a greater salary than you earned at Olympic Bank?

A Yes.

Q I assume you receive pay checks from Olympic Bank?

A Did I receive them?

Q When you worked there.

A Yes.

Q You were paid every week? Every other week?

A I believe it was every other week. That's my recollection.

Q Checks were given to you?

A Yes.

Q Who gave you the pay checks?

A Susan Fraser, I believe.

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Q And who signed the checks?
A I believe Susan did and maybe Mr. Dickerson.
Q Who is Mr. Dickerson?
A The treasurer. Not Mr. Dickerson. I beg your pardon. Mr. Lichter, the treasurer.
Q Mr. Lichter and Ms. Fraser signed the check?
A That's what I remember.

I should say "I don't know" to a lot of these questions, because my memory is not clear on it.

Q Okay.

Who set policy at Olympic Bank?

A I don't know.
Q Well, who decided to give employees raises or lower their salary?
A I believe Bill O'Brien.
Q Who supervised you?
A Tom Collins. Until several months before I left.
Q And who supervised you then?
A No one.
Q It was pretty informal?
A M-hm.
Q By that response you mean "yes"?
A By that response I mean "yes."
Q Who is Dominic Saraceno?

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A He's one of the directors of Olympic International Bank.
Q And you mentioned that he was one of the founders?
A He was one of the founders.
Q I'm not sure if I asked you already, but who owns the bank?
A The stockholders.
Q Can you be more specific?
MR. CONNELLY: You want her to name the stockholders?
MR. KELLNER: Well, I'm not sure -- I'm not sure ---
A It's a public com ---
Q Oh, is it?
A It's a public, yes.
Q That's what I was getting at.
A Yuh.
Q Do members of the Board of Directors own stock?
A I don't know.
Q Does anyone own a majority of the stock in Olympic Bank?
A No.
Q Prior to the bank becoming public, who owned the bank?

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A The -- the people who originally bought stock.
Q Excuse me?
A The original stockholders. The -- there were -- there were stock -- there were stock issued when it was not a public company.
Q I see.
A And they sold shares in the bank to raise the capital to start the bank.
Q And was there one individual who owned more than the rest?
A No.
Q You don't recall how many original investors there were?
A No. It was quite diverse.
Q Did Dominic Saraceno work at the bank?
A No.
Q Have you met him?
A Yes.
Q Where did he work?
A He owns his own company, Kurt Saracen Associates.
Q He owns Kurt Saracen Associates?
A Well, again, I -- his family owns Kurt Saracen Associates. I don't know ---
Q Is Kurt Saracen Associates a customer of the bank?

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A Yes.
Q How do you know?
A Because I knew some of the customers of the bank. Some of the accounts.
Q You knew some of them.
A Yes.
Q How did you come to know that one?
A How did I come to know that one? Because we worked in -- I worked among the operations people in little cubicles, and I could hear them talking about different accounts.
Q What kind of company is Kurt Saracen Associates?
A It's a real estate development company.
Q In Boston?
A No. In Newton. The headquarters are in Newton.
Q Newton, Massachusetts?
A Correct.
Q Ever heard of a company called Tradewinds Systems?
A Yes.
Q Is Tradewinds Systems a customers of the bank?
A At this time? I don't know.
Q At the time you worked at Olympic Bank?
A Certainly not the entire time. It was at one point. I -- it was a customer of the bank at one

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point. Whether it is now or -- it certainly wasn't the entire time I was there.

Q How do you know of Tradewinds Systems?

A I know of them because I -- I dealt with them. They were one of my accounts that I went after.

Q What do you mean by "went after"?

A Well, I was in marketing, so I visited various companies to solicit their business.

Q Okay.

How did you get leads?

A How did I get leads? Variety of ways.

Q Well, how did you get the lead to Tradewinds Systems?

A Tradewinds Systems I got through Dom Saraceno.

Q And what did he tell you specifically about Tradewinds?

A Nothing. He just -- he said, you know, they're -- here's a company, a good company, let's try and get their business.

Q That's what he said?

A I can't quote exactly. Basically.

Q Did Dominic Saraceno supervise you?

A No.

Q He just called you up?

A The various -- we were called call officers who

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called on companies. And they had a system whereby different directors were assigned to different call officers to help feed them leads of possible potential customers of the bank.

Q And Dominic Saraceno pointed you towards Tradewinds Systems?

A Correct.

Q What is his relationship with Tradewinds Systems?

A My understanding is that Tradewinds Systems probably does some subcontract work for him.

Q For Dominic Saraceno?

A Yuh.

Q Presumably for his real estate development companies?

A Yuh.

Q Who did he tell you to contact at Tradewinds Systems?

A Was his name Don Cooke? Is his name ---

Q Is that the name you recall?

A That's the name I recall.

Q Donald Cooke?

A Donald Cooke. Right.

Q Did you meet with Donald Cooke?

A I believe I met with him at the bank.

Q You invited him to come down to the bank?

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A Yes.
Q Did he come down alone?
A I don't remember.
Q But he wasn't with Dominic Saraceno?
A No.
Q Does Donald Cooke know Dominic Saraceno?
A Yes.
Q Are they friends?
A I don't know.
Q As far as you know they work -- they work together?
A Well, the way I understand real estate development is that when you construct a building you -- you take bids from various companies and -- and hire contractors, and that was one he hired for a building he built.
Q So they have a business relationship?
A Correct.
Q What happened -- well, when was that meeting with Donald Cooke?
A Oh. I don't remember.
Q Do you recall the year?
A No.
Q What happened as a consequence of that meeting?
A I don't remember.

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Q Did Mr. Cooke become a customer of the bank?
A He was -- he personally, or the company?
Q Either.
A To my knowledge, Donald Cooke was not a customer personally. I believe his -- his company did establish an account with them.
Q Okay.

And what do you mean -- what do you mean by "account"?

A A business account. An oper -- you know, checking account, a business checking account. That's my recollection.

I -- I am known to have a -- because I can't rely on my memory for everybody.

Q How did Donald Cooke come to be at the bank for that meeting?
A I don't know. My normal routine would have been to call or visit and invite him to come in and get acquainted with the bank and -- and explore the idea of banking with us.
Q And what options would you offer them?
A That we were a small bank, and that we could deal quickly with, for example, loan requests, et cetera. That we were a personal bank and got to know all our customers, and they us. And we

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had sophisticated technology in banking, more so than the large banks here in Boston.

Q And you also told Donald Cooke that you already knew Dominic Saraceno who's associated with the bank?

A Well, I wouldn't have to tell him that. He knew that.

Q Did the bank loan Tradewind any money?

A Loan Tradewind? No.

Q Do you have any dealings with Tradewind Systems since you left the bank?

A No.

Q None whatever?

A No.

Q Did you ever meet with Donald Cooke any other time?

A No.

Q Just that one meeting?

A Yes.

MR. KELLNER: This would be a good time to take a short break. Come back in about five minutes.

(Recess.)

MR. KELLNER: We're back on the record.

Q How was business at Olympic Bank?

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A How was business? Fine.

MR. CONNELLY: When?

A All the time I was there it was fine.

Q Profits are up?

A When I was there, yes.

Q How many customers did it have?

A I don't know.

Q The numbers of customers kept going up?

A Oh, yes.

Q Do you keep in touch with the people you used to work with at the bank?

A Some.

Q Can you tell me again why you left the bank?

A I left the bank because I could see that I was not going to be earning substantially more money, and there was no opportunity for me to -- there would be no other opportunity for me even to get into a position that would earn more money for me.

Q Did you like working there?

A Yes. Mixed feelings. To be honest, mixed.

Q Why were there mixed feelings?

A I found it was very political, and I was on the outside of that. It was a very old boy network that I would never crack.

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A lot of the women were jealous of me because I came from Wellesley and they came from other parts of town.

And it was a very -- more of a blue collar group of people on the whole than I'm accustomed to working with.

Q What do you mean by that?

A Well, I don't believe any of them had college education, to my knowledge.

Q You were the only one from Wellesley, Massachusetts?

A Yes.

Q And why would they be jealous of that?

A I'm only making a supposition. There may -- there may have been no basis in that.

Q I don't know anything about Wellesley, Massachusetts. What's it like?

A Well, it is an upper middle class town.

Q M-hm. And it's outside of Boston?

A Correct.

Q So the Mayor of Boston is not the Mayor of Wellesley?

A That's right.

It's so hard for him. He doesn't know the area. That's all.

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Q But they're totally distinct?

MR. CONNELLY: Absolutely.

A Yes. Yes.

Q And how long was your commute to work?

A I beg your pardon?

Q How long was your commute to work?

A Depending on -- on when I went in, depending on the traffic. Anywhere from, what? Could range anywhere from 25 minutes to an hour.

Q And how many miles was it?

A Eleven.

Q Eleven miles.

What do you mean when the -- or what did you mean when you said the bank was political?

A I don't know what that terms means really. I think it -- I meant that they had -- I don't mean it in regard to politics, number one. I meant it more that they didn't -- that they had their pets, let's say, pet people, and that it didn't matter what you might achieve, it would not benefit you.

Q Who are "they"?

A I'm speaking primarily of Bill O'Brien.

Q So Bill O'Brien had his favorites in the bank?

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A I think so.

Q And you're a little disturbed because you didn't perceive you were one of them?

A Correct.

Q And that may have contributed to your leaving the bank?

A Yes. Well, it -- it probably did, because as a result of it I saw that I wasn't going to get an opportunity to -- to achieve more at the bank.

Q What was your salary when you left the bank?

A About [redacted]

Q How would you describe political activity at Olympic Bank?

A I don't know political activity at the bank.

Q Do you recall anyone at the bank -- do you recall anyone at the bank being active in politics?

A I do remember that -- I shouldn't say that. I do remember that, for example, Bill O'Brien would -- he -- he's very good about being friendly with a diverse group of people and -- and I had the impression that -- that he would, you know, if solicited, throw some money at -- at a Democrat or a Republican just -- just to be fair on all sides and to have, you know, in's on all sides.

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Q Was he a Democrat or a Republican?
A I don't know.
Q How did you come by that knowledge that he would give money to Democrats or Republicans?
A I don't know. I think I just was aware that he would be attending, you know, various political events.
Q Well, how would you become aware?
A Well, it was a small little office, and somebody'd say it. "I guess Bill's going thus and so tonight," or something.
Q Okay.
And where did you hear that he went?
A I can't remember specifically.
Q Not specifically?
A He went many places. He went many places.
Q Do you recall any specifically?
A Well, he belongs to the Ancient and Honorable this and that, and he belongs, you know, he belongs to a lot of Catholic clubs, and he belongs to -- he was always at a lot of sports things, and he just was -- he always made a point of just being out there and sort of good will and trying to work up business for the bank.
Q Is that why he was chosen as president?

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A No.
Q Why was he chosen to be president?
MR. CONNELLY: If you know.
A I don't know.
MR. KELLNER: Of course.
A I will say I, in my opinion, he's an excellent president, but I don't know.
Q So it may have been for his contacts that he ---
A No. No. It was for his expertise. His banking expertise.
Q And how do you know that?
A I know that because I know that he had more banking expertise than -- than the other people involved in -- in operating the bank. That historically he had been at a number of banks and risen to higher positions progressively.
Q I'd like to step back a minute and talk again about your current job. You said you were hired by a customer of the bank, David Goldman?
A M-hm.
Q Did you work with David Goldman?
A Did I work with ---
Q Prior to your having -- prior to your current employment with Goldman Financial, did you work with David Goldman?

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A I -- I solicited the Goldman accounts from David, yes.
Q How did that come about?
A I don't know.
Q Did Dominic Saraceno point the way as in the Tradewind Systems account?
A I don't remember that to be true.
Q Okay.

And what -- what specific -- what specific work did you do for David Goldman at Olympic?

A I -- I didn't work for David Goldman. I mean, I -- I brought him into a meeting with Bill O'Brien, because he wanted to establish a relationship with the bank and he wanted a loan, and we went over his financial statements, et cetera, and then -- then after it's that far then it -- it gets out of my hands and goes to the commercial lending department.
Q Did Olympic loan David Goldman money?
A I -- I believe they may have loaned -- I don't know. They may have loaned one of his companies money.
Q Did he have an account at the bank?
A Yes.

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Q He had a personal account?
A I don't remember.
Q What accounts did he have at the bank?
A He had some of his business accounts there, some of the company accounts.
Q Is Goldman Financial a corporation?
A Yes.
Q When you would have a meeting with someone like David Goldman or a customer, would you take notes?
A Yes.
Q Do you retain those notes?
A Not -- not at this stage, no.
Q So when you met with -- you met with Donald Cooke you also took notes?
A Yes.
Q And would you have copies of those notes?
A You know, I might. I might. I don't know.
Q If you could locate those notes, could you supply them to us?
A Yes.
Q And any notes regarding your dealings with David Goldman?
A M-hm. I hope I have them, because I would -- I would like you to have them, but I don't know if

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I possess them. I think I might have just done house cleaning, but I hope I have them.

Q Do you know when David Goldman became a customer of the bank?

A No.

Q Are you related to anyone who works at Olympic International Bank & Trust?

A No.

Q Have you ever been related to anyone who holds such a position?

A No.

Q When you were at Olympic did you receive any dividends from profits?

A No.

Q Was there any system for giving bonuses to employees?

A There were bonuses sometimes given. I don't know if there was a system to it.

Q When were bonuses given?

A At Christmas time.

Q Were they given at any other time?

A Not to my knowledge.

Q How were bonuses given?

A In the form of a check.

Q Was it a check in addition to your pay check?

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A Yes.
Q Was it also signed by Susan Fraser and ---
A I don't know. It would be natural to assume that the treasurer signed the check.
Q Did you receive a Christmas bonus every year?
A No. I don't think I did. Maybe it was because they were in decreasing amounts that it lost importance to me.
Q Why were they in decreasing amounts?
A I think the bank felt that they needed to conserve money on that end.
Q Well, how much were ---
A Not be so generous.
Q How much were the bonuses?
A I don't know. I think mine might have been like one for a thousand something, or three thousand, in that area. Certainly no more than that.
Q And they got smaller.
A M-hm.
Q Would they vary according to personal performance?
A I didn't see any correlation.
Q What system was used to reimburse employees for expenses?
A That varied. In my personal case they

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streamlined it at the end. I don't know how they did it with other employees. I would submit quarterly to Tom Collins my expenses for parking, tolls, gas, entertainment.

Q Who's Tom Collins?

A He was the Executive Vice President.

Q And you would submit receipts for expenses quarterly?

A Correct.

Q That's four times a year?

A Right.

Q And how were you reimbursed?

A By check.

Q Was the check separate from your pay check?

A Correct.

Q Also issued from the bank?

A Yes.

Q Was it drawn on the same account as your pay check?

A I never noticed.

Q And what kind of expenses would you seek reimbursement for?

A The ones I mentioned. Parking, gasoline, tolls, entertainment expense.

Q Any others?

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A No.
Q How much would your reimbursement checks be for?
A I believe it was in the realm of like one or two hundred dollars a quarter.
Q Were there any over let's say $500?
A No.
Q Was the same system used to reimburse other employees for expenses?
A To my knowledge the call officers, yes. I don't know about other employees.
Q Would you know how Bill O'Brien was reimbursed for expenses?
A No.
Q Was there a Xerox machine in the office?
A Yes.
Q For copying and duplications?
A M-hm. Yes. Yes.
Q Did the employees have free access to that machine?
A Yes.
Q What system was used to reimburse the bank for personal copying done by employees?
A I don't know if personal copying was done.
Q Employees never made personal use of the copying machine?

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A Yes.
Q Did you ---
A I mean, I shouldn't say that. I mean, they used the copying machine. Whether they ever used it for personal reasons, I don't know.
Q But there was no system that you know of to reimburse the company for personal copies?
A Not to my knowledge.
Q Who had access to the copying machine?
A Everybody.
Q Is this the same copying machine that someone like Bill O'Brien would use?
A Sure. If he ever copied anything himself. I don't know.
Q He had a secretary?
A Sure.
Q Who was his secretary?
A Susan Fraser.
Q Susan Fraser is his secretary?
A M-hm. M-hm.
Q What was her title at the bank?
A I don't remember. It changed over the years, and I don't remember.
Q Do you recall any title she may have had?
A She had, I believe, clerk of the corporation,

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basically, at one point.

Q Did the bank have tellers?

A Yes.

Q How many tellers?

A Two.

Q Do you recall who they were?

A Marie something, and I don't remember the other girl's name.

Q What were the responsibilities of the bank tellers?

A I don't know.

Q Did the bank issue money orders?

A Money orders?

Q Or treasurer's checks?

A Yes.

Q The bank issued money orders or treasurer's checks. Is that right?

A Yes. It's a normal commercial bank.

Q Okay.

And a customer -- a person off the street could walk in and purchase a treasurer's check?

A Well, I don't -- I don't know how easy that procedure is if they don't have an account there so they can check the balance in the account. I

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don't know, you know, what the tellers procedures have to go through to verify that.

Q Well, what if a person walked in carrying cash and wanted to buy a treasurer's check? Could the tellers do that?

MR. CONNELLY: Objection.

THE WITNESS: I beg your pardon?

MR. CONNELLY: I'm objecting.

She's not a teller, and I don't know what ---

A I don't know.

Q What is the procedure for purchasing treasurer's checks?

A Well, one way is to have either cash or a -- or a check to the bank, and they issue a treasurer's check ---

Q Okay.

A --- in the amount.

Q And who would you give that to?

A Teller.

Q So you give the teller cash or a treasurer's check and they will issue ---

A No. Cash or a check.

Q Cash -- cash or a check, and the teller would issue a treasurer's check?

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A Yes.
Q Did you ever purchase a treasurer's check at the bank?
A Yes, I did.
Q Is there a postage meter at the bank?
A Yes.
Q Did employees ever use it for their own personal business?
A I don't know.
Q Did you?
A No.
Q So you don't know how employees would have paid back the bank for using the postage meter?

MR. CONNELLY: Objection. If they used it. I mean, she doesn't -- she testified she didn't know if anyone used it.

Q But you would -- you don't know of any such system?
A No.
Q When were monies collected around the office?
A i beg your pardon?
Q When was money collected around the office?
A Money collected around the office?
Q For example, was there ever a collection for someone's birthday, or going away party?

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A I don't remember.
Q Did everyone -- excuse me. Did anyone ever come in selling Girl Scout cookies? Do you recall ever buying a box?
A No.
Q Was there a football or baseball pool?
A Not to my knowledge.
Q Did anyone ever ask you to make a contribution to charity?
A No.
Q Did you have any account at Olympic Bank?
A Yes.
Q Do you still have an account there?
A Yes.
Q You do all your personal banking there?
A No.
Q Other than the Christmas bonus and your pay checks and the reimbursement checks for expenses that you already mentioned, did you ever receive any other payments from the bank?
A No.
Q How would you describe your own political activity?
A Ever -- actual activity all the way over the years? Well, let's see. I used to go to

9504365207 4

fund -- campaign parties for John Sears, and for Brooke, and for -- the first black, you know, Congressman, in this country, who is from here, and -- let's see if there's anyone else over the years. And then Haig.

Q Who is John Sears?

A John Sears is a local Boston man who was involved in politics. By "involved" I don't -- I can't recall if he ever held a -- if he ever became a Congressman on a state basis or not, whether he was actually elected.

Q He ran for office?

A Yes.

Q And you worked for him?

A Didn't work for him. I just was interested in seeing him elected and went to some fundraisers.

Q He was running in a primary?

A Probably. It's too long ago. It was in the sixties.

Q What party's primary was that?

A I beg your pardon?

Q What party's primary?

A Republican.

Q And who was the Congressman you mentioned before, the first black ---

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A Brooke.
Q --- black Congressman? That's Brooke?
A M-hm.
Q And you attended fundraisers on his behalf?
A M-hm.
Q That was also the Republican party?
A I don't remember.
Q Have you ever volunteered to work on a political campaign?
A No.
Q Have -- rather, what contributions have you made to candidates for political office?
A I don't remember the ones in the 1960s. And with Alexander Haig I made the $250 one and the $750 one.
Q How did you come to be involved in the campaigns for John Sears and Mr. Brooke?
A I don't remember. They were -- they were people I had a definite interest in seeing elected.
Q Do you recall why?
A I don't recall why. I am from the Midwest originally. I'm very conservative Republic oriented, highly so, in comparison with people in Boston. And I'm not sure that those two people espoused those philosophies. I think I just

9504365207 6

probably had friends who -- who knew of them and invited me to events, and I had an interest, because I have an interest in politics.

Q Where in the Midwest are you from?

A Cincinnati.

Q Cincinnati, Ohio?

A M-hm.

Q Is that where you were born?

A Correct.

Q You mentioned earlier your contributions you made to Haig?

A M-hm.

Q That's Alexander Haig?

A Correct.

Q You made contributions on behalf of his presidential campaign?

A Yes.

Q Did you contribute to anyone else's campaign for President?

A No.

Q Have you ever in the past?

A I don't remember.

Q Did you make any other contributions to Haig other than the two that you mentioned?

A I personally.

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Q You.
A No.
Q Can you tell me more about the contributions you made to Haig for President?
A My recollection is that one was made in the spring of whatever year that was, and one in the fall.
Q Do you recall ---
A No, maybe not. Maybe it wasn't even later, the second one. I don't know.
Q Do you recall what year that was that you wrote the check?
A Let's see. That would have been 19 -- When was the election? Tell me. Remind me which year.
Q Well, ---
A Let's see. Okay. You can't do that.
Q The general election was in November of 1988.
A Okay.
But the -- but that must have been '87.
Q But you made two contributions.
A Right.
Q How much was the first contribution for?
A $250.
Q And you believe -- well, you don't remember when that contribution was made?

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A I believe that that contribution was made in the spring of that year.
Q What were the circumstances surrounding that contribution?
A Well, let's see. I felt adamantly that Alexander Haig was the best candidate that either political party had to offer, that he had the greatest wealth of experience and intelligence and stature. And I wanted to see him get the Republican nomination.
Q So what did you do?
A What do you mean, what did I do?
Q What did you do?
A I contributed to his campaign.
Q How did you do that?
A By writing a check and sending it to his campaign.
Q Is that what you did?
A I think I did, yuh.
Q Were you asked to make a contribution?
A I think I was asked if I was interested in contributing to it.
Q By who?
A I would probably say it was Dom Saraceno.
Q Dominic Saraceno, the member of the bank's

9504365 20079

Executive Committee?

A Correct.

Q He asked if you were interested in making a contribution to Haig for President?

A Correct.

Q Okay.

What else did he tell you?

A I don't recall.

Q Where did he ask you?

A I don't know.

Q Did he ask you in person?

A I don't remember.

Q Did he write you a letter?

A No. He would either have asked me on the phone or in person.

Q Would he have called you at home?

A Possibly.

Q Would he have called you at work?

A Possibly.

Q How did he know that you were a supporter of Alexander Haig?

A I don't believe he did.

Q You were already interested in -- in Alexander Haig then?

A Yes.

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Q And do you recall what he asked you?
A What he asked me? No. Just "would you be interested in contributing to his campaign," basically was the gist of it.
Q How much did he tell you to contribute?
A He didn't tell me to contribute anything.
Q How much did he suggest that you contribute?
A I don't -- I don't recall that he suggested an amount.
Q How much was your first contribution for?
A Two hundred and fifty.
Q How did you come to give $250?
MR. CONNELLY: What do you mean by that?
Q How did you come up with the $250 amount?
A I don't remember.
Q Was your contribution in association with any fundraiser?
A I don't remember that it directly was. I -- I don't know. I don't remember.
Q Okay.
And how did you make the contribution?
A Wrote a check, and I believe mailed it in.
Q And who'd you mail it to?
A The campaign committee in Washington.

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Q How did you know their address?
A Probably Dom told me.
Q Did you include a letter with your check?
A Not that I can remember.
Q Not that you would have a copy of?
A No.
Q But you recall mailing the check yourself?
A I don't specifically.
Q Okay.
Well, did you give the check to anyone to mail for you?
A I honestly don't remember. I wouldn't give it to -- well, I don't know. I -- I don't remember how it got conveyed.
Q You don't remember how the check got conveyed?
A No. I -- I really don't.
Q Did you give it to Mr. Saraceno to mail for you as a favor?
A I don't remember.
Q Might you have mailed it to Mr. Saraceno?
A No.
Q Can you tell me about the second contribution you made? What were the circumstances surrounding that contribution?
A I don't remember. I -- it's just I knew that

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there was a limit, and that I could still give more money.

Q How did you know there was a limit?

A I believe that is general information.

Q And how did you come to obtain that information?

A I don't know.

Q What is the limit?

A It's a thousand dollars.

Q Were you asked to make the second contribution?

A I would assume I was asked if I was interested in doing it.

Q By who?

A I don't remember.

Q Might it have been Dominic Saraceno?

A It might have been.

Q Who did you make the check payable to?

A I don't -- you have a copy of it there. One was -- and I don't know why they differed. One was Haig for President, and what was the other one? You have a copy of it. I had -- I dug the checks out.

Q Well, I'll be showing you copies of these later on.

A Okay.

Q Why didn't you make just one contribution for a

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thousand dollars?

A I -- I don't know. I think I probably thought that hopefully I, you know, he wouldn't require more funds.

Q Well, how did you know -- how did you find out that he did require more funds?

A Because I -- I assume I was asked by someone could I contribute more.

Q But you don't recall who?

A No. My guess it was Dom, but I don't recall.

Q Both checks were drawn on your personal checking account?

A It's a checking account in my name.

Q Well, who else uses that account?

A No one.

Q Who else owns that account?

A Owns it?

Q Or ---

A No one.

Q Whose money goes into that account?

A My money.

Q Only your money?

A Yes.

Q Do you deposit your pay checks into that account?

A Yes.

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Q Do you regularly have enough money in that account to write checks for $750?
A Yes.
Q Do you maintain a check register of some kind?
A Yes.
Q So when you write a check you would make a notation in your check register?
A Yes.
Q Could you supply us with a -- a copy of your -- your check register for -- for these contributions?
A Yes. I don't have it now, but I could, m-hm.
Q And we'd also like to see those portions of the check register which would show the source of funds for -- for the checks you wrote to Haig for President.
A Oh. I thought that's what you were referring -- the source of funds. Okay.
Q Deposits into the account.
A Right.
Well, it would show the deposits into the account.
Q Do you receive a bank statement?
A Yes.
Q Could you supply us copies of that -- of the bank

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statement?

A Yes, I can.

Q Showing deposits and ---

A M-hm.

Q --- and the contributions?

A M-hm.

MR. KELLNER: Okay.

Let's take a short break and come back in about 10 minutes or so.

(Recess.)

MR. KELLNER: Back on the record.

Q I'd like to ask you again, what are the sources of income that go into the checking account that you wrote the checks to the Haig campaign?

A Sources of income. The Olympic Bank salary.

Q M-hm.

A My real estate commissions.

Q M-hm.

A This was in 1987, right? Okay.

Those would be in that account -- let me think for sure -- generally the only two sources. I may have transferred funds from other accounts where I have inherited money, and, you know, if I'm selling stocks or whatever. But I don't -- I don't know.

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Q You mentioned earlier that you were divorced?
A I beg your pardon?
Q You mentioned earlier that you were divorced?
A Yes.
Q Do you receive payments resulting from a divorce settlement?
A Not into that account.
Q Into a separate account?
A Yes.
Q Can you describe that account for me?
A It is an account at Bay State Federal Savings & Loan, and there is money deposited on a monthly basis to that account.
Q Money for you?
A It's money for me to use for Matthew.
Q Do you ever place money from that account into your Olympic Bank account?
A I could have. I would say probably not. Unless I was running short or something. I may have done it to cover something.
Q What other monies go into that account which is used for Matthew?
A No other monies.
Q You mentioned earlier that you made a -- a second contribution to the Haig campaign for $750?

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A Correct.

Q Prior to your contributions to Haig, what other contributions did you make for campaigns for political office?

MR. CONNELLY: Objection. We already went through this.

THE WITNESS: Yuh.

A I don't remember.

Q But again, you -- you don't recall ever giving to a -- to another presidential campaign?

A No, I don't recall anybody running against Michael Dukakis who I couldn't stand the idea of getting to be President.

Q I'm not sure what you mean.

A No. No.

Q Well, did you give money to George Bush?

A No.

Q He was running against Michael Dukakis.

A That's correct.

Q You only gave money to Alexander Haig?

A That's right. That was prior to the -- the nomination. And then Bush was nominated.

Q How much were your commissions from your real estate brokerage?

A Well, it varied depending on the years. I've

been selling real estate since 1975.

Q Were your commissions ever larger than your salary at Olympic?

A Oh, yes.

Q They were.

A Oh, yes.

Q They were a lot larger?

A Yes.

Q So every year they were larger than your salary at Olympic?

A Every year that I sold real estate was larger than -- Is that the question?

Q Well, let me ---

A It depended on the year in real estate. Some years I made substantially more and some years I didn't; I made less.

Q You sold real estate while you were working at Olympic Bank?

A Yes.

Q And your commissions were larger than your salary?

A In those years? Probably not.

Q What did you do with the -- with the check for $750? Who'd you give it to?

A I gave it to one of the tellers.

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Q Why did you give it to a teller?
A To deposit it and have a treasurer's check drawn.
Q You -- you made your second contribution by a treasurer's check?
A Wait a minute. We're back -- we're still on the seven hundred and fifty.
Q M-hm.
A No, I didn't. I'm sorry.
Q You made the contribution on your own personal account for that?
A That's correct.
Q Okay.
What did you do with that check?
A I don't know.
Q Did you give it to Dominic Saraceno?
A I don't remember. I probably mailed it in to Washington, but I don't remember.
Q Do you ever make charitable contributions?
A Yes.
Q Are they in amounts of over a thousand dollars?
A I think on one occasion.
Q So it would be unusual to -- to make a general contribution of that amount?
A That's correct.
Q But you don't know who you gave the check for

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$750 to?

A No. I either gave it to Dom or I mailed it in personally.

Q Okay.

A One or the other. I -- there -- those are the only two options. I don't know which one I did.

Q You stated you made the second contribution because the campaign needed money?

A I was asked if I would be interested in contributing more, yes.

Q And who asked you?

A Probably Dom.

Q Was the second contribution in connection with a fundraiser?

A I don't remember.

Q Did you take any -- any notes about these discussions with Dominic Saraceno regarding contributions to Haig?

A No.

Q You took no notes?

A No.

Q Did you ever attend a fundraiser on behalf of Alexander Haig?

A Yes, I did.

Q When was that?

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A I attended two. I attended one in I believe April of that year, and one in September.
Q Where were those fundraisers?
A The one in April was at Mr. & Mrs. Saraceno's home. And the other was in Quincy Market.
Q Who invited you to the first fundraiser?
A Probably Mr. & Mrs. Saraceno.
Q Did you receive an invitation in the mail?
A Oh, I don't -- I don't think it was done like that. I don't recall.
Q How -- how were you invited?
A Probably by telephone.
Q He called you up?
A He or Mrs. Saraceno.
Q You know Mrs. Saraceno?
A Yuh.
Q What's her first name?
A Ingeborg.
Q Can you describe for me the fundraiser at Mr. Saraceno's house?
A There were a large group of people there. Alexander Haig and his wife were there. I came with a -- another man who is politically interested as my escort.
Q Did your escort make a contribution to Haig for

9504365 2022

President?

A No.

Q How many people were at the fundraiser at Mr. & Mrs. Saraceno's house?

A I don't know.

Q Was it more than 50?

A I don't know.

Q Was it more than 20?

A I -- I would guess it was more than 20. Could have been more than 50. They have a big home so I couldn't -- can't guess numbers. I'm not good at that.

Q Is their home in Wellesley?

A No.

Q Where is their home?

A Newton.

Q Who attended the fundraiser?

A I guess a lot of their friends and business acquaintances.

Q Who do you recall that attended the fundraiser?

A The Mucinis were there. David Goldman was there. I can't remember.

Q Was Bill O'Brien there?

A I don't know.

Q Was Joseph Smith there?

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A No.
Q Was K. C. Jones there?
A No.
Q Was Billy Dee Williams?
A Not at that one, no.
Q Who was invited to the fundraiser?
A I didn't send out the invitations, or I didn't call people. I don't know.
Q Did you have to be a contributor to be invited?
A I don't know. No, because I took a man who is not a contributor. He was allowed in the door.
Q Did you have to show an invitation to go in the house?
A No.
Q Who else at Olympic Bank was asked by Dominic Saraceno to make a contribution?
A I don't know.
Q Was there any discussion about politics at the office?
A I was not involved in any.
Q Do you ever recall hearing any?
A No.
Q Never?
A No.
Q Anyone ever wear any campaign buttons?

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A No.

Q Do you ever recall ever seeing anyone with a -- let me step back.

Did you tell anyone about your contribution to Al Haig?

A I told my son Matthew. I don't believe I told anyone else. Certainly I talked to people about Al Haig. People knew I was supporting him.

Q Who did you tell at work?

A No one.

Q No one at all?

A Not to my -- not to my recollection, no.

Q Did Bill O'Brien make a contribution to Haig for President?

A I don't know.

Q Do you know anyone else at the bank that made a contribution at the time for Haig for President?

A No, I don't.

Q No one at all?

A I don't happen personally to know.

Q You don't recall hearing any conversations at work about someone contributing to Haig for President?

A No.

Q How did you come to attend the fundraiser in

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Quincy Market?

A I guess I was told there was a fundraiser by Dom probably, and was I interested in going, and I said I was.

Q How much did you have to give to attend the fundraiser?

A I don't know that I had to give anything.

Q And who was at that fundraiser?

A Who was at that fundraiser. I certainly didn't know the majority of the people that attended that fundraiser. They weren't people that I had ever met.

A woman friend of mine from Wellesley came with me. My son was there. I think he brought some friends. Billy Dee Williams was there at that one.

Let's see. There was -- I do recall that there was a bank customer that I had seen around the bank who was there because he came with his fiancee and I hadn't met her before, and I believe I chatted with her for a while.

Q Do you recall his name?

A No.

Q Or her name?

A No.

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Q Who else from Olympic Bank was at the fundraiser?
A I don't have any idea. I don't remember.
Q You don't recall Bill O'Brien was at the fundraiser?
A No. I don't think there were many bank people -- I don't think there were bank people there particularly. It was not -- it was -- as I say, I didn't know the majority of the people there. I had never seen them. And I didn't meet them there.
Q What bank people were invited to the fundraiser?
A I don't know.
Q Do you ever recall ever hearing a discussion about people attending the fundraiser?
A No.
Q Did you tell anyone at work about the fundraiser?
A Not that I recall.
Q Did you tell anyone that you had met Billy Dee Williams?
A Probably not. Wouldn't have been the highlight of my life.
Q Or that you met Alexander Haig?
A Well, I had -- I had met him before.
Q When have you met Alexander Haig?
A Well, I met him at the fundraiser in the spring.

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Q Were those the only two times you'd met him?
A Yes.
Q And you were introduced to him?
A Yes, I was.
Q And who was around when you were introduced to Alexander Haig?
A I don't recall.
Q Well, who introduced you?
A Probably Dom did, because he was introducing -- he was the host and introducing him to the various people that were there. Probably Dom did.
Q At both fundraisers he was the host?
A I'm sorry?
Q At both fundraisers he was the host?
A Not at -- I don't believe he was the host at the one at Quincy Market. I mean -- at that point I don't even know if I spoke with Alexander Haig.
Q What was Dominic Saraceno's involvement with Haig for President?
A He was, what, the treasurer of the campaign?
Q Do you know if he was the committee's treasurer?
A I beg your pardon?
Q To your knowledge he was the committee's treasurer?

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A To -- that's correct. Or he became that after a period of time, accepted that.

Q Do you know someone named Steve Jernigan?

A No.

Q When Dominic Saraceno asked if you were interested in making a contribution to Haig, did you consider not contributing?

A No.

Q Not at all?

A No.

Q What would have happened if you didn't contribute?

MR. CONNELLY: Objection.

THE WITNESS: Does that mean I don't answer?

MR. CONNELLY: No, I mean, you can answer. I think it's a ridiculous question. It calls for speculation.

A No -- no negative impact to my knowledge.

Q Thank you.

Did you -- did you feel you would suffer any consequences ---

A No.

Q --- if you didn't contribute?

A No.

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Q Did you feel under any pressure to contribute?
A No. Other than my own pressure and motivation.
Q And what pressure was that?
A Because I wanted to see a good man as President of our country. And I didn't particularly care for any of the other candidates, and I particularly disliked the one running from Massachusetts.
Q And that's -- that's Governor Dukakis?
A That's correct.
Q What else are you required to do for your contribution?
A I'm sorry?
Q Did you ever have to fill out any forms when you made your contributions?
A I believe, yes. I believe the committee sent verification forms or something, to my recollection.
Q They were mailed to you personally?
A M-hm.
Q And what did you do?
A Filled it out and sent it back.

MR. KELLNER: I'm going to ask the Court Reporter to mark this four-page document as FEC Exhibit No. 1; handing a copy to the witness

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and her counsel and ask them to look at them.

(Four-page document marked FEC Exhibit No. 1.)

THE WITNESS: You have a better copy than I do. Thank you.

Q Have you had a chance to look at FEC Exhibit No. 1?

A Yes.

Q Are you looking at the document which I handed you?

A Okay.

I'll look at the one you handed me. It's -- the Xerox isn't so clear.

Q What did I hand to you?

A You handed to me the Xerox copies of my checks, front and back, the two checks that we have been discussing, which were my contributions.

Q Are these the documents that you submitted to the Commission in response to your subpoena?

A Yes.

Q Looking at the first page of the exhibit, this is your first contribution check?

A Yes. That's the one for two hundred and fifty? I mean, I -- I can barely see it. Yes. That is.

Q Do you have -- did you bring better copies with

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you today?

A His are better. I can see his. I can refer to it.

Q Does your copy of the exhibit ---

MR. KELLNER: Can we go off the record?

(Discussion off the record.)

MR. KELLNER: Off the record the witness and her counsel supplied us with better copies of the checks she wrote to the Haig campaign, and they've agreed to have these copies attached to the record as FEC Exhibit No. 2, and I'm going to ask the Court Reporter to mark these four pages as FEC Exhibit No. 2.

(Four-page document marked FEC Exhibit No. 2.)

MR. KELLNER: I'm going to ask the witness to look at Exhibit No. 2 and describe it for us.

Q Do you recognize these checks?

A Yes.

Q And the -- the first check was for what amount?

A $250.

Q Who's it made out to?

A Committee for Al Haig, Exploratory.

Q Is that your name on the top?

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A Yes, it is.
Q And do you recognize the signature at the bottom?
A Yes, I do.
Q Do you recognize the account number?
A Yes, I do.
Q This is your bank account?
A Yes.
Q Who told you to make the check payable to the Committee for Al Haig, Exploratory?
A Probably Dom Saraceno.
Q What's the date of this check?
A March -- it's not -- it's not clear on mine because the stamping is over it.
Q But what is the month and year?
A March '87.
Q What does the second page of the exhibit show?
A It shows the bank markings of the deposit.
Q It's the back of the cancelled check, is that right?
A That's correct.
Q What is the third page of the exhibit?
A It is my check in the amount of $750.
Q And what's the date of this check?
A It looks like April 20, 1987.
Q And that's your signature at the bottom?

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A That's correct.
Q And who's this check payable to?
A Haig for President.
Q Why did you make this contribution to Haig for President as opposed to ---
A I don't know.
Q There's a memo at the bottom, and what does it say?
A "Political donation."
Q Why didn't you make such a notation on your first check?
A I don't know.
Q Did someone tell you to make a notation on the check?
A No. I probably just felt like doing it that day.
Q You described -- you described earlier a document the committee sent you that you were required to sign?
A I thought they did. I thought they had follow-up little slips so -- for their records, to have better complete records, I think, for who was -- who was contributing, so that they could probably solicit you in the future.

As a matter of fact, I could have been solicited in the future by letters directly from

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the committee in Washington.

Q Did you save a copy of the documents you received from the committee?

A No.

Q Did you ever receive a thank you note from the committee?

A I think so. They sent out -- they sent out a lot of material from Washington, but, you know, during that period of time I was getting stuff from -- from everybody. All the political candidates. So I don't remember specifically.

Q You received mailings from a number of candidates?

A M-hm. I got a Christmas card from Dole. I can't believe -- I didn't contribute to him. Yesterday. That's a riot. I wonder how he got me -- where he got that list.

Q Were all the mailings you received from Republican candidates?

A No.

Q You received mailings from Democratic candidates?

A Sure. Because I'm listed as an Independent.

Q Do you vote regularly?

A Always.

Q As a registered Independent, are you allowed to

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vote in a primary in Massachusetts?

A Well, let's see, it seems to me what I -- what I do is you go in and for that day you can register whether you want to vote that day Democrat or Republican. Then when you do that, after that day, you reinstate yourself as an Independent.

Q So you've voted in primaries?

A Yes.

Q Of either party?

A I can't remember specifically. My -- my greatest tendency would be to vote Republican, but if I felt there was a more significant meaning to my vote on the Democratic side I might have selected at some time in the past to vote Democratic too.

Q Were you ever reimbursed for your contribution to the Haig campaign?

A No.

Q Did anyone ever offer to pay you back for your contribution?

A No.

Q No one ever offered to pay you back?

A No.

Q For the sake of the record, can you wait till I finish a question before you ---

A That's all right. It's just -- Go ahead. I'm

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sorry. I apologize.

Q So no one ever offered to reimburse you for your contribution?

A No, they did not.

Q Did anyone ever offer to pay any debts for you for making a contribution?

A No.

Q Anyone ever give you any gifts for making a contribution?

A No.

Q Did you ever receive any special recognition at work for your contribution?

A No.

MR. KELLNER: I'm going to ask the Court Reporter to mark this one-page document as FEC Exhibit No. 3; handing a copy to the witness and counsel, and ask them to look at it.

(One-page document marked FEC Exhibit No. 3.)

Q Have you had a chance to look at it, Ms. Curtin?

A Yes.

Q What is it?

A Am I allowed to speak with him a second?

MR. CONNELLY: Do you want to take a break for a minute?

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THE WITNESS: Yuh.

MR. KELLNER: We'll go off the record.

(Discussion off the record.)

MR. KELLNER: The witness asked to take a break so that she could confer with counsel.

Do you need more time to confer with counsel?

MR. CONNELLY: We're all set.

THE WITNESS: Yuh.

Q You're looking at Exhibit No. 3.

A M-hm.

Q Do you recognize it?

A Yes, I do.

Q What is it?

A Well, part of it is a check written to the campaign, a treasurer's check, and the other is a form that, my assumption is, was made out by the Haig committee in filling in the information on Matthew.

Q And Matthew is your son?

A That is correct.

Q And the top part of this exhibit is a treasurer's check to the Haig campaign?

A Yes.

Q You stated that you -- you recognized it. How

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come?

A Because I -- I bought it out of monies in his account, and I -- that is my printing at the top saying "Matthew L. Curtin," et cetera.

What I don't recognize about that check are the checkmarks and the "O.K." jotted over on the right-hand side with initials there.

Q Is that your handwriting at the top of the check?

A Yes.

Q What does it say next to "Matthew L. Curtin"?

A It says "Student, Age 18, from trust account."

Q Why did you purchase this money order?

A I -- I don't know now why I did.

Q You don't recall why you purchased a thousand dollar money order in the name of your son?

A Well, I purchased it -- I -- I wanted to make a donation from his account on his behalf, and I was the signer on the account, and I -- but I don't know why I did it in the form of a treasurer's check, as opposed to a direct check from his account.

Q You stated that -- you state that you want -- wanted to make a contribution on his behalf?

A M-hm.

Q So you purchased this money order?
A Treasurer's check, right.
Q Excuse me. Treasurer's check.
A M-hm. Well, using monies from his account, yes, I did.
Q Did he give you money to make ---
A No.
Q Did he give you money to make the -- to purchase the treasurer's check?
A He did not give me money. These -- this account was on his behalf, and I was the signer on the account.
Q Is this the account you referred to earlier that receives funds as a result of your divorce settlement?
A No.
Q This is a separate account?
A Yes.
Q Can you describe that account for me?
A It's a money market account for Matthew.
Q Who puts money into that account?
A I do. And he did contribute to it. When he worked he would give me a portion of his earnings to put money into it.
Q He would give it to you and you would deposit it?

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A That's correct.
Q When did he work?
A Over the years as a teenager.
Q Prior to the age of 18?
A Yuh. He's always worked, correct.
Q Whose name is on this account?
A My name.
Q Just your name?
A That's correct.
Q And it's in trust for Matthew Curtin?
A It is in trust for Matthew Curtin. It doesn't say that. It's that I kept the funds separate for him, as distinct from my own personal checking account and household funds.
Q So the account ---
A And my own savings accounts, et cetera.
Q So the account was just your account?
A It was only in my name.
Q Could he make transactions in this account?
A No.
Q So who has the right to sign checks from that account?
A I didn't understand.
Q Who has the right to sign checks from that account?

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A Only myself.
Q Only yourself.
A M-hm.
Q Your son knew you had this account?
A Yes. Well, he knew I had an account where I was saving money for him, yes.
Q And it was from that account which you obtained the funds for the contribution -- this contribution shown on FEC Exhibit No. 3?
A Yes.
Q Why did you do this?
A Why did I do what?
Q Why did you make this contribution in his name?
A Because I felt it was important for his future in this world that -- that he live in a country well governed and managed.
Q Who told you to do this?
A Nobody told me to do it.
Q No one at all?
A No.
Q Can you supply me with the check register and bank statements for that account ---
A I can.
Q --- showing the source of funds in that account?
A M-hm. Well, I don't know that it will show the

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source of funds.

Q And also show the transactions involved in this check?

A Yes, it will show that.

Q Do you regularly have enough money in that account to write a check for a thousand dollars?

A I had about [redacted] in that account at that time.

Q Is that account still open?

A Yes.

Q Why didn't you just write a check to the campaign?

A I don't remember.

Q Who told you to purchase a treasurer's check?

A I don't remember.

Q Could it have been Mr. Saraceno?

A Oh, I don't think so. I don't -- maybe -- I don't know. Maybe it was one of the tellers or something that felt it should be in the form of a treasurer's check. I don't remember.

Q And why would a teller know?

A I don't know, because I don't understand that much about different bank checks.

Q You were vice president of the bank?

A Yes. That's correct.

Q What other times have you purchased a money order

on behalf of your son -- I mean, or -- or a treasurer's check?

A I don't believe I ever have.

Q This was the only time?

A Yes.

Q And you don't recall the circumstances involved?

A Well, I -- which circumstances do you mean? I mean, I went up to the tellers and I -- and they suggested I -- I think it was they that suggested -- I don't recall who ---

Q Who signed this check?

A Or maybe it was my idea to put it in the form of a treasurer's check. Maybe I thought it was safer that way.

Q Why did you think it was safer?

A I don't know. I thought maybe it was. Maybe I thought -- I don't know. I don't know why I did it.

Q What were you concerned about?

A H-hm?

Q What were you concerned about?

A I -- I had no concern.

Q Okay.

How did you go about purchasing this treasurer's check?

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A I wrote a check to the Olympic Bank from Matthew's account for a thousand dollars. Then they put it in the form of a treasurer's check.

MR. KELLNER: I ask the Court Reporter to mark this two-page document as FEC Exhibit No. 4; handing a copy to the witness and her counsel and ask them to look at it.

(Two-page document marked FEC Exhibit No. 4.)

Q Have you had a chance to look at FEC Exhibit No. 4?

A Yes.

Q What is it?

A It is a check written to the Olympic Bank on September 22nd, 1987, in the amount of a thousand dollars.

Q What is the date of that check?

A September 22nd, 1987.

Q What's the check number?

A It goes off the edge. I can get -- I can get the original check itself.

Q Can you supply us with a copy showing the complete check?

A Yes.

Q Is this your signature at the bottom of the

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check?

A Yes, it is.

Q And whose name is at the top of the check?

A My name.

Q Is your son's name on this check at all?

A No, it is not.

Q Is this the check you were referring to earlier that you used to purchase the money order on behalf of the Haig campaign?

A M-hm. Yes, it is.

Q Okay.

Who did you give this check to, FEC Exhibit No. 4?

A I don't remember. I either -- I either mailed it to the committee in Washington or gave it to Dom.

Q Well, I'm referring to Exhibit No. 4, the check that you wrote to cover -- to cover the treasurer's check.

A Oh, I'm sorry. To a teller.

Q You gave it to the teller?

A Yuh.

Q And then what did -- what did the teller do?

A Made out a treasurer's check.

Q Who signed the treasurer's check?

A Well, Susan Fraser did, and I need a roster of

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bank employees to see who -- who also signed that, because I don't recognize the signature.

Q So you only recognize the name of Susan Fraser?

A Yes, I recognize her name, but I don't recognize the one above it.

Q Why were there two signatures on the check?

A I believe they had -- I believe the law was that they had to have two officers sign a treasurer's check.

Q Why do you believe that?

A Otherwise they wouldn't have bothered to do it.

Q Why did Susan Fraser sign the check?

A She was one of the officers.

Q Did you see her sign the check?

A I don't remember. Probably not. They -- probably I was standing at the teller's counter and probably one of, you know, somebody went back to her office with it. I don't recall that I hand carried it. I wouldn't have, because it would have been in the middle of the transaction. They wouldn't have given me the check to take to her.

Q Now, looking at the bottom half of FEC Exhibit No. 3, do you recognize the handwriting?

A I don't recognize any of the handwriting other

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than -- strangely enough -- John and I have two different copies. His copy differs from mine. He doesn't have a telephone number written in, and my copy has a telephone number written in, and that is my printing.

Q That is your what?

A That is my printing of my phone number.

Q Okay.

A And Matthew's phone number.

Q How did you obtain this document?

A John Connelly obtained it.

Q How did you come to have two different copies?

A I can't figure it out. I don't know. I've never seen this one with my phone number imprinted there.

Q What did you do with the money order? I mean -- excuse me -- treasurer's check?

A I don't know. I either mailed it directly to the committee or I gave it to Dom. Those are the only two possibilities. But I -- I don't know which one I did. My guess is I would have mailed it.

Q To who?

A To the committee in Washington.

Q Well, you may have given it to Mr. Saraceno?

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A I might have, but I doubt it.
Q Did Mr. Saraceno suggest that a member of your family make a contribution?
A No.
Q Are you sure?
A Yes.
Q You took it upon yourself?
A I did.
Q What did you tell your son about this contribution?
A I told him that I made the contribution out of his account. Out of monies.
Q Did you ask him?
A I didn't ask him.
Q He didn't ask you to do it?
A No.
Q Did you tell him before or afterwards?
A After.
Q Did you tell him at all?
A Yes.
Q And what did he say?
A I don't remember what he said.
Q Was he surprised?
A He was probably surprised.
Q Why was he surprised?

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A Because he had no knowledge of the extent of monies in that account.

Q You would put that -- you would put money into the account to save for him?

A M-hm.

Q And occasionally he would give you money to put into the account?

A Routinely he gave me money.

Q What amounts would he give you money?

A Oh, small amounts.

Q How small?

A I don't know. Like $122 a week or something.

Q How would you describe your son's activity in politics?

A Well, I find it fascinating that he is so knowledgeable and interested. I am surprised that he is.

Q Why are you surprised?

A I don't know. I thought he was too involved in kid stuff.

Q This is when he was 18?

A M-hm.

Q Can you tell me about his political activity?

A Just a more sophisticated knowledge and opinions and reasons for feeling the way he does about

political ideas than I would have expected.

Q Does he share your views?

A For the most part. But he arrived at them on his own.

Q And, again, when did you -- when did you tell him you made the contribution? After you had done it?

A Yes.

Q How much later?

A I don't know. Not more than -- I'd say within the week or two.

Q So you saved money in this account for him.

A M-hm.

Q And he adds his own funds to the account.

A Correct.

Q And you wrote a check -- or used a thousand dollars from that account to make a contribution to Haig for President ---

A M-hm.

Q --- without telling him.

A That's correct.

Q Was he upset at all?

A I wouldn't have described him as being upset. Surprised. But not upset.

Q Was he disappointed at all?

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A No.

Well, maybe that's too strong.

Q He expressed disappointment to you?

A No, he didn't express disappointment to me.

Q But he didn't know how much money was in the account?

A That's correct.

Q How much did he believe was in the account?

A I don't have any idea.

Q What else did you use that account for?

A Paying school tuitions, that type of thing. Probably even down to buying him clothes.

Q Did you ever use that account for anything not involving Matthew?

A I don't believe so.

Q But you may have?

A I don't believe I did.

Q Did you keep a record of his -- of his contributions to that account?

A Yes.

Q How was that record kept?

A Just in the check register when a deposit was from him.

Q Could you supply us with all supporting documents regarding his contributions?

Q And who else attended that fundraiser?
A Who else?
Q M-hm.
MR. CONNELLY: Objection. We already went through this.
MR. KELLNER: Well, she didn't mention Matthew before.
MR. CONNELLY: Yes, she did.
THE WITNESS: Maybe I didn't. Maybe I didn't.
MR. CONNELLY: No. You did.
THE WITNESS: Did I? Okay.
Q Is there anyone else that you recall that you didn't mention earlier?
A I think there was a -- I think my woman friend from Wellesley brought another woman friend that I didn't mention. I think Jonathan Bragg from Dom's office was there. I'm trying to think. Was there -- I think maybe a woman who is in customer service at Olympic Bank came with another woman friend.
Q Who was the woman from Olympic Bank?
A Rita. I'm not sure she was there. I just -- Well, let's say that she may have been.
Q Do you know her last name?

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A She has married since then, and her current last name is Hotin, H-o-t-i-n.
Q Do you recall her maiden name?
A No. I don't even know that she was there.
Q Did your son receive an invitation to the fundraiser?
A I don't believe invitations were sent.
Q Did he ever receive any mailings from the Haig campaign?
A Sure.
Q What were those?
A Probably thank you's and that kind of thing. Updates.
Q What's Matthew's date of birth?
A August 14, 1969.
Q Did he ever receive a thank you from the Haig campaign?
A Well, it may have said "thank you" on it. He received a form that he filled out and sent back to the committee. It may have said "thank you" along with it. Again, it was an informational form, you know, for -- for their records.

MR. KELLNER: I'm going to ask the Court Reporter to mark this one-page document as FEC Exhibit No. 5; and hand a copy to the witness

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and her counsel and ask them to look at it.

(One-page document marked FEC Exhibit No. 5.)

Q Have you had a chance to look at FEC Exhibit No. 5?

A Yes.

MR. KELLNER: Can we go off the record?

(Discussion off the record.)

MR. KELLNER: Okay.

Back on.

Q Ms. Curtin, can you look at FEC Exhibit No. 5?

A Yes.

Q What is it?

A I honestly don't know what it is, other than the bottom portion which is a verification of -- of the ownership of the account that Matthew signed.

Q Is this the form you referred to earlier that he was mailed and had to fill out?

A M-hm.

Q Yes?

A Yes.

Q Did you hand him the form to fill out?

A I don't remember. It came in the mail, so my assumption is it was addressed to him.

Q And who opens his mail?

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A He opens his mail. Although, you know, -- no, he opens his mail.
Q Who filled out this form?
A I don't know. He and I did not because we would not have misspelled his last name, and it's not his writing or mine other than his signature.
Q But he signed underneath where his address is located and where his name is misspelled?
A M-hm. Right.
Q What did he do after he signed it?
A I don't know.
Q Who'd he give the form to?
A He -- it was mailed back to the committee.
Q Who mailed it?
A I don't know.
Q Did he mail it?
A I don't recall.
Q You don't recall if you mailed it?
A No. It left our home, our post -- you know, in our mail box. Whether I stuck it in there or he stuck it -- he usually is too lazy to carry the mail out to the mail box, so I probably did.
Q What did he say to you about this form?
A I don't -- I don't recall.
Q Did he ask you about it?

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A He'll have a better recollection than I do. I don't -- I'm sure we had a discussion about it.
Q Did you ask anyone's advice about -- about this form?
A No. Is it a bad form? Should I have?
Q What is the relationship of Haig for President with Olympic Bank?
A I believe that Haig for President has a loan at Olympic Bank. Other than that, I don't believe there's any relationship.
Q What kind of loan?
A I don't know. I wasn't involved with it.
Q Who was involved?
A Bill O'Brien.
Q Anyone else?
A I -- probably Mr. Saraceno.
Q Anyone else?
A Not to my knowledge.
Q How do you know about the loan?
A I had heard that there was one.
Q From who?
A Probably Dom.
Q And how'd they go about getting the loan?
A I don't know.
Q Did you ever receive mailings from the Haig

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campaign at the bank?

A No.

Q So the form your son filled out in Exhibit No. 5, that arrived at your home and not the bank?

A Yes. That's right.

I'm sorry. I didn't mean to step on your question.

Yes, it arrived at our home.

Q Do you know who filled out FEC Exhibit No. 5, other than your son's signature?

A No.

Q Does the Haig campaign have an account at the bank?

A I don't know.

Q But you know there's a loan?

A Yes.

Q How much is the loan for?

A I don't know.

Q Do you know if it was for more than a thousand dollars?

A Oh, I assume it was. I mean, I don't think they'd bother to have a loan of a thousand dollars.

Q What was the collateral for the loan?

A I don't know.

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Q Who would normally be in charge of making these loans?
A Only Bill O'Brien.
Q Only Bill O'Brien?
A M-hm.
Q Does the bank have any outstanding loans with any other political campaigns?
A I don't know.
Q But you just know -- just know about this one loan?
A Sure.
Q Was Al Haig ever at the bank?
A I'm sorry. Was he ever at the bank? No.
Q Was there ever a fundraiser held at the bank?
A No.
Q Were the bank's facilities ever used for a Haig campaign ---
A No.
Q How do you know?
A Well, it wasn't while I was there.
Q And you don't know who else Dominic Saraceno asked to make contributions?
A No. I would imagine he asked a lot of people.
Q At the bank?
A At the bank? Probably some people at the bank.

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Q Did he ask you -- do you think he would ask everyone at the bank, or ---

A Everyone?

Q --- or just his friends?

A I don't know.

Q Did Mr. O'Brien ever ask you to make a contribution?

A No.

Q Did you ever discuss it with him?

A No.

Q Did you suggest to Dominic Saraceno anyone that he may ask for a contribution?

A No.

Q Did Susan Fraser make a contribution?

A I don't know.

Q You mentioned earlier that Mr. O'Brien would make contacts that were good for the bank's business?

A Yes.

Q Was one such contact with the Haig campaign?

MR. CONNELLY: Objection. Good in whose minds? Good in her mind? In other words, good for the bank? I mean, I don't -- what context are you asking her that question?

MR. KELLNER: In the same context that she -- that she said his contacts were good for

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the bank. Good for business.

A Well, he hoped they would be. That they would enhance the bank's business.

Q And the relationship with the Haig campaign was such a -- he had such hopes with that one?

MR. CONNELLY: Objection.

If you know.

THE WITNESS: Yuh.

A I don't know.

Q What was the interest rate on the loan?

A I don't know.

Q Did Al Haig have an account at the bank?

A Not to my knowledge. I mean, he may have. I -- not to my knowledge.

Q Was there ever a meeting to discuss contributions to Haig for President?

A I never attended such a meeting, or am I aware that any such meeting ever happened, or that there was ever any discussion on it.

Q Have you ever heard of Fellows Corporation?

A Yes.

Q How have you heard of Fellows Corporation?

A Well, it's one of the companies owned by Goldman.

Q What do you know about it?

A Not enough. It's a machine tool company. It's

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one of their machine tool companies.
Q And who's in charge of that branch of the operation?
A I -- I don't know. I guess Joe Smith is.
Q How did Goldman Financial come to own Fellows Corporation?
A I don't know what the procedural steps were. I don't ---
Q Was it a leveraged buyout?
A I don't know in the case of Fellows. I was -- I wasn't an employee then.
Q What did you do when you got your subpoena from the Commission?
A I went and I got my checks. I went and I found my checks, because they asked for the documentation, and sent them in. And I called Nicky and asked if, you know, told him I had had this, and I asked if -- if anybody else was getting them, and if they were being represented by counsel. And that's how I found John Connelly.
Q What did he tell you in response to your question?
A He said he thought there might be some people, and they had retained counsel, and that I should

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call John.

Q That's Mr. Nicolazzo you asked?

A Correct.

Q Did you ask anyone else?

A No.

Q Did you talk about it with your son?

A Yes.

Q And what did the two of you discuss?

A Nothing. I showed him -- I showed him the letter. He -- I said, you know, you should familiarize yourself with all this data, and -- and I showed him all the copies of all the checks, and that I was sent here.

Q Who else did you discuss the subpoena with?

A Discuss what with, please?

Q Discuss the subpoena with.

A I -- I really didn't discuss it with anyone.

Q Who else do you know that received a subpoena?

A I don't know the people that received subpoenas. I don't know who they were sent to.

Q Well, who else do you know of that received a subpoena?

A I know that Joanne O'Brien did.

Q Anyone else?

A No.

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Q How do you know that Ms. O'Brien received one?
A Because Nicky mentioned it me.
Q Mr. Nicolazzo?
A Yes.
Q Did he mention anyone else to you?
A No.
Q Did you ask Mr. Nicolazzo about seeking legal counsel?
A Yes.
Q Did he say anything to you about the cost of legal counsel?
A I said that I -- I said that I personally wanted to -- I'm no longer an employee, et cetera, et cetera, that I personally wanted to retain it for myself, but I just was curious if, you know, who he might direct me to, if the bank was, you know, had anybody there that got a subpoena and was using one, and he suggested John.
Q Did he say that Olympic would pay for the cost of counsel?
A He said they would not.
Q He said they would not?
A Correct.
Q You asked him?
A Yes. In my case.

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Q And what did you say then?
A I said that's fine. I just really wanted to have somebody who's knowledgeable about this. I'm happy to pay for it myself.
Q It's still a little unclear to me, and I -- so I'll ask a question that I think you may have heard before, but did you ask Mr. Nicolazzo if Olympic Bank would pay for the cost of counsel?
A I don't remember how the conversation went. I was clearly prepared prior to my call to pay for counsel anyway, and it was reiterated in the conversation that they were not going to pay for my counsel, but they would be happy to direct me to the firm that was handling people involved there at the bank.
Q Mr. Nicolazzo did not offer to pay for counsel?
A Absolutely not.
Q Why did you -- you don't recall if you asked him, though, if you pay for counsel?
A I don't know whether I asked him, or whether I simply said, "Nicky, will you please tell me if you are using someone, because I would like to go to the same people. I'm, you know, obviously not an employee of the bank any more, et cetera. Et cetera. I recognize I'll pay for it myself."

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And he said, "Yes," he said, "the bank won't pay for it." Or it went somehow like that. It was just reconfirmed.

I probably started off by saying, "I don't expect the bank to pay for it."

Q Do you ever recall hearing any conversations about anyone else's contributions to the Haig campaign?

A No.

Q Do you know Heidi Saraceno?

A Yes, I do.

Q How do you know her?

A I know her socially.

Q You do know her socially?

A Yes.

Q And do you know where she lives?

A I only know that she lives in the City of Newton.

Q Do you ever speak to her on the telephone?

A Now? No.

Q Are you a friend of hers?

A No.

Q Do you have her address?

A No.

Q Would it be possible for you to obtain her address?

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A I suppose I could somehow get it.
Q If -- if you could obtain her address, could you send it to me?
A Sure.
Q And is John Lichter still employed at the bank?
A John Lichter was never an employee of the bank. John is on the Board of Directors.
Q John's on the Board of Directors.
Do you have John Lichter's address?
A No.
Q Would that be something you would have access to?
A I could call the bank. They could tell me.
MR. KELLNER: Okay.
We're going to take a short break.
(Recess.)
MR. KELLNER: Back on the record.
I'm just going to ask you a few follow-up questions and see what we can do towards wrapping this up.
Q Why did you call Mr. Nicolazzo after you received the subpoena?
A Because I wanted to see if I was alone in the world on this, and if there was anybody that he knew of at the bank, you know, if this had happened to anybody else.

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Q Well, why would you think it would happen to anybody else?

A I don't know. I just wanted to see if it had. Why -- I thought why did I get this?

Q But you didn't know of anyone else who made contributions?

A I don't know who specifically made contributions, no. I mean I cer -- you know, I certainly -- there were a lot of people at fundraisers and that sort of thing, but I don't know who specifically made contributions.

Q But you didn't know anyone at the bank who may have made a contribution?

A No. No.

Q Yet you called up the -- you called up the bank's -- what is his position?

A He's Chairman of the Board.

Q You called the Chairman of the Board?

A M-hm.

Q And why did you think that he might know anything about this?

A I thought that he would know, if anybody did, if this had happened to anybody else at the bank.

Q And why did you suspect that?

A I didn't even suspect it. I just didn't even

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know why it happened to me.

Q Before you ---

A The only other people -- you know, the only other people I knew were -- who could have been potential contributors were either subcontractors and friends and social associates of Dom's or people from the bank. It was just a natural thing.

I -- I at this point still forward business to the bank, if I can.

Q You send potential customers to them?

A Mmm.

Q Before you purchased the treasurer's check on your son's behalf, did you -- did you seek anyone's advice regarding that transaction?

A No. No one -- no one I knew felt so strongly about -- about the whole thing, that's all.

Q Well, did you seek anyone's advice as to the way you went about the transaction?

MR. CONNELLY: Didn't we go over this already?

A No. I probably would have done it correctly if I had, since I obviously didn't.

Q Well, how would you have done it correctly?

A Well, I would have spoken with Matthew first.

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Q At the time you purchased the treasurer's check were you concerned there was anything improper or illegal about what you were doing?

A No.

Q Did you consult with anyone other than counsel regarding your response to the Commission's subpoena?

A No.

Q Is there anything you'd like to add to the answers you've given here today?

A Not that I can think of.

Q Anything at all?

A Well, I -- I can appreciate that you don't know, you know, where I'm coming from in regard to being so avid a backer of Al Haig, and I can appreciate that.

Q I'm not sure what you mean.

A Well, no, you -- you probably think why in the world would -- would she be that interested in seeing Al Haig elected, and so you -- you have no knowledge of me and my political thinking, et cetera, and my following Al Haig, et cetera, through -- through the years.

Q What do you know about Al Haig?

A I know that he is a fine statesman, and I know

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that he has far more breadth of experience than anyone else who was -- who was running, with the exception of President Bush, in my mind. But I felt that my views more closely approximated Al Haig's, and I -- I just felt that he was the stronger candidate.

Q What were some of Mr. Haig's experiences?

A You mean you want to go through the different position he -- he's held?

Q I'm just curious.

A Well, you well know that he was Secretary of State and in NATO, et cetera, and I know how -- I understand where he was coming from thoroughly. When President Reagan was shot and he -- and he was on the television screen saying "I'm in charge here," et cetera, et cetera, and that other people never understood that.

Q Is there anything else you'd like to say for the record?

A No.

Q Have you given full and complete testimony in response to the questions asked of you today?

A Yes.

MR. KELLNER: Mr. Connelly, are there any questions you'd like to ask the witness?

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MR. CONNELLY: I have no questions for Ms. Curtin.

MR. KELLNER: Okay.

Ms. Curtin, I'd like to thank you for being here.

And we're going to adjourn this deposition now. You will have an opportunity -- you may read the transcript and see if it coincides with your recollection of what took place here.

THE WITNESS: Okay.

MR. KELLNER: If you could state for us how far you traveled to this location, because we will be sending to you a check for witness fees and that includes mileage.

THE WITNESS: Oh. How very nice. Okay.

Well, I said three times it's 11 miles. I guess I can't change that.

MR. CONNELLY: It can't be 20 now.

THE WITNESS: No. It can't be 20 any more.

MR. KELLNER: Okay.

I'd like to remind you again that this investigation must remain confidential until the

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Commission closes its file. This deposition is not concluded, but merely continued. We don't anticipate having to speak to you again, but just in case, the investigation is ongoing and we may want to speak to you again.

THE WITNESS: Right.

MR. KELLNER: Okay.

Again, thank you for being here.

THE WITNESS: Thank you very much.

(Whereupon, at 1:04 p.m., December 20, 1989, the above matter was concluded.)

9504365213

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF SUFFOLK)

I, Eric S. Pedersen, a Court Reporter and Notary Public, within and for the Commonveaith of Massachusetts, do hereby certify that there came before me on this 20th day of December, 1989, the person hereinbefore named, who vas by me duly svorn to tell the truth, the vhole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that she vas thereupon examined upon her oath, and her examination reduced to typevriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 10th day of January, 1990.

Eric S. Pedersen
NOTARY PUBLIC
My Commission Expires:
2/14/94.

9504365214

CORRECTION SHEET

DEPOSITION OF JUDITH S. CURTIN

PAGE NO.	LINE NO.	SUGGESTED CORRECTION
		Page 82 is missing.

9504350521 5

APEX REPORTING
Registered Professional Reporters
(617)426-3077

SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

Judith S. Curtin

Deponent

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9 5 0 4 3 6 2 1 4 7

DEPOSITION EXHIBIT

FEC 1 12/20/89 EDP

Judith S. Curtin

[redacted]

757

5-2077110

Pay To The Order Of Commity for [illegible] Gardery $ [illegible]

Two Thousand Sixty and [illegible] Dollars

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo

[redacted]

FOR DEPOSIT ONLY

~~XXXXXXXXXXXXXXXX~~

HAIG FOR PRESIDENT

PAY ANY BANK
F R B S O S T O N 0110-0001-5
04-20-87 20 6301 975 4835910 55

AP '87 17 PM 15-3
PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

9 5 0 4 3 6 2 1 4 8

9 5 0 4 3 6 [illegible] 2 1 4 9

Judith S. Curtin

[redacted]ED

Pay To The Order Of Haig [illegible] President

[illegible]

OLYMPIC BANK

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo Political Donation

[illegible] 20 [illegible] 81

78[illegible]

5-207/

$ 75[illegible]

Dollars

[illegible]

for deposit only
Haig for president

PAY ANY BANK
F R B B O S T O N
3 05-01-87 20 9917 241 39937065

5-133333333333
0110-0001-5

17 [illegible] 4 2 9

PAY ANY BANK REG.

AP 87 30

PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

95043621 50

9 5 0 4 3 6 5 2 1 5 1

DEPOSITION EXHIBIT

FEC 9 12/20/85

Judith S. Curtin

757

[redacted]

March 27 [illegible]

5-2077110

Pay To The Order Of Commity for Al Haig - Exploratory $ 250.00

Two Hundred Fifty and 00/100 Dollars

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo

Judith S. Curtin

[redacted]

FOR DEPOSIT ONLY

~~XXXXXXXXXXXXXXXXXX~~

HAIG FOR PRESIDENT

[redacted]

[redacted]

[redacted]

9 5 0 4 3 6 [illegible] 2 1 5 3

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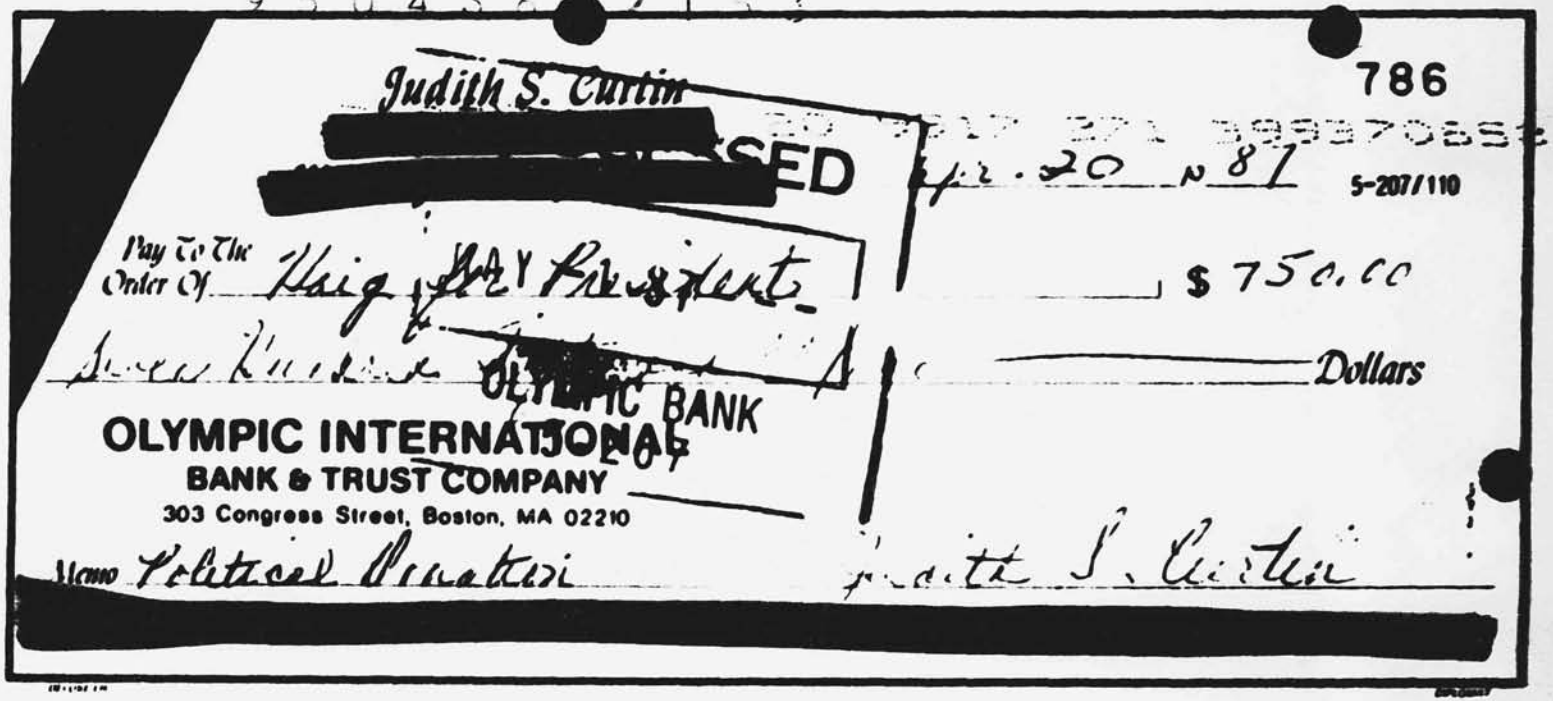

Judith S. Curtin

[redacted]SED

Apr. 20 N 87

5-207/110

Pay To The Order Of Haig for President $ 750.00

[illegible] Dollars

OLYMPIC BANK

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Memo Political Donation Judith S. Curtin

[redacted]

for deposit only
Haig for president

PAY ANY BANK
F R B B O S T O N
3 05-01-87 20 5917 241 399370658

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0110-0001-5

17 57429

PAY ANY BANK P.E.Q.

AP 87 30

PAY ANY BANK

MATTHEW L. CURTIN (STUDENT, AGE 18, from Trust Acc't.)

104875-12 [redacted]

5224

OK

SEPTEMBER 22, 1987

TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 00 CTS DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

The Federal Elections Commission requires us to request the following information:

Name Matthew L. Curtin

Address 39 Maugus Hill Road

Wellesley, Mn 02181

Telephone Number [redacted]

upation Student

ne of Employer _____ ☐ Self-Employed ☐ Retired

9 5 0 4 5

DEPOSITION EXHIBIT

FEC 3 12/20/89

9 5 0 4 3 6 2 1 5 6

JUDITH S. CURTIN

[redacted]

No. 12

Sept. 22 1987

5-20

Olympic 22/8 Bank

One Thousand and no/100

$1,000.00

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Judith S. Curtin

[redacted]

DEPOSITION EXHIBIT

FEC 4 12/20/88

APPENDIX 14

TRUST/ESCROW/ESTATE ACCOUNTS

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to received federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributer.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires additional documentation regarding contributions which are submitted for matching drawn on Trust, Escrow, or Estate Accounts.

Your contribution of $ 1,000.00 ✓, dated 9/22/87 ✓, and drawn on check # 5724 ✓ of the account identified as Matthew Curtain - MA ✓ will qualify for matching only if the following conditions set forth below are true, and if so, verified by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Committee Representative

- - - -

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF MATHEW L. CURTIN, held pursuant to Notice, and the Federal Rules of Civil Procedure, before Eric S. Pedersen, a Court Reporter and Notary Public within and for the Commonwealth of Massachusetts at the Office of the U.S. Attorney, J.W. McCormack Post Office and Courthouse, Boston, Massachusetts, on Wednesday, December 20, 1989, commencing at 2:21 o'clock p.m.

PRESENT:

KENNERTH KELLNER, Esq.
DANIEL J. BLESSINGTON, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

JOHN P. CONNELLY, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA. 02110

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I N D E X

WITNESS:		PAGE
Matthew L. Curtin		5

EXHIBITS:	DESCRIPTION	PAGE
FEC Exhibit 1	Copy of check, 9/22/87	11
FEC Exhibit 2	Statement of contribution	13
FEC Exhibit 3	Copy of check, 9/22/87	26

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DEPOSITION

(2:21 p.m.)

MATTHEW L. CURTIN, of 23 Wigglesworth Street, Boston, MA, having been sworn by a Notary Public to tell the truth, the whole truth and nothing but the truth, testified upon his oath as follows:

MR. BLESSINGTON: Can you state your full name for the record?

THE WITNESS: Matthew Lawrence Curtin.

MR. BLESSINGTON: Mr. Curtin, you have a right to counsel today, and I notice you do have one with you.

Counsel, will you identify yourself for the record?

MR. CONNELLY: Certainly. My name is John Connelly from the law firm of Hutchins and Wheeler. My address is 101 Federal Street, Boston, Massachusetts, 02110. My telephone number is Area Code [redacted]

MR. BLESSINGTON: And, again, for the record, counsel, you are representing some other respondents in this matter; are you not?

MR. CONNELLY: That's correct. I represent Judith S. Curtin, Olympic International Bank & Trust Company, William O'Brien, Joanne O'Brien, Victor Nicolazzo, Joseph Maloney, Susan Fraser, Joseph Snyder,

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Cynthia Snyder and Michael Tierney.

MR. BLESSINGTON: Thank you. My name is Daniel J. Blessington, and I'm representing the Federal Election Commission here today, and this is Ken Kellner, and he's also with the Commission.

The deposition is being take pursuant to a Commission subpoena issued in connection with an investigation under Section 437G of Title 2 of the United States Code.

The statute provides for the confidentiality of this investigation until the Commission closes the file.

We designated this as Matter Under Review 2717. Mr. Curtin, have you ever had your deposition taken before?

THE WITNESS: No.

MR. BLESSINGTON: Okay. Well, I'm going to explain a few things to you. I know that counsel has spoken to you prior to going on the record, but I'm going to be asking you questions about your involvement and the involvement of other people and possible violations of election law.

The Court Reporter is going to take down everything that's said so be sure to give oral responses to questions rather than simply nodding your

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head or shaking your head.

You should treat this proceeding as if you were in a Court of Law with a judge and jury present, and remember that you are under oath.

If you don't understand a question or if you don't hear me completely, let me know, and we'll see if we can clarify that for you.

If during the course of the deposition you realize you've given an incomplete or incorrect answer to a previous question, again let me know, and I'll give you an opportunity to correct or amplify your answer.

If you need a break, let me know, and you'll be able to have a break.

EXAMINATION BY MR. BLESSINGTON:

Q Now, have you reviewed any documents in preparation for your deposition here today?

A I looked at a few that John had shown me that -- that I guess my mother or somebody had supplied to you -- to John.

Q Were these documents you supplied to the Commission in response to the subpoena?

A I -- I did not supply the documents.

Q You didn't, individually. You must have through counsel?

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A Right.
Q How old are you, Mr. Curtin?
A Twenty.
Q And what is your current address?
A Twenty-three Wigglesworth Street in Boston.
Q And how long have you been there?
A Almost a month.
Q And before then did you live with your mother?
A Yes, I did.
Q And just for the record, the address on that?
A Thirty-nine Maugus Hill Road in Wellesley, Mass.
Q Are you in school at the present time?
A I'm attending Northeastern, and right now I'm in a co-op program so I'm working, and I will be going back to school in January.
Q So what year are you in now?
A Sophomore.
Q Sophomore, and, basically, you work several months, and then you go to school for several months, and then repeat the cycle, correct?
A Yes.
Q Okay. And you've completed course work for

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your sophomore year?

A No. I'm attending -- I'm in my sophomore year right now.

Q Okay.

A I haven't attended any classes as of yet.

Q All right. So you're in your sophomore year, but you're starting with the work portion of it; is that it?

A Right, right.

Q Okay. Where do you work?

A At Grunthal and Company over in Post Office Square, One Post Office Square.

Q And can you tell me what you do there?

A I'm a cold caller for a stockbroker.

Q And a cold caller is?

A Somebody just assisting in the telemarketing of stocks. I just -- I call people up, try to get them on the phone. When I do get them on the phone, I hand it over to my boss, and he tries to sell them from there.

Q I'm just curious. At what point do you hand it over to your boss?

A As soon as I get the person on the phone, get through all the secretaries and--

Q Oh, okay. So what people do you call?

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A I, personally, look through a directory of the businesses in the United States that are $1 million and over, and I usually try to reach the President or the chairman or higher officials of the company.

Q Does that take some persistence?

A Yeah, it does.

Q Now, how long have you been doing this?

A I've been doing that since September.

Q And do you enjoy it?

A I enjoy the people in the office. The work gets a little slow sometimes.

Q And was this job arranged for you by Northeastern?

A Yes.

Q So the placement office takes care of that?

A Yes.

Q Is this the type of work you plan on doing?

A No. I plan on going into advertising. I got -- I was on a trip, and I came back late, and that's one of the last things they had, so--

Q So this is only tangentially related to what you're doing?

A Right, right.

Q I see. Prior to working at Grunthal, where have you worked?

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A A number of businesses. I could start when I was a paper boy for The Globe.

Q Why don't you start back the other way? What was your previous job?

A My previous job -- let me think -- I worked for Advanced Magnetics, Incorporated in Cambridge.

Q Was that part of the Northeastern program?

A No.

Q So this is the first job, at Grunthal, through Northeastern?

A Through Northeastern, yes.

Q And the job you had in Cambridge, at Advanced--

A Magnetics--

Q --what did you do there?

A I was a production assistant. We just -- thyroid kit productions.

Q You put--

A The test tubes and -- we coated test tubes and all sorts of neat stuff.

Q Was that a summer job?

A Yeah, yeah.

Q Did you work during school at al?

A At that job?

Q Yes.

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A No.

Q Where have you worked while attending school?

A Daisy Buchanans which is a bar over on Millbury Street. I work the door there one night a week.

Q Are you a doorman?

A Yeah.

Q And when did you have that job?

A I began that in, I believe, February of -- of 1989.

Q I see. Now, I imagine you're familiar with a company by the name of Olympic International Bank & Trust?

A Yes.

Q Does your mother work there?

A She no longer works there. She used to have a position there.

Q She did work there?

A Yes.

Q Did you ever work there?

A No.

MR. BLESSINGTON: I'm going to ask the Court Reporter to mark this document as Exhibit 1. It's a one page document.

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(The document referred to was marked for identification as FEC Exhibit No. 1.)

BY MR. BLESSINGTON:

Q Why don't you take a look at that, Mr. Curtin, and let me know when you're ready.

A I'm ready.

Q Now, as you can see, this is a copy of a check with some information underneath that. Have you ever seen this before?

A Yes.

Q Can you describe it to me?

A When I've seen it or the check, itself?

Q Well, describe the check to me first.

A Okay. It is, obviously, a check written out from Olympic International Bank for $1,000 to Haig for President campaign fund with my name and -- and old address on it and describing that I'm a student, age 18, and it is from a trust account for me.

Q And that's your name and address and the information in the parenthetical or handwritten; are they not?

A Yes.

Q And it would appear to be a treasurer's check?

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A Yes.

Q It says that at the bottom--

A Yes--

Q --righthand -- and it's made out to Haig for President, so this is -- it appears to be a contribution check; does it not?

A Yes.

Q Can you describe any contribution that you made to the Haig for President committee?

A No.

Q So to your knowledge, what does this check represent?

A It represents a contribution that -- that was given in my name.

Q And you had no knowledge of it?

A No.

Q When did you find out that a contribution had been made in your name?

A When -- when I was asked to sign something sent from the -- the campaign for Haig people and send it back to them.

MR. BLESSINGTON: I'm going to ask the Court Reporter to mark Exhibit 2, and I'm going to ask you to take a look at it and tell me when you're ready.

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(The document referred to was marked for identification as FEC Exhibit No. 2.)

THE WITNESS: I'm ready.

BY MR. BLESSINGTON:

Q Could you describe what you have in front of you, Exhibit 2?

A It is a piece of paper signed by me stating my name and address at the bottom and -- and telling that I made a contribution of $1,000 on the date of 9/22/87 by Check No. 5224.

Q Is this the document you were just referring to?

A Yes.

Q Can you explain the circumstances surrounding your signing of this particular document?

A Yes, I can. This was mailed to me, and -- and I showed it to my mother -- well, actually, I can't remember if -- if she had gone -- if she had gone -- because it said -- because of the Haig campaign envelope and she may have opened it for me and showed me or whether I showed her, but--

Q It did come in the mail though; you recall that?

A Yes, I believe so, and -- and she asked me

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to sign it, and we discussed a little bit of what it was about, and then I signed it.

Q Can you tell me about that discussion?

A She had told me that she had sent the check, the prementioned check, in under my name out of an account she was holding for me at Olympic International Bank, and she had taken $1,000 out and made a contribution to Haig for President in my name, and then, you know, that's about all I remember, but I eventually signed it.

Q Why did you sign it?

A Why did I sign it?

Q Yes.

A I don't remember.

Q Is it essentially because your mother asked you to?

A I'm sure that was a good portion of it.

Q Did you consider this a contribution of yours to Haig for President?

A No.

Q And you didn't consider it afterwards either?

A N -- I don't remember.

Q But you had no intention of making a contribution to the Haig for President committee?

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A No.

Q And -- if I'm leading you here in a wrong way, let me know, but you ultimately signed it because your mother indicated she wanted you to?

A Yes.

Q Were you active politically at the time -- how old -- excuse me. How old were you at this time?

A I was 18.

Q You were 18. Were you at all active politically?

A Yes, I was, and I was familiar with the Haig campaign. I had gone to -- well, I -- let me think.

I had my opinions about the -- of the -- the runners at the time. I saw that my mother was -- was -- she liked Haig for President, and I -- I remember inquiring about it several times.

Q This is prior to the contribution that was made in your name?

A Yes, and -- and that was about the extent of it, and -- and I did vote that year.

Q Were you interested in the Haig campaign?

A A little. I was. I had, I don't believe previously, but after the check was sent in, I believe, I had gone to a fund raiser for Alexander Haig.

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Q And where was that?

A That was at Faneuil Hall in Boston.

Q Would that have been on the 26th of September?

A It -- it could have been. I don't remember the specific date.

Q Is your recollection that that was related to this contribution?

A What do you mean; can you explain?

Q Well, could anybody just go to this--

A No--

Q --fund raiser?

A No. The tickets were bought for me, and I attended.

Q Do you think -- was it your understanding that the tickets were purchased with that $1,000 contribution made in your name?

A No.

Q It--

A I don't think they were purchased with the $1,000.

Q You don't. Well, what is your recollection of how those tickets came to you?

A I was working for a company that was run by Dominic Saraceno.

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Q And what company was that?

A That was Kurt Saransen and Associates.

Q And is that a real estate development company?

A Yes, it is.

Q And what were you doing for that company at the time?

A I was sort of a go-fer there, actually. I was doing a lot and the same time not doing much. I -- I assisted with the production manager in the buildings and stuff.

Q What period of time did you work there?

A I worked there the summer of '86 and the summer of '87.

Q And the fund raiser that you're talking about was in September of '87?

A Yes.

Q And so you were still working there in September?

A Yes, I was.

Q And can you explain how you got the tickets?

A To my recollection, they were made available to all employees of the company.

Q Did the employees have to pay for them?

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A No, I don't believe so.

Q And you did attend the function?

A Yes.

Q And it was held in Quincy Market?

A Yeah, in Faneuil Hall.

Q In Faneuil Hall. And can you explain a little bit about the event, what it consisted of?

A Well -- that was a long time ago. There were a lot of people there from -- from that company that I knew.

Billy Dee Williams was there. He got up, made some brief words. I believe prior to him Dominic Saraceno and Billy Dee Williams had gone up and said a few words, I believe. I'm not sure about Dominic whether he did or not.

Q Were people just sitting in the audience at Faneuil Hall at this point?

A No. It was -- it was more of a festive mood. There were cocktails and food and such.

Q So it was an enjoyable time?

A Yes.

Q Okay. And how long did it last?

A I don't recall. I think -- I think I had to leave a little early. I already had plans for the night with regard to a buddy's college, so--

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Q So you couldn't stay for the--

A Yeah. Actually, I was asked to drive Alexander Haig to the airport.

Q Really?

A Yeah, and I had to turn it down because I already had a little bit to drink, and I didn't want that responsibility.

Q That wouldn't have done at all. How many people would you say were at this event?

A I don't recall.

Q Did you have to have a ticket for it?

A Yes, I believe so.

Q Now, I know this is -- sorry.

A No, go ahead.

Q I know this is a long time ago--

A Yeah--

Q --but do you recall anything about the ticket? Was there a price on it or anything like that?

A I don't believe -- I don't -- I don't remember whether there was a price marked on it. Somewhere in my mind sticks the number of $50, and I don't -- I believe that's how much it cost. I don't know if -- if the -- if the invitation had that on it.

Q But your recollection is that -- and you can't be sure, I know that, but your recollection is

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that it probably was a $50 admission, if you will--

A That's -- I'm -- I'm not sure on this, but that seems to be what I remember.

Q I see. Was anyone there from Olympic Bank?

A I don't remember. I -- I really didn't know really anybody from Olympic Bank, so even if they were there, I wouldn't have recognized them.

Q So your mother was there?

A My mother was there.

Q But you didn't know anyone specifically from Olympic?

A No.

Q You never went down there to see her at work or anything?

A I did, but they were brief visits, and there were few of them, so I -- no one really stuck in my mind.

Q Subsequent to this event, did you do any work for the Haig campaign?

A No.

Q And why did you attend?

A It was something interesting. I was -- I was looking for -- a presidential candidate. I wanted to hear what he had to say, if anything, that night, and -- and I -- I figured I would go for the

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experience, as I recall.

Q Did you think you were going to meet Haig?

A Yeah.

Q And so that appealed to you?

A Yes.

Q Did Mr. Saraceno tell you that it would be a good idea for you to go?

A No. I think I spoke about it more with my mother than -- than Mr. Saraceno.

Q And what do you recall she said to you about it?

A Just asking me if I was going to go. She told me -- I don't remember whether she was telling me what was in store for the night or anything, but she -- she basically was inquiring whether I wanted to go or not and whether I was going or not.

Q And did it appear to you that she wanted you to go?

A I don't recall.

Q You don't recall? Was your mother very enthusiastic about General Haig?

A Yes.

Q And did she talk about it at home?

A Yes.

Q Did she talk about his candidacy often?

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A I don't recall. I do recall her talking about it. I don't recall how often she did.

Q Did you have political discussions with your mother?

A Possibly one or two.

Q Only one or two?

A Maybe more. I don't -- I don't recall really, and I couldn't -- I don't even remember, but I -- I know I've had some, but I don't remember how many.

Q Did your mother ever mention that she was becoming active in the Haig campaign?

A I knew -- I knew that she was enthusiastic about it. I did not know that she was going to participate in it by sending donations.

Q She never mentioned that to you?

A No.

Q Did she ever mention anybody at Olympic being interested in the Haig campaign?

A No.

Q She never did?

A No.

Q So the first you knew that she made a contribution to the Haig campaign is when you received that message from the Haig committee?

A Yes.

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Q And then you discussed it with her?

A Yes.

Q And were you at all upset with her for having done that?

A No.

Q You weren't?

A No.

Q Were you at all concerned about the legality of what had gone on?

A I'm not sure I realized what the law was pertaining to the amount one could give to a presidential candidate.

Q But you did sign a form indicating that you had made a contribution of $1,000, and you told me that you didn't. Were you concerned about that?

A (No verbal response.)

Q Again, looking at Exhibit 2.

A No.

Q Just didn't bother you?

A I don't believe so.

Q Did your mother talk about that at all?

A About?

Q About why she used your name?

A I don't recall.

Q Well, what do you recall about the

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discussion that you had with her upon learning that she had made the contribution in your name?

A That -- I don't recall much. I recall where -- I mean, I recall signing it actually. I mean, I remember I was sitting in my kitchen, and I signed it on the kitchen table, and I could only assume what was said.

I -- I -- there would be no -- no basis for--

Q Do you recall it being a matter of some concern to you at the time or not?

A Possibly a slight concern.

Q Did you support General Haig's candidacy at the time?

A Was I planning on voting for him, do you mean?

Q Yes. Were you favorably disposed?

A I was -- I was interested in what he had to say.

Q You were?

A Well, my mother influenced me. It was my first year of voting. My mother influenced me, so I listened to what she had to say.

Q Prior to this?

A Yes, yes.

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Q And so after you signed this, you didn't really think much else about it; is that correct?

A (No verbal response.)

Q Or is that incorrect?

A That -- that's probably correct. I don't recall, if you'll excuse the term, losing any sleep over it.

Q Okay. I'll certainly forgive the term. Well, you did indicate that your mother was influencing you at that point.

You had just turned 18, and you were going to be able to vote in your first election. Can you remember at all, you know, any conversations that she had with you about Haig or any other political figure?

A No specific conversations. I do remember we had conversations, but I can't remember specific ones.

Q Typically, how would something like that come up though? I mean, at the dinner table?

A Possibly watching the news.

Q Okay.

A Seeing where the candidates were going next and discussing, you know, their debates and so on

MR. BLESSINGTON: I'm going to ask the Court Reporter to mark Exhibit 3, a two page document,

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please.

(The document referred to was marked for identification as FEC Exhibit No. 3.)

BY MR. BLESSINGTON:

Q Would you take a look at that?

(Pause while witness reviews document.)

MR. BLESSINGTON: Take your time with it and let me know when you're ready.

THE WITNESS: I'm ready.

BY MR. BLESSINGTON:

Q Have you seen this document before or a copy of this document?

A Yes.

Q And can you tell me what it is?

A It is a check for $1,000 from one of my mother's accounts made out to Olympic Bank.

Q Do you know what account this was written on?

A No.

Q Does your mother have an account at Olympic Bank that is for you?

A Yes, so I understand.

Q And when did you understand that?

A Ever since I was -- started my paper route,

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when I was about 11 years old, she's been -- I've been giving her money from every job since towards -- towards school and future activities of mine.

Q So you would earn some money and--

A Yes. I wouldn't blow everything that I made which is--

Q I can't imagine that could happen. So you'd earn some money, and you'd give her a portion of it?

A Yes.

Q She would suggest it, I would imagine?

A Yes.

Q And so you were aware that all the way through, since you were 11 years old, that she was keeping this money for you in some way?

A Yes.

Q Did you know that it was in a particular account?

A I knew it was in an account. I assumed it was probably at Olympic. I had no -- I had no knowledge of the account number.

Q Well, I'm not that concerned about the account number, but was it your understanding that there was an account that was separate and solely for your use?

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A Yes.

Q That was always your understanding?

A Yes.

Q And you expect or you would think that this is, in fact, the account; is that right, or you don't know?

A I -- I don't know.

Q You never had any access to that account; is that right?

A No.

Q Okay. Do you know how much money's in it?

A I have no idea.

Q Did you contribute a lot to it?

A Unwillingly.

Q Over the years?

A Yeah.

Q So I just want to get this straight in summing up. You did have or your mother did keep an account in which she kept money that was for you?

A Yes.

Q You don't know the account number; you never had any access to it; you don't know how much was in it?

A No.

Q And you can't even be sure if she used it

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for other things from time to time that did not involve you?

A Correct.

MR. BLESSINGTON: Okay. I think we'll take a short break.

(Whereupon, a brief recess was taken.)

MR. BLESSINGTON: Back on the record. We just took a short break, and we're going to be wrapping up pretty soon. There's a few other areas I want to just touch upon.

BY MR. BLESSINGTON:

Q You've indicated, Mr. Curtin, that you worked for Kurt Saransen in the summer of '87?

A Yes.

Q How did you happen to get that job?

A Through my mother. My mother knew Dominic Saraceno.

Q And how did your mother know Dominic Saraceno?

A I don't know.

Q You have no idea?

A I assume they were just long standing friends.

Q So you think they've been friends for a while. Was this prior to her working at Olympic Bank

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that she knew him?

A Yes.

Q So it goes back a ways?

A Yes.

Q I see. But apart from the fact that they're old friends, you don't know how they became old friends?

A No.

Q Okay. When you were fairly young, you heard the name mentioned?

A I remember him coming over to the house once when I was 15 so it's got to go back at least that far.

Q Did you know any members of his family?

A No.

Q Daughter or anything?

A Well, when I -- when I began working for his company, I -- I had met his son who was also working for the company.

Q How old was he?

A I don't recall. Late twenties.

Q And he was working full time?

A Yes.

Q Did you ever hear of a company called Tradewind Systems?

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A No.

Q Never have?

A (No verbal response.)

Q All right. Just summing up here, do you feel as if you've given full and complete testimony in response to all of the questions today?

A Yes.

Q Anything you'd like to add?

A No.

MR. KELLNER: Okay. I want to thank you for being here. I'm going to continue the deposition. I don't think we'll want to talk to you again, frankly, but, you know, the investigation is ongoing, and if we do, we'll just continue it rather than end it.

Approximately how many miles is it from where you came to get here today?

THE WITNESS: Maybe about two.

MR. KELLNER: Well, you're not going to get much of a mileage check. You'll get a witness fee, but the mileage is going to be negligible so two or three miles?

THE WITNESS: Yes.

MR. KELLNER: Forty-eight cents.

MR. BLESSINGTON: Oh, boy.

THE WITNESS: I used my "T" pass anyway.

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MR. BLESSINGTON: Well, I would like to remind you once again that this matter is confidential, and I guess that's it.

Counsel, is there anything you'd like to say?

MR. CONNELLY: I have no questions for Mr. Curtin.

MR. BLESSINGTON: That's it.

(Whereupon, at 3:07 p.m., December 20, 1989, the above matter was concluded.)

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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS)
) SS.
COUNTY OF SUFFOLK)

I, Eric S. Pedersen, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 20th day of December, 1989, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that he was thereupon examined upon his oath, and his examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 3rd day of January, 1990.

Eric S. Pedersen
NOTARY PUBLIC
My Commission Expires:
2/14/94.

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SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

Matthew J. Curtin

Deponent

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MATTHEW L. CURTIN (STUDENT, AGE 18, from Trust Acc't.)

:11004875-12 [redacted] 5224

[redacted]

SEPTEMBER 22, 1987 8-207 110

TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
[illegible] Congress Street, Boston, MA [illegible]

TREASURER'S CHECK

[illegible]

[redacted]

The Federal Elections Commission requires us to request the following information:

Name Matthew L. Curtin

Address 37 Mangus Hill Road
Wellesley, Ma 02181

Telephone Number

Occupation Student

Name of Employer ☐ Self-Employed ☐ Retired

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DEPOSITION EXHIBIT

FEC 1 10/20/89 EAP

APPENDIX 14

TRUST/ESCROW/ESTATE ACCOUNTS

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to received federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires additional documentation regarding contributions which are submitted for matching drawn on Trust, Escrow, or Estate Accounts.

Your contribution of $ 1,000.00 ✓, dated 9/22/87 ✓, and drawn on check # 5224 ✓ of the account identified as Mathew Curtain - IM14 will qualify for matching only if the following conditions set forth below are true, and if so, verified by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Committee Representative

- - - -

JUDITH S. CURTIN

[redacted]

No. 12

Sept. 22 1987

5-20

Olympic 22/8 Bank

$1,000.00

One Thousand and no/100

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

Judith S. Curtin

Memo

[redacted]

DEPOSITION EXHIBIT
FEC #3 6/22/89

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

IN RE: MUR-2717

THE ORAL DEPOSITION OF JOSEPH G. MALONEY, held pursuant to Notice, and the Federal Rules of Civil Procedure, before Eric S. Pedersen, a Court Reporter and Notary Public within and for the Commonwealth of Massachusetts at the Office of the U.S. Attorney, J.W. McCormack Post Office and Courthouse, Boston, Massachusetts, on Thursday, December 21, 1989, commencing at 10:08 o'clock a.m.

PRESENT:

KENNERTH KELLNER, Esq.
DANIEL J. BLESSINGTON, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

JOHN P. CONNELLY, Esq.
Hutchins & Wheeler
101 Federal Street
Boston, MA. 02110

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I N D E X

WITNESSES:	PAGE
Joseph G. Maloney	3

EXHIBITS:	
FEC No. 1	27

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JOSEPH G. MALONEY, 10 Shepard Street, Cambridge, Massachusetts 02138, having been duly sworn by the Notary Public to tell the truth, the whole truth, and nothing but the truth, testified upon his oath as follows:

EXAMINATION BY MR. KELLNER:

Q Would you please state your full name?

A Joseph G. Maloney.

Q What's the "G" stand for?

A Gerald.

Q Do you know that you have the right to have counsel with you at this deposition?

A No.

Q Well, do you have counsel with you today?

A Yes.

Q Is counsel representing you personally as an individual?

A Yes.

MR. CONNELLY: I am.

A I guess.

Q Could you identify your counsel?

A John Connelly, Hutchins & Wheeler.

MR. CONNELLY: Do you want me to put my full address and everything on the record? Which is 101 Federal Street, Boston, Massachusetts

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02110. Area Code 617-951-6600.

MR. KELLNER: Could you also state who else you represent in this matter?

MR. CONNELLY: I sure can. Besides Dr. Maloney, I represent the Olympic International Bank & Trust Company, William O'Brien, Joanne O'Brien, Victor Nicolazzo, Susan Fraser, Joseph Snyder, Cynthia Snyder, Matthew Curtin, Judith Curtin, Michael Tierney.

MR. KELLNER: My name is Kenneth E. Kellner, and I am representing the Federal Election Commission today, along with Daniel Blessington.

This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with an investigation under Section 437G of Title 2 of the United States Code.

The statute provides that the confidentiality of this matter must -- of this proceeding must be maintained until the Commission closes its file in this matter.

Q Do you understand that this matter must remain confidential?

A Yes.

MR. KELLNER: This investigation is

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designated Matter Under Review 2717.

Q Dr. Maloney, have you ever had your deposition taken before?

A Yes.

Q Can you describe the circumstances surrounding that?

A Several times in connection with patients of mine who had work injuries and where there was a proceeding regarding that and my medical knowledge of their case was the subject of a deposition.

Q You were a witness?

A Yuh. I guess I was a witness.

Q Well, even though it sounds like you've been through this before, I'm going to explain to you a little bit what will be going on here to try to refresh your memory.

I'm going to be asking you questions regarding this investigation, and you should treat this as if you are in front of a Judge or a jury in a court of law. Your testimony here today will have the same effect as if you're in a courtroom.

Please also remember that you're under oath. The Court Reporter will be taking down

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everything you say and will be preparing transcripts.

It's very important that you answer each question in words, because the Court Reporter can't record anything which isn't verbal, such as nods.

If you don't understand or hear a question, please let me know and I can rephrase or repeat the question.

If you give an answer, it will be understood that you understood the question and answered the question fully and completely. If you realize later that an answer you gave was inaccurate or incomplete, please let me know and you'll have a chance to add or modify your answer.

Finally, if you need to take a break, please let me know and we can take a break.

Where are you currently employed?

A I work for myself. I'm in the practice of medicine in Cambridge, Massachusetts.

Q And what is the nature of your medical practice?

A It's a general practice. I operate a walk-in medical clinic, primary care medicine.

Q And how long have you been a doctor?

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A Fifteen years.
Q Do you work alone?
A I -- yes. I mean, I have an associate who works in the clinic with me and occasionally some part time people who cover odd hours.
Q What is your current address?
A Ten Shepard Street, Cambridge, Massachusetts 02138. Shepard is S-h-e-p-a-r-d.
Q How long have you lived there?
A Since April of 1988.
Q And where did you live before that?
A Three Fuller Place, Cambridge, Massachusetts 02138.
Q Are you from the Cambridge area?
A I'm from Somerville.
Q That's in Massachusetts?
A Yes. Next to Cambridge.
Q Did you attend college in Massachusetts?
A Yes. I went to Harvard College.
Q Is that also where you went to medical school?
A I went to Harvard Medical School also, yes.
Q Do you hold a position with Olympic International Bank & Trust?
A Yes. I'm on the Board of Directors of the bank, and I'm a member of the Executive Committee of

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the Board of Directors of the bank. I'm also a shareholder of the bank, if that's a position.

Q How did you come to obtain these positions at Olympic Bank?

A I was one of the founding investors in the bank with a group of, I believe, 18 people, back in 1985 when the bank was opened and the period prior to that.

Q How did the formation of the bank come about?

A I -- several groups of people met prior to my getting involved, coalesced around Bill O'Brien who was at that time president of the Charles Bank Trust which had been acquired by United States Trust, and decided to start a bank.

Q And how did you become involved?

A Specifically, Frank Cardullo, who's also a director of the bank, is a friend of mine, and invited me to join the group, which was at that time considering the formation of the bank.

Q Frank Cardullo, is he also a doctor?

A Frank, no, he's not. He's a restauranteur.

Q Where is his restaurant?

A In Cambridge. He owns The Wurst House. Or as far as I know, he owns The Wurst House in Cambridge. He owns Cardullo's Gourmet Shop in

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Cambridge. And there is a Wurst House in Hyannis, Massachusetts, which, I mean the specific ownership I am not familiar with, whether it's he personally or some family trust or whatever.

Q Do you know Dominic Saraceno?

A Yes, I do.

Q When did you first meet Dominic Saraceno?

A Oh, I guess it was 1984 when I first joined the group of people considering the opening of the bank. He was one of those people.

Q You didn't know him prior to that?

A No.

Q Had you heard of him?

A Never.

Q What are your responsibilities as a member of the Board of Directors?

A Those which are outlined by the FDIC to have responsibility for policy matters and oversight of the bank's activities, and specifically of the senior management of the bank, and the conduct of the bank's business, protection of the depositors' money and so on.

Q That's not a full time job, is it?

A No, not at all.

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Q How often do you meet as a board?
A Once a month, and then twice a month in addition to that as members of the Executive Committee of the board, so three times a month total from my point of view.
Q What is the Executive Committee?
A The Executive Committee is a group of three, four, five -- seven, I think -- members of the board who function by meeting on the weeks, or most of the weeks, when the board does not meet, so that decisions which are delegated to them, which are specified in the bylaws of the bank, can be -- so that the bank can conduct its business without having to wait a full month for the approval of a loan, for example, or what have you. And so that the -- so that a group of the board can remain in closer contact than the full board is able to.
Q When you hold meetings, where do you meet?
A At the offices of the bank.
Q There's a conference room?
A The Board of Directors meets in a conference room; the Executive Committee meets in the office of the president of the bank, Bill O'Brien.
Q Who else is on the Executive Committee?

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A Dominic Saraceno, Victor Nicolazzo, Bill O'Brien, John Moran, Peter Donadio, Michael Tierney. I think I've got everybody there. Myself.

Q Do you know someone named John Lichter?

A Yes. He's on the board of the bank. He's not on the Executive Committee.

Q Do you have addresses of all the board -- all the members of the Board of Directors?

A No, I don't.

Q Who owns Olympic Bank?

A It's a publicly traded company listed on the National Association of Securities Dealers -- whatever it's called -- NASDAQ -- National Market ---

Q Does anyone own a majority of the shares?

A No.

Q Does anyone on the Executive Committee own more than another member?

A Sure. I'm sure they do. I'm sure they don't all own equal amounts, if that's what you mean.

Q Well, does someone own as much as 25 percent of the stock?

A No.

Q What kind of authority do you have over bank employees as a member of the board?

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A I'm not sure what you mean by authority. I -- none, I guess. I mean, over bank employees in general. Although final authority over what the chief executive officer does, so in some ways I suppose that we do have authority, but only indirectly over what happens in the bank.

Q Who does -- well, who has the authority to hire and fire employees?

A I don't -- I don't recall precisely at each level who does, but certainly the chief executive officer of the bank, president and chief executive officer has the bulk of the authority to hire and fire employees in the bank and the board has the authority to hire and fire the chief executive officer and the chairman.

Q What other committees are there other than the Executive Committee?

A There's a -- of the -- committees of the board, you mean?

Q M-hm.

A There's a Nominating Committee, there's an Audit Committee. I can't recall beyond that.

Q Who's on the Audit Committee?

A I don't know.

Q Are you on the Audit Committee?

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A No. I'm on no other committees besides the Executive Committee.

Q Can you tell me what the functions of the Audit Committee are?

A I believe they -- they participate in overseeing the audit of the bank, or working with the chief executive officer and the bank's auditors, but I don't know specifically what they do.

Q What is the audit of the bank?

A As with many companies, the bank is audited each year by a big eight, certified public accountant, Peat Marwick, in our case, and the bank's financial recording and so on are reviewed independently by these auditors to give the shareholders and regulators confidence that the bank's reporting's accurate.

Q Do you know how many members it has?

A The Audit Committee? I don't.

Q What share of the bank do you own?

A Approximately four percent.

Q Who are the officers of the bank?

A Well, there are a lot of them if you count all the vice presidents. There's the President and Chief Executive Officer Bill O'Brien; Chairman of the Board -- I don't know if that's technically

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considered an officer of the bank or not -- but that's Nick Nicolazzo. There's various and sundry vice presidents. John Sennott is a senior or executive, I forget what, vice president in charge of the loan department. Nancy Burke is an executive vice president in charge of basically back room operations of the bank. There are various other vice presidents who are loan officers, and call officers who either function to make loans or to attempt to get deposit business for the bank.

Q Who is Susan Fraser?

A Susan Fraser is the -- she functions as Bill O'Brien's secretary, but is also administrative vice president or something like that of the bank. I don't recall. She functions as taking minutes at board meetings.

Q Is she an officer?

A I think she is. I believe her title is that of an officer, but I'm not sure.

Q How many employees does the bank have?

A I don't know.

Q Do you receive pay checks from the bank?

A Yes.

Q How often?

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A Every time I attend a meeting, which is three times a month.

Q That's salary for acting as a member of the Executive Committee and a member of the Board of Directors?

A It's compensation, yes, for that -- that task.

Q Do you receive dividends from profits?

A No. The bank has never declared a dividend.

Q Do you ever receive any other payments from the bank?

A No.

Q Who signs the checks you receive?

A I don't know.

Q Are they handed to you personally?

A Yes. At the times of the meetings.

Q And you've just never looked at them that closely?

A Correct.

Q And what do you do with the checks?

A I almost invariably cash them there at the bank at the teller when I finish the meeting, just use it as a source of cash.

Q Do you ever receive any payments other than those checks?

A Never.

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Q Are you ever reimbursed for expenses?
A Never.
Q Do you ever incur expenses on behalf of the bank?
A Yes.
Q But you just write them off?
A Yes. Such things as having gone to lunch with someone to promote the bank, or to do -- promote the bank and perhaps to do other things, but to attempt to develop customer relationships for the bank.
Q Do you do that a lot?
A No.
Q How do you get leads for potential customers?
A Just people whom I know and do business with and so on. I'm -- I'm not employed by the bank to do that, so I don't go out and -- I don't attempt to develop leads from people I'm not otherwise connected to.
Q After you have a lead you would refer it to someone inside the bank to take care of it?
A Correct.
Q Would someone like -- let me step back. Do you recall a bank employee named Judith Curtin?
A Yes.
Q And what were her responsibilities?

A She was a call officer, I believe, of the bank.
Q And if you had a lead about a potential customer you would call someone in her position?
A Yes. Although not her in my case, but someone in her position.
Q You had a different call officer?
A Well, it would vary. I would -- I had -- Jackie MacKenzie was the person from whom I was delegated -- or -- the directors each got someone at the bank to help them open accounts with people and so on and so forth. But if it were someone who was going to open a more substantial account I might have referred them to Bill O'Brien or I might refer them to a loan officer or whatever. I have no dealings with Judith Curtin specifically.
Q How are loans at the bank approved?
A Depending on the size. If they're small enough, loan officers sometimes have full authority; if they're not, the Executive Committee might have authority; if they're bigger yet, or if they involve insiders, such as directors or others, the full board must approve those loans.
Q If the loan were, let's say, to a member of the board, then the full board would have to meet?

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A Yuh. I believe the full board has to approve loans to directors.
Q How come?
A I believe it's an FDIC regulation, although I don't know. It's good form, in any event.
Q What is the relationship of the bank with a political committee named Haig for President?
A The only relationship I am aware of is that a loan was made to Haig for President Committee, or whatever it's called, and that's the only relationship I know of. I -- I don't know if they had a deposit account or not in the bank.
Q You stated earlier that a large enough loan had to be approved by the Executive Committee?
A I believe there are grades of loans that have to be approved by the Executive Committee. They certainly are approved by the Executive Committee. Whether that's a precise requirement or some regulatory -- I don't know. I don't know the limits.
Q Do you know how big a loan would?
A I do not.
Q If I throw out numbers to you could you tell me if those are in the range?
A Perhaps. Go ahead.

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Q Well, is the Executive -- has the Executive Committee approved loans in the hundred thousand dollar range?

A Yes. I honestly don't know at what level. I rely upon management of the bank to bring before us at the committee and us at the board all loans which fall into whatever category requires that approval.

Q But you recall approving loans in that amount or higher?

A Not specifically. I believe I did, but I -- I don't -- I don't remember these things in detail.

Q What was the largest loan that was ever approved?

MR. CONNELLY: By who?

MR. KELLNER: By the Executive Committee.

A Oh, by the Executive Committee? I don't know.

Q Do you recall any loans at all?

A Not in the specific amounts. I have no reason to remember precisely how much we lent. I'm more concerned about who the loan was being made to and what the quality of the collateral, security, is, and so on, quality of the individual to whom we're lending, that kind of thing.

Q How was the loan to Haig for President approved?

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A I recall its having been approved at a board meeting. I don't recall its having been discussed or approved in any other meeting.
Q How much was the loan for?
A I don't know.
Q What was the collateral for the loan?
A I don't know.
Q How did that loan come before the Board of Directors?
A I don't know. I mean, someone applied for it, I guess.
Q But why was that loan, as opposed to other loans, brought before the Board of Directors?
A For routine approval, I assume.
Q But all loans aren't brought before the Board of Directors.
A Well, actually all for retroactive review purposes, almost all loans are, I believe, credit card, $500 credit lines, things like that, all appear before us on long lists, and, in this case, because of the involvement of Dom Saraceno in the campaign it may have been considered an insider transaction; that is to say, even though it wasn't a loan to Dom Saraceno, it was a loan to a -- an entity in which he had an involvement,

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and with all of us -- even if it's a loan to a company, for example, if we're involved in that company as an officer or what have you, that requires the board approval, and that may have been the reason it came before the board.

Q What do you remember of the discussion at that meeting?

A Nothing, other than that we approved it.

Q How long did the meeting last?

A Oh, they all last about an hour. I don't recall how long that particular meeting lasted.

Q Has the bank loaned money to any other -- any other political campaigns?

A I don't know.

Q What was the involvement of Dominic Saraceno in that loan?

A In the loan?

Q Well, you mentioned he was an insider. Why was he an insider?

A He's an insider at the bank because he's a director and a shareholder. He was involved in the Haig campaign in various capacities, I believe as treasurer at some point, so -- but when I said he was an insider, I meant at the bank, I mean, he's a shareholder and a director.

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Q And what did he tell you about this loan?
A Nothing.
Q What did he tell the board?
A I don't recall specifically. There was no extensive discussion.
Q Is there paper work involved in giving out a loan?
A Yes.
Q What kind of paper work?
A Standard bank applications for credit and so on.
Q Do you take notes at these meetings you attend?
A Not usually.
Q Do you ever take notes?
A Occasionally make a notation.
Q What do you do with these notes?
A They're kept in a binder. We each have a binder. Each director has a binder with the paper work from the previous meeting in it and the bank keeps that binder.
Q When was the loan approved?
A I don't recall.
Q Could you supply us with all writings you have access to pertaining to that meeting?
A The bank could. I don't have possession of it. And I doubt if there were any of that.

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Q But the notes you take belong to the bank?
A Well, the binders remain at the bank. I don't know -- I never ascertained who they belonged to. They were provided to me by the bank, and they appear on my place each month, and I do not believe I took any notes whatsoever regarding that particular loan. I rarely make any notations, just if something that I want to remind myself about the following month kind of thing.

Typically it would be if, for instance, if we're discussing a loan past due which is on the list as past due, but the president tells us that this one is -- has been paid between when the list was made and now, so I note that, so for future reference, you know, that was what the president represented, that kind of thing.

Q Was the loan to Haig for President discussed at any later meetings?
A It has come up because it's on the overdue list. It was discussed this morning, for example. But very briefly on a very long list of loans similar to it.
Q What was the nature of the discussion?
A I believe just that we were optimistic that the

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loan would ultimately be paid off.

Q Why is that?

A Why the optimism? I don't know.

Q Was Dominic Saraceno at this meeting?

A Yes, he was.

Q Did he speak about the loan?

A No, he didn't.

Q Well, who spoke about the loan?

A Bill O'Brien, the President and Chief Executive Officer.

Q And what did he say?

A Just what I said. That as he went down the list he said we hope that one will be paid off, or something to that effect. Went on to the next one.

Q Did he say anything else?

A No.

Q Did anyone add any discussion to it?

A No.

Q How about at other meetings? Was there ever any discussion ---

A I'm not sure. I believe it has been on the overdue list before, but I'm not sure of that. If it was, the president always goes down the list and makes comments, typically quite brief,

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occasionally lengthy, but never about this loan, you know, about each loan.

Q How long has the loan been overdue?

A I don't know.

Q Can you supply for us all writings pertaining to the whole transaction that you can get ahold of?

MR. CONNELLY: What's in his personal possession?

MR. KELLNER: Well, he's a member of the bank's Board of Directors.

THE WITNESS: I have no control over the bank's documents.

Q None whatever?

A None whatever.

Q All those documents that are in your personal possession.

A I have no documents in my personal possession pertaining to the loan.

Q Do you have an office at the bank?

A No.

Q Do you ever do any work at the bank?

A No.

Q Where do you prepare for meetings at the bank?

A I don't.

Q Have you ever volunteered to work on a political

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campaign?

A Any political campaign? Yes, I have.

Q When was that?

A At various times. In the late 1960s and early 1970s. In the late 1970s various candidates for national and state office.

Q Which candidates for national office?

A Eugene McCarthy. George McGovern.

Q How about in the 1980s?

A In the 1980s I have not worked on any political campaigns.

Q Have you ever made a contribution to a candidate for federal office?

A Yes.

Q When?

A In -- I forget the date -- but in the Haig for President campaign.

Q Did you make any other contributions?

A No.

Q This is the only contribution you've ever made to a federal candidate?

A Yes.

Q Have you ever made any other political contributions?

A Yes. State candidates. Local candidates.

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Q What's the most recent examples of your contributions?

A The Haig for President. You mean other than that?

Q M-hm.

A I donated to the Evelyn Murphy, Lt. Governor of Massachusetts, fund or committee, whatever it's called.

Q How much was your donation?

A Excuse me?

Q How much was your donation?

A I don't recall.

MR. KELLNER: Can I ask the Court Reporter to mark this document as FEC Exhibit No. 1; handing a copy to the witness and his counsel, and ask them to look at it.

(Document marked FEC Exhibit No. 1.)

Q Regarding the contribution you made to the candidate for Lt. Governor ---

A She is the Lt. Governor. She is a candidate, or is now a candidate for Governor.

Q Okay.

You supported her in her race for Lt. Governor?

A No, I did not.

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Q It's in her current race for Governor?
A I made -- I made a contribution.
Q Was the contribution for more than a hundred dollars?
A I don't recall.
Q Was it for more than a thousand?
A No.
Q Was it in connection with a fundraiser?
A No. It was -- it was at the request of a hospital resident.
Q I'll ask you -- have you had a chance to look at FEC Exhibit No. 1?
A Yes.
Q What is it?
A It's the -- a copy of the front and the back of the check which I wrote on April 25th, 1987, in the amount of one thousand dollars to the Committee to Elect Al Haig.
Q Is this the contribution you referred to earlier?
A Yes, it is.
Q That was the only contribution you've ever made to a candidate for federal office?
A Yes, it is. To the best of my recollection.
Q Do you consider yourself a politically active person?

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A No, I don't.
Q Are you a registered voter?
A Yes, I am.
Q Do you vote regularly?
A Yes, I do.
Q What were the circumstances surrounding this check you wrote for Haig for President?
A I'm not sure I understand. You mean where was I went I wrote it, or --- I was at home.
Q Well, why did you write the check?
A To make a contribution to the Committee to Elect Al Haig.
Q Are you a supporter of Al Haig?
A Yes.
Q And you wrote the check because you wanted Mr. Haig to become President?
A I wanted to support his campaign.
Q Somebody ask you to write the check?
A Not specifically, no. Not that I recall.
Q You took it upon yourself to write the check?
A Yes.
Q Did anyone ask if you would like to make a contribution?
A I don't believe anyone ever specifically asked me that. I was certainly aware that Dom Saraceno

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was involved in his campaign. But I don't recall his ever having specifically asked me for a contribution.

Q What's the date of this check?

A April 25th, 1987.

Q And the check was for how much?

A One thousand dollars.

Q And is that your signature at the bottom of the check?

A It certainly is.

Q Did you receive any mailings from the Haig campaign?

A I don't recall. Yes. In fact, I do, I'm sorry, I do recall receiving at least one. It was a letter talking about the campaign and its activities.

Q When was that?

A I don't recall.

Q Was it before or after you made the contribution?

A After, I assume, but I don't recall.

Q Well, why do you assume after?

A Excuse me?

Q Why do you assume after?

A Well, because they had my name and address, and I assume they got it from the contribution, but I

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don't recall.

Q Why did you give a thousand dollars?

A Because I wanted to give a thousand dollars.

Q Well, why didn't you give two thousand dollars?

A Because I would understand that it's illegal to do that.

Q And how did you know that?

A It's relatively common knowledge.

Q Did someone suggest that you give a thousand dollars?

A No.

Q Was the check you wrote in connection with a fundraiser?

A No. Not specifically.

Q What was it in connection with?

A In connection with nothing. I was writing a contribution.

Q Did you ever attend a fundraiser for the candidate?

A I attended two functions for the candidate; neither of which were fundraisers. Well, I take that back. One of which was a fundraiser, but I was an invited guest and had not made a contribution. The other of which was, as far as I know, not a fundraiser. I was also an invited

guest.

Q Okay.

When was the first function?

A I don't recall the date. It was the function at the Waldorf Astoria Hotel in New York at which time Haig announced his candidacy for the Presidency.

And the other, I also do not recall the date, was a luncheon someplace -- some country club in Newton or Wellesley -- where the candidate appeared and a group of 15 or 20 people had lunch and listened to him speak.

Q Had you ever seen a candidate for President before?

A Sure.

Q In person?

A Yes.

Q When?

A A number of times, I assume. Certainly in the late 60s and early 70s.

Q Did you see George McGovern speak?

A No, I've never heard him speak.

Q Had you seen him in person?

A Once, I believe, but I don't think I heard him speak, or at least I don't recall it if I did.

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Q How about in later years?
A I don't recall having seen or heard any candidates in later years speak or at all.
Q How did you come to get the first function for Alexander Haig?
A I was invited to attend by Dom Saraceno.
Q This was after your involvement with Olympic Bank?
A Oh, yes. I didn't know him before my involvement with Olympic Bank.
Q And you flew to New York just for this?
A No. I had other business there as well.
Q What was the function like?
A It was a very large dinner in the ballroom of the Waldorf Astoria with a speech from the candidate after dinner.
Q Who else was there?
A About two thousand people.
Q Anyone that you knew personally?
A Dom Saraceno. I believe I invited my brother and his wife to attend. And I believe they did. But I don't -- I can't recall. It was a couple of years ago.
Q Your brother and his wife?
A Correct.

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Q Do they live in New York?
A They do. That was the point of inviting them. They live in Jersey City, but close to New York.
Q Who else was there from the bank?
A I don't recall.
Q Was Mr. O'Brien there?
A I don't believe so, but I don't recall.
Q Was Mr. Nicolazzo there?
A Not to my knowledge.
Q Were you a supporter of Haig before you attended this function?
A How do you define "supporter"?
Q Did you support his candidacy for President?
A In what way?
Q Did you wish he had a successful candidacy?
A Yes. Yes. I had no specific function in supporting that candidacy before the -- the dinner and the contribution.
Q Then you became rooting for him?
A Is that a question?
Q M-hm.
A No, not in any active way.
Q But you donated a thousand dollars?
A Correct. I wished him success in his campaign in putting forth the issues he was addressing.

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Q What was the second function you attended?
A As I said, it was a luncheon at a country club in either Newton or Wellesley, Massachusetts, at which the candidate spoke briefly.
Q When was that function?
A I don't recall.
Q Do you recall the year?
A No. It was either '87 or '88, but I don't recall.
Q Who was at that function?
A Approximately 20 business people, basically.
Q Who were they?
A I didn't know most of them and still don't.
Q Do you know any of them?
A I recall that the Mayor of Newton, Ted Mann, was there. I recall that Dom Saraceno was there. I don't specifically recall anybody else who was there.
Q Who else was there from the bank?
A I don't recall. I also recall that Ted Saraceno I think was there, Dom's son.
Q Who?
A Ted Saraceno who is Dom's son. I believe he was there too. And there was a lawyer I remember by face but not by name.

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Q Was Frank Cardullo there?
A Not to my knowledge.
Q Was Susan Fraser there?
A Not to my knowledge.
Q Was Victor Nicolazzo there?
A I don't recall. May have been.
Q Was Mr. O'Brien there?
A Not that I recall, but he may have been.
Q You don't recall anyone else from the bank being there?
A I don't. This was not a major event in my life, please understand.
Q How did you come to be invited to that event?
A I assume Dom Saraceno invited me, but I don't specifically recall.
Q And why did you go?
A Because I wanted to.
Q Well, why did you want to?
A I thought I would enjoy the function. It was a free lunch, for openers.
Q Did you attend these functions before or after you wrote your check?
A The first function, the New York function, was definitely before. The second function, I don't recall.

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Q After you filled out this check, what did you do with it?

A I don't recall.

You mean how did I transmit it to the committee? I don't recall.

Q Who's the check made out to?

A The Committee to Elect Al Haig.

Q Who told you to make the check payable to that?

A I don't recall.

Q Did you mail the check to the committee?

A I don't recall.

Q Did you have the committee's address?

A I don't recall.

Q Did you give it to Dominic Saraceno?

A I don't recall.

Q You don't recall any discussions about it with him?

A Any discussions about what?

Q About your contribution.

A No. Not specifically.

Q How about any at all?

A I don't recall any discussions with Dom about the contribution.

Q But you don't recall what you did with the check for a thousand dollars?

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A That's right. I don't. I transmitted it to the committee. I don't recall how.
Q Do you keep a check register?
A Yes. That's how I found this check. With great effort, I might add.
Q And after you write a check do you make a notation in the register?
A Yes.
Q Who the check was to?
A Right.
Q Could you supply us copies of your check register ---
A Sure.
Q --- showing this transaction?

What is the source of funds for this account you have?

A It's my personal account, or was. I don't still have this particular account open.
Q When did you close the account?
A Oh, I don't know. About a year ago.
Q Why did you close it?
A Because I have two accounts at the bank, and I decided I only needed one.
Q What monies went into this account?
A It's my personal funds. My personal funds.

Q Well, which funds of yours would you deposit there??

A Any funds of mine. I mean, any personal funds I have could have gone into either this account or my other one.

THE WITNESS: Speak up? Sure.

Am I speaking into something, by the way?

MR. CONNELLY: This thing right here.

THE WITNESS: That? Oh. Okay.

Q Do you deposit pay checks into this account?

A Sometimes.

Q Did you deposit money you received from Olympic Bank into that account?

A Did I deposit money I received ---

Q From Olympic Bank into that account?

A No. As I say, I almost always -- in fact, to my knowledge, I always cash those checks -- They're not in large amounts. -- while I'm at the bank. Since I receive them at the bank, I just cash them.

Q Did you usually have enough money in this account to write checks for a thousand dollars?

A Yes. Always, in fact. This was the account where I kept the larger balance because it paid a

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slightly higher rate of interest than my regular checking account.

Q Did anyone ever offer to reimburse you for your contribution?

A Never.

Q Who else do you know that made a contribution to Haig for President?

A I don't know who made contributions to Haig for President.

Q Did you ever discuss your contribution with anyone from the bank?

A No.

Q Not at all?

A Not at all.

Q You never mentioned it to Dominic Saraceno?

A I never mentioned -- I never mentioned my contribution to Dominic Saraceno, to my knowledge, that's correct. We certainly discussed the campaign and the candidate, but not the contribution.

Q You never discussed the contribution and you never discussed the loan?

A Correct. With Dom Saraceno or anybody.

Q Who did you discuss it with?

A No one.

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Q Are you married?
A Yes. Although I'm separated, which is why I moved to 10 Shepard Street from 3 Fuller Place.
Q Did you discuss this contribution with your wife?
A No. Although she knew that I attended the fundraiser. My wife is not of -- not disposed toward the candidate. It's not a topic we wanted to go into.
Q Is this a joint account with her?
A No, I don't think so.
Q You're the only one who has authority to write checks on this account?
A Yuh. I believe so.
Q Did you receive a subpoena from the Federal Election Commission?
A I received a lot of paper work. I don't know if any of it qualified as a subpoena.
Q What did you do when you received the paper work?
A I called the bank to find out if anybody knew anything about it, because after I got through the boiler plate it appeared that the bank was a focus of the commission's interests, and determined that, indeed, others had received similar paper work and that attorneys would be retained to do with the matter, whom I then

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contacted.

Q Who else received paper work?

A I don't know.

Q Who did you call?

A The bank -- I called the bank, asked to speak to Bill O'Brien, spoke instead, I believe, to Sue Fraser, who told me what I needed to know about the attorneys.

Q What did she tell you?

A That a number of people had received such paper work, including herself, and that the attorneys had been retained and I should speak with them, which I did.

Q Attorneys had been retained by who?

A By the bank.

Q Did she mention who else had received letters from the commission?

A No.

Q Were you curious at all?

A No. I was frankly relieved that it involved a large number of bank people rather than just me personally.

Q Why were you relieved?

A Because I couldn't understand why the commission would have any interest in my contribution in and

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of itself. When it became clear that they had a broader focus, it gave me the feel that it would at least take the focus off what I had done, because I didn't believe I had done anything wrong, and I know the bank didn't, so I assumed that it could be dealt with as an institution rather than me personally.

Q And the bank offered to provide you with legal counsel?

A The bank retained legal counsel to deal with this matter.

Q The bank is paying all fees associated?

A Hasn't been discussed.

Q Have you asked?

A No.

Q Who else did you discuss this matter with, other than counsel?

A No one. As with the commission, I have a great interest in keeping the matter confidential.

MR. KELLNER: We'll take a short break. Come back in about five or ten minutes.

(Recess.)

MR. KELLNER: Okay.

We're back on the record.

Q You mentioned before that you had a bank meeting

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this morning?

A Yes. Board of Directors meeting every third Thursday.

Q What time was the meeting?

A 8:30 in the morning.

Q And how many people attended?

A Fifteen, more or less.

Q How many of them do you know of were -- are involved in the commission's investigation?

A I don't know.

Q Do you know any at all?

A I'm not -- I don't recall which people are involved in the committee's investigations, and which aren't.

Q How come you don't recall?

A It's a deep question. I don't know. I simply don't remember who's involved and who isn't.

Q Have you ever discussed it with anybody?

A Never.

Q But you called the bank after you received notification from the commission?

A Correct. Because the notification from the commission mentioned the bank, and it was clear to me that the bank was how I got involved in this.

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Q What else did you discuss here with people from the bank?
A What else did ---
Q When else did you discuss the matter with people ---
A "The matter" meaning this matter?
Q M-hm.
A Never. I've discussed it with counsel.
Q You made one phone call to the bank and that was it?
A Right.
Q And what was the subject ---
A Or I should say I mentioned this morning to the chairman and to the president that I was going to leave a little early from the meeting to be here on time. That was the full extent of it.
Q And what did they say when you told them that?
A Nothing.
Q What other discussion was there on your meeting here today?
A None.
Q But you discussed the Haig loan this morning?
A The chair -- the president, rather, mentioned it, as I say, in passing, on a long list of loans.
Q But there was no other discussion of the

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commission's investigation?

A None whatsoever, nor has there ever been at the bank. I mean at the meetings.

Q What conversations have you overheard involving people's contributions to Al Haig?

A None.

Q I'd like to go over again the bank's system for approving loans.

Step by step, what do you know about it? How does it work?

A People or entities apply for loans, fill out applications, bring them to loan officers or others at the bank. The applications are acted upon at the level of the bank at the Loan Committee, which consists of officers of the bank. If they wish to make the loan, the loan is passed on for approval by the appropriate body of people, depending on its size and who's getting it and so on and so forth.

Q Well, how would the procedure work for an insider loan?

A The procedure works the same way. The inside person applies for the loan, or the entity with which the inside person is associated applies for the loan, and as far as I know it works the same

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way. The only difference is that if it is a director, the full board approves the loan, irrespective of size or other considerations.

Q So if -- if you wanted to obtain a loan, you would walk into a bank and go see a regular loan officer?

A Correct. I could see whomever I chose to talk to, but I would still have to apply for the loan in the same way that everyone else does. The decision to grant or not to grant the loan would have to be made at the level of the bank employee group, if you will, before it was then brought for approval.

Q What paper work is involved?

A Typically one fills out an application for the loan as well as a financial statement.

Q And what does the application entail?

A Discussion of who the entity is and what purpose they have in mind for the loan, and that kind of thing.

Q And what supporting documents are there?

A Well, the financial statement of the entity or the person is the main one. I don't know what else they would require, depending on the circumstances.

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Q What information has to be provided on a financial statement?
A Assets and liabilities. Income.
Q And from your experience at the bank, what would be some examples of those?
A Of what?
Q Assets, liabilities.
A Well, if the entity owns property or person owns -- has accounts, stocks, bonds, so on and so forth; liabilities would be such things as debt, mortgages, et cetera.
Q Okay.

Then what happens to the paper work in the case of an insider loan?

A To the paper work?
Q Paper work, and what -- what is the next step in the procedure?
A Well, it's reviewed at the various levels of the bank and then it's filed for permanent retention.
A Okay.

Who reviews it first?

A I don't know.
Q Well, who would have responsibility for reviewing it?
A I don't know.

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Q But it would be an employee of the bank?
A Excuse me?
Q But it would be an employee of the bank?
A Correct.
Q Okay.

These -- assuming these unknown people approve the loan, what happens next?

A If the -- if the Loan Committee of the bank or the officers of the bank approve the loan, it goes on for approval, in the case of an insider, to the Board of Directors.

In the case of a director, at least, to the Board of Directors.

Q Well, what is the Loan Committee?
A The Loan Committee is a group of individuals in the bank consisting of the President and Chairman and chief loan officer, and some of the other loan officers. I don't know precisely who's on it.
Q So first a loan officer approves it, and then the Loan Committee?
A It varies. I'm -- I'm not intimately familiar with how they conduct day-to-day business on every single loan in the bank.
Q So the first step is that a loan officer would

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approve the loan?

A I don't know if it would be a formal approval or simply passing it on. I really don't know. I'm' not, as I say, intimately familiar with detailed mechanisms.

Q Are there any other steps between -- between that and when it gets to the Loan Committee?

A I don't know.

Q Okay.

And what does the Loan Committee do?

A The Loan Committee meets, I believe, weekly, simply to discuss pending loans in the bank so that input from everybody relevant can be obtained.

Q But you're not on the Loan Committee?

A No. That's a group of bank employees. That's not a committee of the bank.

Q And are Mr. O'Brien and Mr. Nicolazzo members of that committee?

A Correct. They're both employees of the bank. To my knowledge, they're both members of that committee. I don't keep up with such matters on a day-to-day basis.

Q Is Mr. Saraceno a member of that committee?

A No.

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Q And that committee meets once a week?
A Once -- yes, I believe so. Although I'm not sure of that.
Q Have you ever attended one of their meetings?
A Never.
Q Okay.
How is a loan approved? Is it by majority?
A At the board, you mean?
Q At the Executive Committee. Is there a vote? What happens?
A Yuh.
MR. CONNELLY: At the Executive Committee?
MR. KELLNER: Excuse me. Not at the Executive Committee. At the Loan Committee.
MR. CONNELLY: Well, he's not a member.
MR. KELLNER: I know.
THE WITNESS: I'm not a member. I have no idea how they do it.
Q So you don't know how they approve a loan?
A Right. I don't.
Q Okay.
But after it's approved, then what happens?

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A When the loan is -- when the loan is ready for approval by the board, if it's a board loan, it's brought before the loan on the agenda and a vote is taken as to whether the loan should be approved or not.

Q And what is the agenda?

A The agenda? It's a list of things we do at the board meeting.

Q So it's a piece of paper?

A Right.

Q It would list every loan to be discussed?

A Correct. It would list every item which the board is going to discuss and consider, including loans for approval at the board level.

Q Would each loan be spelled out on the list?

A Yes.

Q And typically how long do those meetings last?

A About an hour.

Q They ever run longer?

A Yes.

Q When would they run longer?

A At various times.

Q What kind of discussion is there at the meetings?

A There is discussion of the status of the bank. The treasurer gives a report. The new loans are

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reviewed. The past due loans -- new loans, including all new loans, not just those for approval by the board -- past due loans are reviewed. Credit cards and installment loans and so on and so forth are reviewed, and then specific items requiring either board approval or which management wants to bring before the board or inform the board about, are discussed.

Q And what paper work is given to you, each member of the board?

A The agenda and -- which we discussed, and lists of those installment loans and check loans and past due loans and so on. We do not see files, if that's your question.

Q Do you see a list of assets and liabilities?

A No.

Q Did you ever question a loan?

A Yes.

Q When?

A Once or twice in the past when I was curious about its purpose or what the entity was that was getting it or what the collateral was and so on.

Q Can you give me an example?

A I don't recall them specifically.

Q You don't recall a single one?

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A Correct. I do not recall a single one.
Q Do you recall a single loan the bank has made other than the Haig loan?
A Sure.
Q Okay. What would be an example of that?
A You were asking me, I believe, if I recall, loans I questioned specifically.
Q Okay.

I was.

A Okay.

I don't.

We've made lots of loans. We've made loans to me, for instance. We've made loans to various real estate development projects and things of that sort.

I have no need to recall the specific details. After the approval, I mean.

Q Did the bank ever make a loan to a company called Tradewind Systems?
A Tradewind Systems? Not to my knowledge.
Q Why would sometimes you be curious about a loan?
A If I didn't understand what it was for; if it was in a larger amount; if I was just in the mood to ask; if I was awake that morning.
Q Why did the bank make a loan to Haig for

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President?

A Why did they make the loan? Because the loan was applied for; decided we should make it.

Q Did you know what the loan was for?

A The loan to the committee which I believe the sole purpose of promoting the campaign of Al Haig, so I assumed it was to be used in connection with that.

Q Did you know how it would be paid back?

A No. Not specifically.

Q Have you ever heard of Kurt Saracen Associates?

A Yes.

Q What is that?

A It's a real estate development company which comprises the interests of Dom Saraceno and his family.

Q He owns Kurt Saracen Associates?

A I don't know who owns it. I know it involves his interests and that of his family.

Q Does that entity have an account at the bank?

A I don't know.

Q Do you recall any loans to that entity?

A Not specifically.

Q How do you know of Mr. Saraceno's involvement in that company?

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A In Kurt Saracen Associates? Because I know that's what he does for a living.
Q What does he do for a living?
A He's a real estate developer.
Q Have you ever heard of an organization named Silent Wings?
A No.
Q The second Haig event you discussed earlier was located in someone's home?
A No. It was at a country club.
Q Do you know someone named David Goldman?
A Yes.
Q Who is that?
A He's a financier, I guess. I've only met him once.
Q How do you know him?
A He is involved in doing business with the bank, which is how I met him.
Q When did you meet him?
A Oh, three or four months ago.
Q What was the occasion for your meeting?
A I went to his office to discuss a loan which I'm involved in in the bank and the possibility of his wanting to get involved in it as well, a real estate project.

Q And who referred you to him?
A Bill O'Brien.
Q Did Mr. O'Brien make a contribution to Haig for President?
A I don't know.
Q Do you know someone named Steve Jernigan?
A No.
Q Did you ever receive any mailings from the Haig Committee thanking you for your contribution?
A I don't recall any.
Q What contacts or communications did you receive from the Haig Committee?
A What ---
Q What contacts or communications did you receive?
A I don't recall. I mentioned one letter that I recall, which was an update on the campaign. That's all I remember.
Q Do you ever recall -- Let me rephrase that.
At the times you're in the bank was there ever any talk of contributions to the Haig Committee?
A No.
Q Was there ever any talk of -- was there ever a meeting held to discuss contributions to the Haig Committee?

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A Never.

Q Did anyone ever ask you to make any contribution whatsoever?

A Not to my recollection.

Q How would you describe political activity at the bank?

A There isn't any.

Q No one ever -- other than the events you attended for Haig -- did anyone ever invite you to a campaign event?

A Once I was invited to attend a reception for a -- I don't know what he was -- treasurer or something for the State of Rhode Island which was held here in Boston. That's the only one I recall.

Q Who invited you?

A Nick Nicolazzo.

Q It was an event for the election of the treasurer of Rhode Island?

A I don't remember.

Q Did you attend?

A Yes.

Q Was anyone else from the bank there?

A I don't remember. I'm sure there was, but I don't recall who. This was several years ago.

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Q Were you asked to give any money?
A Not at the event, no. I think I made a contribution to that campaign.
Q Were you ever asked to give money for any purpose at the bank?
A To give money for what?
Q Any purpose. Did anyone ever ask you to contribute to charity?
A Well, from time to time. I receive mailings from other directors for their charities.
Q What kind of mailings?
A Mailings for fundraisers for Boy Scout troops, or whatever.
Q Did anyone ever bring cookies for you to buy?
A Cookies for me? No, they didn't.
MR. CONNELLY: You've got to get going.
THE WITNESS: Yuh.
Q I understand that -- that you have to -- have to leave early today?
MR. CONNELLY: Yes.
A Yes.
Q How come?
A Because I'm going to cover an emergency department in a hospital.
MR. KELLNER: Well, we can stop the

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deposition for now. We may want to speak to you again. Our questioning here has been cut short because you had to leave, and we can't -- we can't tie you to a chair to be here. But we can adjourn for now.

THE WITNESS: I appreciate your consideration.

MR. KELLNER: I'd like to remind you that this matter must remain confidential until the Commission closes its file.

Is there anything else you'd like to add to what you said today?

THE WITNESS: Nothing.

MR. KELLNER: Anything you'd like to say at all for the record?

THE WITNESS: Nothing.

MR. KELLNER: Have you given full and complete testimony in response to the answers you've given?

THE WITNESS: Yes.

MR. KELLNER: Can you tell me what documents you reviewed in preparation for this deposition?

THE WITNESS: None.

MR. KELLNER: Mr. Connelly, are there

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any questions you'd like to ask the witness?

MR. CONNELLY: I have no questions for the witness.

MR. KELLNER: Okay.

Dr. Maloney, you'll have an opportunity to read the transcript to make sure it coincides with your recollection of what took place here today.

And this deposition is adjourned.

(Whereupon, the witness was excused.)

(Whereupon, at 11:35 a.m., December 21, 1989, the above matter was adjourned.)

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CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS)
) SS.
COUNTY OF SUFFOLK)

I, Eric S. Pedersen, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 21st day of December, 1989, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that he was thereupon examined upon his oath, and his examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

Dated at Boston, Massachusetts, this 19th day of January, 1990.

Eric S. Pedersen
NOTARY PUBLIC
My Commission Expires:
2/14/94.

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SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

Deponent

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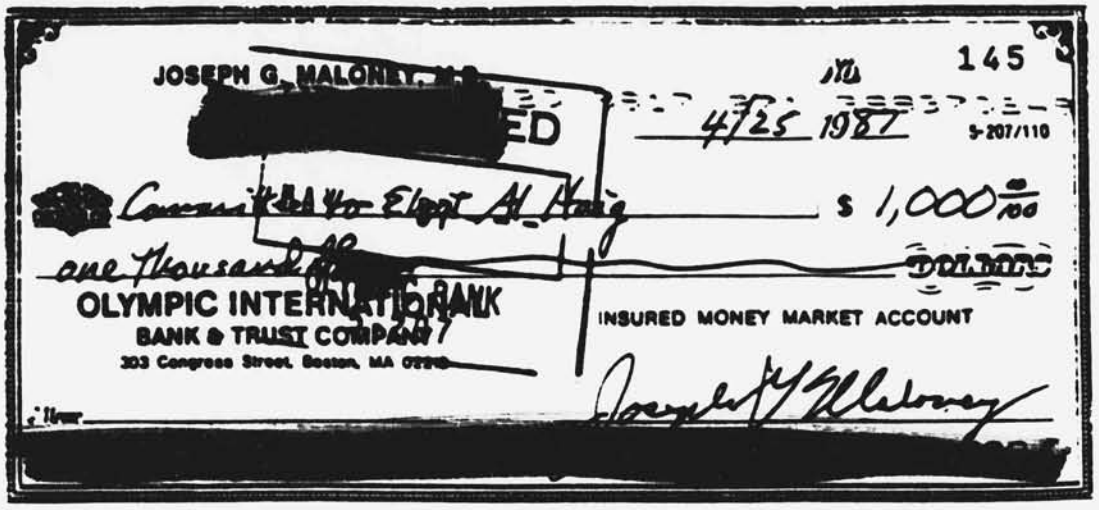

JOSEPH G. MALONEY, M.D.

[redacted]ED

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4/25 1987

5-207/110

Committee to Elect Al Haig $ 1,000 00/100

one thousand [redacted] DOLLARS

OLYMPIC INTERNATIONAL BANK
BANK & TRUST COMPANY
303 Congress Street, Boston, MA 02210

INSURED MONEY MARKET ACCOUNT

Joseph G. Maloney

[redacted]

DEPOSITION EXHIBIT

FEC #1 10/21/88

PAY ANY BANK 5-1333333333333
F R B B I S T I N 0110-0001-5
3 05-01-87 20 9917 271 3993906-9

AP 30
PAY ANY BANK
THE RIGGS NAT'L BANK
WASHINGTON, D.C.

17 57369

for deposit only
Haig for president

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OGC 5273

TRANSCRIPT OF PROCEEDINGS

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IN RE: :
M U R 2717 :
- -x

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DEPOSITION OF JEFFREY W. ALLEN

Washington, D. C.

Thursday, January 18, 1990

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DEPOSITION OF JEFFREY W. ALLEN

Washington, D. C.

Thursday, January 18, 1990

Deposition of JEFFREY M. ALLEN, called for examination pursuant to notice of deposition, at the Federal Election Commission, 999 E Street, N.W., at 10:10 a.m. before MARLENE KNOWLES, a Notary Public within and for the District of Columbia, when were present on behalf of the respective parties:

KENNETH E. KELLNER, ESQ.
JONATHAN A. BERNSTEIN, ESQ.
Assistant General Counsel
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463
On behalf of Federal Election Commission.

ROBERT F. BAUER, ESQ.
BARRY J. REINGOLD, ESQ.
Perkins Coie
1100 Vermont Avenue, N.W.
Washington, D. C. 20005
On behalf of the Deponent.

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WITNESS	EXAMINATION
Jeffrey W. Allen	
by Mr. Kellner	3

EXHIBITS

ALLEN DEPOSITION NUMBER	IDENTIFIED
Exhibit 1 - Xerox of check, 8/12/87, and letter	87
Exhibit 2 - Xerox of check, 8/12/87, and letter	102

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PROCEEDINGS

Whereupon,

JEFFREY W. ALLEN

was called as a witness and, having first been duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. KELLNER:

Q Would you, please, state your full name.

A Jeffrey W. Allen.

Q What does the W stand for?

A William.

Q Do you know you have a right to have counsel with you today at this deposition?

A Yes.

Q Do you have counsel representing you today?

A Yes, I do.

Q Could you identify your counsel?

A Bob Bauer and Barry Reingold.

MR. KELLNER: Mr. Bauer, does your firm represent any other respondents in this matter?

MR. BAUER: No, it does not.

BY MR. KELLNER:

Q Mr. Allen, my name is Kenneth E. Kellner, I'm representing the Federal Election Commission. With me is Jonathan Bernstein, who is an assistant general counsel. This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with investigation under Section 4 through 7G of Title II of the United States Code.

The statute provides that the confidentiality of this matter must be maintained until the Commission closes its file in this investigation.

Do you understand this matter must remain confidential?

A So I don't communicate with anybody about it, whatever I say here, is that --

Q Other than counsel.

A Okay.

Q The investigation is designated Matter Under Review or MUR 2717.

Have you ever had your deposition taken before?

A No.

Q In that case I'm going to explain to you a

little bit about what will be going on here. I'm going to be asking you questions regarding the subject matter of this investigation. The questions will not necessarily be limited to your involvement, may also include the involvement of other persons, to the extent you are aware of them.

You should treat this as if you were in front of a court of law or in front of a jury. Please remember you are under oath. Your testimony here today has the same effect as if it were in the courtroom.

The court reporter will be taking down everything we say and providing a transcript. You will have the opportunity to read the transcript and see if it conforms with your recollection of what took place here, and you should also read the transcript and sign it and return it to us.

Also it is very important that you answer every question in words. The court reporter can't record anything which isn't --

A She's not good at nods; right?

Q Right. Nods or certain sounds which normally are taken as yes or no. If you don't understand or hear a

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question, please let me know and I can repeat the question or rephrase it so you can understand it. If you give an answer it will be understood that you understood the question and answered it fully and completely.

If you give an answer that later on you realize is inaccurate or incomplete, please let me know and you'll have a chance to modify or add to your answer.

Finally, if you need to take a break for any reason, please let me know, we'll take a break.

A Okay.

Q What documents did you review in perparation for this deposition?

A I didn't really have any documents to review.

Q Any at all?

A Other than what you sent to me. I mean, you sent -- your letters and things.

Q What is your current address?

A 604 Tortoise Way, Satellite Beach.

Q How long have you lived at that address?

A Just about a year.

Q Where did you live before then?

A 625 Tortoise Way.

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Q Also in Florida?

A Yes.

Q How about before then?

A Atlantic Avenue in Melbourne Beach.

Q Did you ever live in Vermont?

A Yes.

Q When did you live in Vermont?

A From 1982 until 1986.

Q Where did you live before then?

A In Connecticut.

Q Are you married?

A Yes.

Q Are you currently employed?

A I own my own business.

Q What's the name of that business?

A Appolo Marble Products Co.

Q How many employees does it have?

A About ten.

Q When did you start that company?

A I bought the company in February of '87.

Q And --

A February of '87 or --

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MR. REINGOLD: If it is after you left, it would be February of '88.

THE WITNESS: February of '88. Okay. So then I left Vermont -- we have to be careful about this, because I went to Florida in September of '87 to look for a business, and moved my wife and children down there in December of that same year.

BY MR. KELLNER:

Q Where did you work prior to purchasing the business?

A I worked for Fellows Corporation.

Q Were you employed at Fellows the entire time you lived in Vermont?

A Yes. Well, except the September-December period.

Q Did you work for Fellows when you lived in Connecticut?

A No.

Q What years did you work for Fellows?

A I started there in December of 1981 and left, I think, the last day in August of 1987.

Q By Fellows, you mean Fellows Corporation in

Vermont?

A Yes.

Q What city is it in?

A Springfield.

Q Did you live in Springfield?

A No, I lived in Quechee, Q-u-e-c-h-e-e.

Q What other positions did you hold at Fellows Corporation?

A When I first went there I was controller, and then my title changed to vice-president of finance.

Q When did your title change?

A When David Goldman acquired the company in either January or February of '87.

Q What were your responsibilities as controller?

A I had accounting and data processing.

Q What does that entail?

A Overseeing all of the accounting and managing the data processing function through a manager; that was a good size organization, probably 35 people. Manager data processing, manager of general accounting, cost accounting.

Q How did your responsibilities change once you

became vice-president?

A The banking function became part of mine. And for a time I had personnel and industrial relations, and I had production control for a short period of time, plus accounting, data processing, and anything else that needed to be done.

Q How did you come to be employed by Fellows Corporation?

A Through an employment agency. I think Fellows had a controller who was getting ready to retire and they had contacted an agency in Hartford, maybe other places, looking for somebody, and I had filled out an application with that agency and set up an interview and went from there. Fellows was owned by Emhart Corporation out of Connecticut, not far from where I was living.

Q Are you originally from that area?

A No, originally from Rhode Island.

Q What is your educational background?

A I have a four-year degree from Bryant College with a major in management, and I have an MBA from the University of Massachusetts.

Q Would you please tell me, in more detail, what

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your responsibilities were as a vice-president at Fellows, your day-to-day functions.

A There is a whole host of them. One of them is, I guess, keeping track of the accounting, closing the books at the end of the month, doing financial forecasts, projections, making sure that the money got collected from customers, working with the bank on the line of credit, making sure that we were reporting accurately to them what the accounts receivable level was, because we had a, you know, a line of credit this was-- as a proportion to that receivables thing, helping to come up with plans to reduce costs, employees, trying to cut the work force so that the company could get to a profitable level, special projects.

We acquired a company at one point, I went to North Carolina and assisted in the closedown of the operation there and moving the facility to merge it into Fellows, those kinds of things, new systems for accounting, manufacturing, we would get involved with those in the data processing function.

Q You said one of your functions closing the books; what books were those?

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A The books of the company. So that we knew whether the company lost money or made money at the end of that given month.

Q What bank did you deal with for the company?

A There were several banks, there were lines of credit with Congress, which was in New York; Bank of Boston, which was in Boston; and the Springfield Bank, which we ran our payroll from.

Q Do you ever do business with Olympic International Bank & Trust?

A It was at the very end that David Goldman had set up an account there, and I think he had plans of moving out of Bank of Boston to Olympic, but he wasn't much of a -- at the point I was leaving, I don't remember much of a relationship with that bank.

Q Why did you leave there?

A I left there because I wanted to fulfill a dream that I had of owning my own business. And I had a wife that was rather tired of Vermont and the weather, and so I said, well, maybe we can fulfill two dreams, which we went to Florida.

Q She's not from Vermont.

A She is, but it seemed that the grayness in Vermont was more gray than New England, and it affected her.

Q What kinds of people would you meet with when you were working at Fellows?

A You mean the employees?

Q In general.

MR. REINGOLD: I'm sorry, I didn't hear the question. Could you repeat that? What kind of people did you meet with?

MR. KELLNER: You can read back the question.

(The reporter read the record as requested.)

THE WITNESS: It could be meeting with the machinists who represented the UEW, meeting with marketing, engineering, every function in the company I could have been meeting with at any time.

Q There was a union at the plant?

A Yes.

Q UEW?

A Yes.

Q What does that stand for?

A United Electrical Workers.

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Q How many members of the bargaining unit were there?

A I think in the neighborhood of 250, I'm guessing. Somewhere between 200 and 300, I think it is. It would vary from time to time depending upon the level of volume we had running through the operation. Fellows went through some tremendous shifts in volume in the five or six years that I was there on a revenue basis, 60 million down to 20 million. So we had some huge employment swings.

Q You mentioned David Goldman; who is David Goldman?

A He owned Fellows Corporation.

Q How did he come to own Fellows Corporation?

A Well, he bought it. Emhart wanted to sell the company and David Goldman made an offer and they accepted it.

Q Who wanted to sell it?

A Emhart Corporation. They were the owner. It was a wholly-owned subsidiary.

Q What kind of company is Fellows Corporation?

A It is a machine tool manufacturer.

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Q Was David Goldman in that business before he acquired Fellows?

A He owned a small machine tool company in Maine.

Q What was the name of that company?

A I did know it, but it escapes me now.

Q But he had a background in that industry?

A Well, he had a background only through owning that other company. That's all I know, that his background was in it. Whether he had any more depth background beyond that, I don't know.

Q When did you first meet him?

A September or October of 1986.

Q That was after he acquired the company?

A No, before.

Q What was the occasion of the meeting?

A He was at Fellows to do a preliminary investigation and to see if he wanted to proceed with making an offer to buy the company.

Q Did you meet with him after that?

A When you say "after that" you mean --

Q When did you meet with him again?

A The next time that I had face-to-face contact

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with him was probably shortly before the deal was finalized. I don't remember if it was 30 days or 60 days or something like that.

Q Did he own Fellows Corporation personally or did another company own Fellows Corporation?

A If my recollection is right, a company called DAG Holding or DAG Acquisition Co. owned the stock at Fellows.

Q Would it be Goldman Financial? Does that sound familiar?

A Goldman Financial was a company that David Goldman operated out of Boston, which one thing they did was acted as a, you know, business brokerage kind of business. But the acquiring company of Fellows, is my recollection, I think it was DAG. I don't know if that was Holding or DAG, Inc., or I don't know.

Q How would you describe your relationship with Mr. Goldman?

A It was a business relationship. He was the employer and I was the employee.

Q Who supervised you?

A Mr. Smith.

Q Was that before or after Mr. Goldman took over the company?

A It was after Mr. Goldman took over the company.

Q Who was your supervisor before then?

A A fellow by the name Bob Johnson.

Q What was Joseph Smith's title?

A President.

Q And you reported to him directly?

A Yes.

Q Did you ever have to report to Mr. Goldman?

A I think you need to clarify. Reporting in businesses --

Q Well, who would give you instructions and orders?

A My day-to-day instructions were from Joe Smith. Mr. Goldman, from time to time, would call and want information, want my opinion on something.

Q Do you have any relationship now with Mr. Goldman?

A No.

Q Who were the officers of Fellows Corporation?

A At what point in time?

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Q After David Goldman acquired the company.

A But before I left?

Q That's correct.

A Smith was president. Carl Johnson was vice-president of manufacturing. Erich Tlaker was vice-president of research and development. Don Chabot was vice-president of marketing. And a Henry Swienczynski became vice-president of engineering. But I don't remember it occurring right in the first month. I think it happened a couple months later.

Q How would you describe your relationship with Joseph Smith?

A Again, it was an employee/employer relationship. I knew him only since he had come to, you know, to Fellows. I think I played golf with him at one time, had dinner with him once or twice, but pretty much business.

Q How did it differ from your relationship with your former supervisor, Mr. Johnson?

A There probably wasn't that much difference. I played golf with Mr. Johnson once and had several dinners with him, too.

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Q Did you leave Fellows on good terms?

A Yes.

Q Do you have any relationship now with Joseph Smith?

A No. Once in a while we may talk on the phone. I'm not consulting for the company, no.

Q Are you related to anyone who works at Fellows Corporation or were you ever?

A Not that I'm aware of, no.

Q You mentioned before that Fellows began some sort of relationship with Olympic International Bank & Trust shortly before you left. Could you tell me more about that?

A There is not much really I can tell you. I think David Goldman set up the accounts. And beyond that, I don't remember any real dealings with Olympic. Most of my dealings were with the Bank of Boston or the Bank of Congress.

Q What was his connection to that bank?

A I don't know.

Q Did you ever meet with anyone from Olympic Bank?

A I never did. I never met with anyone from the

Bank of Boston -- well, yes, maybe they had sent some representatives down, because we had a fairly long relationship with the Bank of Boston.

Q Did you ever speak on the telephone with anyone from Olympic Bank?

A Not that I remember.

Q Who issued payroll checks to employees?

A I'm just trying to think how to respond. That's a multifaceted --

Q Well, I don't mean it to be.

Who signed the payroll checks to employees?

A I did through facsimile.

Q Who determined their wages?

A I have to say this, but the computer did. Once -- you know, everybody was reviewed periodically and once the committee decided on what their, you know, approving a raise or what have you, then that form would be signed by the president and the salary committee and would be put into the computer.

Q What can you tell me about the relationship of the other vice-presidents with Joseph Smith?

A I would call it a business relationship. It was

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an employee/employer relationship. Smith was the boss; we all reported to him.

Q Did everyone get along with him?

A That's not always an easy thing to call, you know, I don't remember a lot of yelling and screaming. Were there disagreements on things? Certainly. Yes, it is not uncommon. Smith was -- had to play a different role than Bob Johnson did.

Q How come?

A The company didn't have an owner with deep pockets like Emhart Corporation had. So it was a matter of survival. They had taken on a lot of debt that had to be paid off. The company had to do something. You know, there wasn't somebody who was standing out in the wings waiting to dump a whole pile of money in there to bail it out. It was a sink or swim.

Q Was the debt the result of the takeover of the company?

A Yes.

Q While you worked there were any officers demoted or fired?

A It was something that occurred with Carl Johnson

when I was there. And I don't recall whether he quit or Joe fired him. But he did come back after a couple of weeks.

Q What did that result from?

A I don't know. And I really don't remember the specifics. I would be kind of guessing, but he was vice-president of manufacturing, so I think Joe was probably bringing a lot of pressure on Carl to tighten up the manufacturing efficiency. But, you know, I'm guessing. It has been a while and I just -- I don't remember whether he actually resigned or got fired. But I know he came back after a couple weeks. And the year seemed to be clear. He may not even have come back as manufacturing. He held a couple different positions while I was there, Carl Johnson, because we had acquired another company.

Q What is the system at Fellows for reimbursing employees for expenses?

A Employee would fill out an expense report, attach his receipts to it and send it to a supervisor and ultimately to the president.

Q What was your role in this process?

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A My role predominantly was dispersing -- I'm talking about it now under the Goldman organization, under the Emhart organization. My organization took the expense report, processed it and cut a check for it, made sure that the receipts tallied up to what was on the front of it, cut a check and recorded it.

Q Did you sign expense reports?

A At one point in time I did, but I think in the ending months Joe was signing all expense reports.

Q How come?

A Well, it was to tighten control. He wanted to feel that he knew where the money was being spent.

Q What type of bonus program is there at Fellows?

A During which period in time?

Q During the -- after David Goldman acquired the company.

A During the seven or eight months that I was there after Goldman acquired the company, we had only talked of a bonus program and it had not been actually cast in concrete. The understanding of upper management was, that based on the performance of the company at year end, if that performance was acceptable, there would be a

bonus paid out. The amounts and those kinds of things is always pretty discretional.

Q Were any other bonuses issued?

A Not to my knowledge.

Q Were any other payments made to officers of the company?

A Other than the salaries or expense reimbursements, no, not that I was aware of.

Q Did you ever play golf with David Goldman?

A No.

Q How would you describe the level of political activity at Fellows?

A I would say it essentially didn't exist.

Q Did you ever volunteer to work on a political campaign?

A No.

Q Did you ever make contribution to a candidate for federal office?

A No.

Q Ever?

A No.

Q Have you ever written a check to a political

campaign?

A No.

Q Were you ever asked to make a political contribution?

A Yes.

Q When was that?

A Well, it was in '87, probably June or July of '87.

Q What happened?

A I never made it.

Q Can you tell me a little bit more about it?

A I was requested to contribute some money and in the end I didn't do it.

Q Who asked you?

A Mr. Smith.

Q And what did he ask you to do exactly?

A Attend a fund-raising dinner for Mr. Haig and donate $2000 -- $1000 each from my wife and myself.

Q So let me step back. What did Mr. Smith say to you exactly?

A Exactly I can't say. I just have to kind of summarize what my recollection was. But, Mr. Goldman was

interested in supporting Mr. Haig and that he was going to have a fund-raising kind of dinner, and that some members of Fellows would be requested to attend and donate the $1000 per plate.

Q When were you asked this?

A Sometime -- and I'm -- I don't remember exactly, but -- I'm going to expand it. It would say sometime between May and when I left the company at the end of August. And really it was before the dinner. The dinner was, I would say, in mid-August, so it was before that.

Q What did you do then?

A I don't remember doing anything. I was not comfortable with it. I had never in my career been asked to donate money to political campaigns and had never done that. I've been essentially uninvolved with a political process except to vote, and even that's been somewhat sketchy, so, -- in fact it's been very sketchy.

Q Are you a registered voter?

A Yes. But the last election I voted in was this past one for Bush, and I don't think I was registered in the two prior elections. But I had voted before, several years ago.

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Q Did you vote --

A One of my problems is I've moved a number of times and it seems like I never get around to registering to vote. And the elections are coming up and then they have gone by, so --

Q Did you vote in the primary election?

A No.

Q So what did you tell Mr. Smith after he made that request to you?

A I don't really remember whether I told him anything. I probably said I, you know, I'm not comfortable with it.

Q Did he ever ask you anything like this before?

A No.

Q Did he ever ask you to give money for any reason before?

A No.

Q Did he ever sell Girl Scout cookies for someone in his family?

A No.

Q This is the first time he's ever asked you to make a donation of some kind?

A That's correct.

Q What did he do after you told him you didn't want to do it?

A I don't know that I said I didn't want to do it. I think I said I'm not really comfortable with that. There was an indication that somehow we would be reimbursed for whatever we put into it.

Q What was the indication?

A That the company or Goldman would make us whole, would reimburse us.

Q That's what Mr. Smith told you?

A Yes.

Q Where did this take place?

A At Fellows.

Q Was it in your office?

A I don't know, it could have been in the conference room, could have been in Smith's office, could have been in my office.

Q Well, were you alone?

A I don't think so. I think the other members of Fellows top management were there.

Q There was a meeting?

A Yes, but I don't recollect the meeting being called just for that. We had a number of meetings, and that could have been one item that was brought up. It's been a while and I, you know, I can't tell you with 100 percent certainty.

Q Who else do you remember that was in the room?

A The problem is I don't -- I'm not sure, you know, if all of us were there, then there would have been Johnson and Tlaker, and probably Swienczynski, and Chabot, myself and Smith. But I can't -- I think that that's the way it was done. But I honestly don't remember.

Q Do you recall if David Goldman was there?

A He was not there. His visits to Fellows were infrequent.

Q Who was the fund raiser on behalf of?

A Haig.

Q Alexander Haig?

A Yes.

Q Was there anyone from the Haig campaign at that meeting?

A No.

Q Why did Mr. Smith ask you to make a

contribution?

A That's just really speculation on my part. I don't have firsthand knowledge of what sparked Mr. Smith, other than to think Mr. Goldman must have asked him. I wouldn't think Mr. Smith was a Haig fan.

Q You don't think he was?

A Well, I never remember him talking about Alexander Haig prior to that time.

Q You mentioned that Mr. Smith said the company or Mr. Goldman would make you whole?

A Yes. It might have been more general. Somehow you will get the money back.

Q Did you ask him why he just didn't write the check himself?

A Ask Mr. Smith that?

Q Yes.

A No, I never did.

Q Did you ask him why he needed you to write this check for him?

A No. Never asked him that, but a along with that was expected our presence at that dinner.

Q You said your presence was expected at that

dinner?

A Yes.

Q By that you mean the fund raiser for Alexander Haig?

A Correct.

Q Where was that held again?

A Mr. Goldman's place in Rhode Island.

Q You were expected as an employee of Fellows Corporation to be at that dinner?

A Yes. It was $1000 a plate dinner.

Q And you were asked to be there because you were a vice-president and employee of Fellows Corporation?

A That was the reason that -- yes, and I guess Mr. Goldman wanted some attendees there. I guess.

Q Did you consider not attending?

A At one point I called Mr. Goldman and said that I probably shouldn't attend, and he said he would really like to have me there. So I said okay.

Q Why did you tell him that?

A Because I had tendered my resignation and felt a little bit unusual going there in view of the fact that I was leaving the company in a couple weeks.

Q Who else from the company was there?

A Mr. Smith, Swienczynski, Tlaker, Chabot, and I think Carl Johnson, and Mr. Goldman's daughter.

Q What is her name?

A Terry.

Q Did you attend with your wife?

A Yes.

Q Did the other vice-presidents bring guests with them?

A They brought their wives.

Q Did the other vice-presidents write checks to the Haig campaign?

A I can't testify to that, I don't know.

Q But you never wrote one?

A To the best of what I could find in my records, no.

Q What records are those?

A Just my checkbooks.

MR. REINGOLD: Off the record.

MR. KELLNER: Okay, let's go off the record.

(Recess.)

MR. KELLNER: Back on the record.

MR. BAUER: I would like to clarify something we've discussed briefly during the break. There was a question earlier on and I will not require -- and I don't think it is useful for the stenographer to read it back, but roughly the question was, did you read any materials or review any materials in preparation for the deposition?

Mr. Allen, I think, took that question to mean purely personal preparation, as in preparation done at my direction before -- long before this deposition in anticipation with the response required to interrogatories when we viewed check registers. In the last 24 hours he's reviewed other materials in preparation for the deposition which were supplied to him by counsel. Therefore, I want it absolutely clear that that is the accurate answer. The answer is he intended that he understood the question correctly.

MR. BERNSTEIN: Maybe the cleanest way would be for Ken to ask the question again and Mr. Allen can clarify his answer.

THE WITNESS: Fine.

BY MR. KELLNER:

Q Mr. Allen, what documents did you review in preparation for this deposition?

A An expense report that I had submitted to Mr. Smith, covering our expenses getting to Goldman's house for the dinner. And there was a check made out to Haig's campaign from Olympic Bank that had my signature not as the payee, but more signed over to the left. It was a copy of it.

Q You reviewed these documents?

A I saw them yesterday.

MR. BAUER: If I can go off the record a minute.

MR. KELLNER: Off the record.

(Discussion off the record.)

BY MR. KELLNER:

Q Back on the record. While we were off the record did you consult with counsel?

THE WITNESS: Yes.

MR. BAUER: The purpose was and now will be told by Mr. Allen, there was one additional document that was supplied to him for his review; he'll answer about it as

well.

THE WITNESS: There is another check for the same amount of money from the same bank with my wife's signature on the left-hand side. A copy of the check.

MR. KELLNER: Mr. Bauer, earlier you mentioned that you had no other respondants in this matter. In fact you also do represent Allyson Allen; isn't that right?

MR. BAUER: Off the record for a minute.

(Discussion off the record.)

MR. BAUER: Yes. I apologize for the confusion on that score. I am dealing with them as a consolidated unit here, but that is accurate.

(Discussion off the record.)

BY MR. KELLNER:

Q Mr. Allen, you stated that you reviewed an expense report that you gave to Mr. Smith regarding expenses to Mr. Goldman's house?

A Uh-huh.

Q And a check? By uh-huh, you mean yes?

A Yes.

Q And also a check issued by Olympic Bank?

A Yes.

MR. REINGOLD: Objection to the form. He said a copy of a check.

BY MR. KELLNER:

Q A copy of a check?

A Yes.

MR. BAUER: Excuse me. I would like to add, he said copies of two checks.

BY MR. KELLNER:

Q How did you come to acquire these documents?

MR. REINGOLD: Wait, we've already told you that we presented them to him as his counsel. That's how he came to require them. You can ask him if he has ever seen them before or got them from somebody else, but as of how he got them yesterday, we told you we gave them to him.

BY MR. KELLNER:

Q Did you acquire the documents from counsel?

A Yes, I did.

Q When have you seen those documents before?

A That's a good question. I don't know.

MR. REINGOLD: What documents are you talking about? The expense report?

MR. BERNSTEIN: All the documents that Mr. Allen

reviewed that counsel provided, that he just listed.

MR. REINGOLD: Why don't we start with the expense report.

BY MR. KELLNER:

Q Why don't you just tell us in your own words.

A The expense report I saw, you know, the last time I saw that was when I filled it out. The check, I don't remember seeing the check. However, I'm not going to say that I never did, because it sure looks like my signature on that check. I've asked my wife the same question and it's her signature on the check as far as we can see.

MR. KELLNER: Will you provide copies to us of those documents?

MR. BAUER: We'll certainly discuss that subsequent. I'm not objecting at this time. But I would like to discuss it with the client and my co-counsel.

BY MR. KELLNER:

Q Now the expense report you just mentioned, what was that -- what was the purpose of that expense report?

A To be reimbursed for hotel and meals during the time that the members of Fellows management spent together

prior to going to Goldman's house.

Q To be reimbursed by who?

A Fellows.

Q Were you reimbursed?

A Yes, it was a business expense.

Q And the purpose of the trip was to attend the fund-raiser at David Goldman's house?

A Yes.

Q Did other officers of Fellows submit expense reports for this purpose?

A I don't -- I really -- I don't know. I would think that it is possible -- I should say I don't know. I didn't really scrutinize the expense report. I don't remember who took what cars and whether somebody else put one in for 10 cents a mile or something like that. And I certainly -- I don't know what Joe Smith did. It seems to me my expense report covered the hotel for the fellows that were with me, but Joe didn't stay in the hotel.

Q But a number of officers did, yourself, Mr. Tlaker and --

A Yes, Swienczynski and Chabot, and I think Johnson. It was written on that expense report, I just

didn't really study it to see.

Q You mentioned earlier that you reviewed your check register for the time period you were asked to write a check for Haig for president?

A Yes, I did do that. I don't remember ever writing a check, but sometimes things become vague. So I wanted to go through the records that I had and I could not find that I ever had written a check.

Q Did you ask your wife to write a check?

A Not to my recollection. If she had written -- I was looking through the same check registers that -- if she had written it, I should have seen it. I won't tell you that it is a foolproof system, but I don't think a check was written.

MR. KELLNER: Could you provide us copies of your check register for the time period you were asked to pay the contribution?

MR. BAUER: We will take it under advisement and respond.

BY MR. KELLNER:

Q You also mentioned a meeting that you recall attending in which you were asked to write a check to Haig

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for president.

Do you recall talking about that?

A Yes.

Q Was it unusual to have a meeting with other officers of the company?

A No, not really.

Q Were you all part of a committee of some sort?

A Part of what was called the Fellows executive committee. It was the top tier of Fellows management, those people who reported directly to Joe Smith, the president.

Q Could the committee overrule Joe Smith?

A No. We had strength in numbers but not strength in authority.

Q Do you keep a calendar showing when these meetings were scheduled?

A No.

Q What notes did you take at the meeting?

A Probably none. The only time I would have taken a note is if Joe Smith had directed me to find something out, something that -- a report I had to give him or something like that. But, you know, could have been on

the back of an envelope or could have been anything.

Q Could you supply us with copies of notes of that meeting?

A No.

Q How come?

A I wouldn't have kept any.

Q How many people were at the fund-raiser at David Goldman's house?

A I'm going to have to guess. I'll say, in round numbers, 100.

Q Were there any other members of Fellows Corporation other than you already mentioned?

A No.

Q Was David Goldman there?

A Yes.

Q Was Joseph Smith there?

A Yes.

Q Was Al Haig there?

A Yes.

Q Did you have a chance to meet Al Haig?

A Yes.

Q Did you get a chance to talk to him?

A Yes, but I wouldn't call it an in-depth conversation.

(Discussion off the record.)

BY MR. KELLNER:

Q Who else was at the fund-raiser?

A Many people I didn't know. Most people I didn't know. The only other people that I recall that I did know was a member of the law firm that represents David Goldman, one of their members who I had contact with regarding labor relations, that was his expertise in the firm. And I think a consultant that had worked for David Goldman, kind of a financial consultant. I think he was there. But I couldn't swear to that. Stephen Gray was his name. He wasn't an employee of Fellows or anything.

Q What was the name of the attorney you've previously mentioned?

A I can picture him very well. If it is critical in the way that it could be found out is call the firm of Brown, Rudnick in Boston and ask for their specialist on labor relations. If you said the name I would know it. I can't tell it to you off the top of my head.

Q Have you ever met someone named Dominic

Saraceno?

A No, I have not.

Q Do you know who he is?

A I know -- I guess I don't really know who he is. I know very little about it.

Q Where have you heard his name before?

A He bought a building that Fellows had acquired in the acquisition of the company in North Carolina.

Q How did you come to acquire that knowledge?

A Well, we rented the building back from his company, Fellows rented the building back from his company.

Q What was Mr. Saraceno's company?

A It may have been Saraceno associates, I'm not -- you know, it could have been a couple of initials, I don't remember what it was. We did send a check for the rent once a month. The computer paid it. We had a lease with Saraceno & Associates, or his company, whatever the name was.

Q Who arranged this transaction?

A Well, I would assume that David Goldman arranged the transactions, part of the terms of the acquisition

when he bought the company in North Carolina.

Q And Fellows issued the checks to pay rent on this building?

A Yes.

Q Who were the checks mailed to?

A Saraceno's real estate company in Boston, whatever the name was.

Q Have you ever met Kurt Saraceno?

A No. There was somebody who worked for Saraceno that I did meet. But the last name wasn't Saraceno.

Q Do you recall the name?

A If you said it, I would know it. In fact, he was at the fund-raiser; that's where I did meet him. I had conversations with him on the phone. Usually kind of conversations like, "Where is the rent?"

Q Why did Mr. Smith ask you to write a check to Haig for president?

A Again it's only hearsay or -- not even hearsay, it is more an assumption on my part that Mr. Goldman made that request of Mr. Smith.

Q Why did he make that request?

A I think I said, because I think Mr. Goldman must

have requested that he make that request.

Q Why did Mr. Goldman ask Mr. Smith?

MR. REINGOLD: Are you asking for speculation on his part?

MR. KELLNER: Well, if he knows the answer he can answer.

MR. REINGOLD: Have you ever talked to Mr. Goldman about it? Is that what are you are asking? Why Goldman did something?

MR. KELLNER: Yes.

MR. REINGOLD: I don't want to fill the record with objections. If you guys would stipulate not going to use this transcript for any purpose of Federal District Court proceedings, we can avoid a lot of objections. But a lot of what you've asked is objectionable. If we're going to pursue speculation for the rest of the deposition, there will be a lot of objections.

Can you agree with that stipulation?

MR. BERNSTEIN: No.

MR. REINGOLD: I had a feeling you weren't.

MR. BERNSTEIN: These sort of issues are things which can be raised later and we certainly can raise them

later, and what Mr. Kellner is now trying to do is to exhaust the witness' knowledge of these things. If the witness doesn't know the answer to something, that's what he should say.

On the other hand, we are very interested in any knowledge he may have gained by any source, whether it was by direct conversation or by any other means.

MR. REINGOLD: The question posed was why did Goldman ask Smith to do it, instead of being asked "do you know why?" So why don't you answer that question.

THE WITNESS: I guess --

MR. REINGOLD: No, do you know why?

THE WITNESS: I don't know why. I just, you know, I went to his fund-raising dinner and, you know, it would appear to me that Goldman was interested in supporting Haig. It's the only conclusion I could, you know, can draw from it.

BY MR. KELLNER:

Q What other indications are you aware of of Goldman's interest in supporting Haig?

A I have no other knowledge of his political activities. I think it's probably a first for him.

Q Why do you think that?

A Well, because when -- at the dinner his opening remarks said that, you know, I haven't really been involved in politics before and --

Q Mr. Goldman said that?

A Yes, words to that effect.

Q Did he say why he chose to get involved this time?

A Yes, he did. The specifics I don't recall. But I just remember him saying that he was impressed with Al Haig and what he saw. And he, you know, his talk was longer than what I just paraphrased, but I don't remember. You know, he had his reasons. He liked Haig. There was something that he saw in Haig that sparked him as he said it.

Q Was there a prior relationship with Haig?

A I have no idea.

Q What do you know about Mr. Smith's involvement in political campaigns?

A Literally nothing.

Q You mentioned before that Mr. Smith wasn't a Haig supporter.

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A I don't remember him being very excited about Mr. Haig. I don't really know anything beyond that. I think he thought he was kind of a dark horse.

Q So he asked you to write a check because the owner of the company told him to?

MR. REINGOLD: Object to the form in that it calls for speculation.

MR. BAUER: Let's be clear here for our part. I understand the point Mr. Bernstein made about the attempt to elicit as much information the witness has. We are here to make that possible. I have no objection if you slightly rephrase the question. I think the very answer you are looking for, should he have it, we'd certainly be happy to have him provide.

I do not want, however, over the course of a number of hours to develop a pattern by which he is asked, do you have any knowledge why Mr. Haig ran for president, or why did Mr. Haig decide to run for president, why did Mr. Goldman decide he liked Mr. Haig's policy on foreign affairs?

I would rather have it stated more appropriately so we don't lose the discipline of the exercise. Do you

happen to know what it is not intuitive that he would know. We're not going to be obstructionist here, trust me.

MR. KELLNER: Could you read back the last question, please.

(The reporter read the record as requested.)

MR. REINGOLD: I don't want to belabor this. The proper question is whether it was his assumption -- this witness' assumption Mr. Smith was making this request as the owner of the company. Or you can ask him if he had any information that, in fact, the owner of the company asked Mr. Smith to make this request.

But to ask him in conclusionary fashion what was going on in Mr. Smith's mind is unfair to the witness. It creates an unfairness in the record. I can't believe you want to do that. I know you are a good enough lawyer to know the proper question is to ask about his assumption or his personal information.

MR. BERNSTEIN: I think the question is intended to elicit his personal information and --

MR. REINGOLD: That's the third time I heard that question phrased in just the same conclusionary way.

MR. BERNSTEIN: If your objection is a question --

(Counsel spoke simultaneously.)

MR. REINGOLD: No, it is a third time --

MR. BERNSTEIN: We certainly want the witness to understand the question well enough to respond, and if at any point the witness doesn't understand the question or feels that a need to clarify an answer, that's perfectly appropriate.

MR. REINGOLD: My objection stands.

THE WITNESS: I didn't hear what you said.

MR. REINGOLD: My objection stands. Why don't you repeat -- Ms. Reporter, could you repeat the question. Then you can answer.

(The reporter read the record as requested.)

THE WITNESS: That's my assumption. I recollect that he said Goldman wanted to support Al Haig. He was going to have a fund-raising dinner and he wanted us to attend and it was $1000 a plate.

Q What can you tell me about the relationship between Mr. Goldman and Mr. Smith?

A I saw that as pretty much an employee/employer

relationship. I can't attest to any real socializing between the two. I think it was pretty much a business relationship.

BY MR. KELLNER:

Q So when Mr. Smith told you that Mr. Goldman wished to have contributions made to Al Haig, it was your impression that this was made in his capacity as an employer of Mr. Smith?

MR. REINGOLD: Can you repeat that? We flipped around someplace there.

BY MR. KELLNER:

Q As an employee of Mr. Goldman.

THE WITNESS: Yes. Did you clarify the record to show that it was employee of Mr. Goldman?

THE REPORTER: Yes.

THE WITNESS: I don't think Mr. Goldman would have liked working for Mr. Smith.

BY MR. KELLNER:

Q Why not?

A Goldman was an entrepreneur.

Q He didn't like to work for other people? He liked to give out orders instead of taking them?

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A He just liked owning companies and building a large business, a large company.

MR. BAUER: Could I have a minute off the record?

MR. KELLNER: Off the record.

(Discussion off the record.)

MR. KELLNER: Could you please read back the last question and answer.

(The reporter read the record as requested.)

BY MR. KELLNER:

Q What was your relationship between Smith and Goldman prior to Goldman's takeover of Fellows Corporation?

A Goldman had used Smith in a consulting capacity once or twice. And this, I don't really have firsthand knowledge of, but it is my understanding that Smith worked for Harsco Co. in Pennsylvania and sold Goldman a company or companies in his role as business development executive.

Q How do you know this?

A I'm not sure, I think it was probably in the conversation with Joe Smith.

Q I would just like to go over again the request that was made to you to write a check for Haig for president.

You stated Mr. Smith asked you to write a check; was that right?

A I think the first conversation went that Goldman is having dinner, would like you to attend, and you are going to have to write a check for $1000 each, and somehow you will be reimbursed.

Q And there was a second conversation?

A Well, the second conversation was I think to actually write the check. But this is a point in time when things run together. My records indicate that I never wrote a check.

Q How did the second conversation come about?

A We had a meeting, and again this is vague, the real specifics of it, but my recollection is that we had a meeting and Mr. Smith indicated that the checks needed to be in to pass on to Mr. Goldman at some date. So here we are at X and by Y, Mr. Smith needed the checks and Z, they were to be forwarded to Mr. Goldman.

Q Is that the same meeting you described earlier?

A This was what I would call a second meeting.

Q I'm a little confused. Still not clear in my mind; that's why I'm going over this again and again.

When you were first asked, were you alone with Mr. Smith?

A The first meeting I believe we were all together, my recollection.

Q The executive committee?

A Correct. Mr. Smith indicated that Mr. Goldman was going to support Mr. Haig, he was going to have a campaign dinner, it was $1000 a plate deal, and that we would be expected to contribute. And that somehow we would be reimbursed.

Q And there was another meeting?

A The next meeting was --

Q When was the meeting?

A I don't know for sure. But in first one was sometime in June, let's say, then the next one I would think would have been shortly before the dinner. Whether that's July 1 or June 18th or 28th, I don't know. My timing would say it would have been as the dinner was being approached, the time of the dinner was being

approached.

Q What was the purpose of the second meeting?

A To let us know that by a certain date Mr. Smith needed the checks to forward on to Mr. Goldman.

Q Did you take notes at this meeting?

A I doubt it. And again I couldn't even tell you whether the meeting was just for that or whether there were a number of other subjects covered. I would think there were probably other subjects covered.

Q Regarding checks to Haig for president, what questions were asked at the meeting?

A By me or by --

Q By anyone.

A I don't remember anybody asking any questions. Maybe, you know, what's the date of the dinner, or where is it and how are we getting there and questions like that perhaps.

Q What were the answers; do you recall?

A No. He might have said, well, you are going to get an invitation in the mail or something, I don't know.

Q The second meeting had Smith and members of the executive committee? At the second meeting it was

attended by who?

A I think it was the same people that were at the first meeting.

Q Which is Mr. Smith and -- is it the four members of the executive committee?

A Yes. Johnson, Swienczynski, Tlaker and Chabot, myself, five.

Q Anyone else?

A Smith.

Q Was anyone from the Haig campaign there?

A No.

Q Mr. Goldman wasn't there?

A No.

Q Did anyone give checks to Mr. Smith at that meeting?

A I don't remember anybody giving checks to Mr. Smith at that meeting.

Q What discussions did you have with the other members of the executive committee about this?

A I don't remember directly the substance of conversations, other than to make the general statement that I don't think we were totally comfortable with it. I

can't tell you that one guy said this, whatever, I don't know. I just remember that none of us felt comfortable with it.

Q What did somebody say to you?

A If I could remember what they said to me I would be very happy to relay that. I would only be pulling something out of the air. And I would have to make it up, because I really don't remember. I don't remember sitting there for hours and discussing it. I don't think that was the case.

Q What was the -- well, you stated a number of you were uncomfortable; is that correct?

A That's correct.

Q Why was that?

A Fellows history or at least for the time I was there and from what I could surmise about the past, a very conservative apolitical organization. Vermont is in a remote region of the world. People don't get too excited about federal politics. It was just unusual, that, you know, we would take a position to support Alexander Haig, us personally.

Q Did anyone feel their positions at the company

were in jeopardy if they didn't write a check?

A I would have to guess. And that's all I'm doing is guessing, becuase, you know, we're talking several years ago. People must have been concerned that if they told Joe Smith that they weren't going to do that, I don't know whether they felt they would be canned or whether they felt -- they may not have been considered team members.

Q Excuse me?

A They may not have been considered team members.

Q How did you feel?

A I felt uncomfortable.

Q Why?

A Because I had never been requested to contribute to a political campaign as part of my business life. And certainly I had seen letters in the mail from political organizations to contribute and never had. And it just was not something that was traditional or normal with me.

(Discussion off the record.)

MR. KELLNER: Could you read back the last question.

(The reporter read the record as requested.)

BY MR. KELLNER:

Q Is it because you were uncomfortable that you didn't write the check? I mean, is it because you were uncomfortable that you think you didn't write the check?

A I don't really know why I didn't write the check. I don't remember why I didn't write the check. I'm certain that my uncomfort with the situation would have allowed me not to write the check until the very last minute, if I had to do that.

Q Did you feel that your position was in jeopardy?

A My position at Fellows really didn't matter to me because I was leaving the company anyhow. But I had good rapport with the company and with Goldman. And I was taking a major risk doing what I was doing, which was to pack up and leave without a job and go down to Florida, and trying to buy a company and put the whole schmeer together before I ran out of money and still be able to put bread and butter on the table.

I knew that Mr. Goldman had bought a lot of companies and certainly had the expertise to help me if I needed it. And also, since I was leaving in good graces, if I failed I could go back to work for his organization.

So I certainly didn't want to ruin that important bridge. It was probably the last vestige of security or insurance I had after leaving or deciding to leave.

Q How did you let Mr. Smith know that you wouldn't be writing a check?

A I don't remember discussing with Mr. Smith my writing a check or not. My recollection is that the others turned in checks; that shortly after the checks were received Mr. Smith turned the checks back and said Mr. Goldman would handle the money some other way. And I think that made us all feel very comfortable, but we were no longer involved.

Q How did you come to acquire that knowledge?

A Which knowledge?

Q That Mr. Goldman had returned checks to officers of the company -- excuse me, that Mr. Smith had returned checks.

A I don't remember whether it again was in a meeting of all of us or whether Mr. Smith told me alone. I mean, it probably was at a meeting of all of us.

Q Was Mr. Smith unhappy that you hadn't written a

check?

A No.

Q What else did he say to you about it?

A I don't remember him saying anything else about it. I'm sure there must have been some discussion, but whatever it was, it wasn't a lasting kind of thing.

Q What did the other officers say to you after their checks had been returned?

A It's again, you know, trying to remember what they said. I just personally recall a general sense of relief, and my assumption is that they had the same feeling, and whether they expressed that verbally to me or not, it's conjecture. I would think that probably would have been -- I don't know. It may or may not have happened. I don't know.

Q So everyone was relieved that another way would be found; is that right?

A That they would no longer have to be involved.

Q Were there any other reasons why they felt so uncomfortable about being part of this transaction?

A Not that I remember being discussed with me.

Q Was anyone concerned that this transaction might

be illegal?

A I can't say whether anybody was or not.

Q Were you concerned at all that it might be improper or illegal?

A I really didn't know what the election law was. I was uncomfortable.

Q Did you seek anyone's advice?

A No.

Q Why were you asked to contribute or write a check for $1000 as opposed to $5000?

MR. REINGOLD: I'm going to object to that one. Again you are asking for speculation.

BY MR. KELLNER:

Q Please answer the question.

MR. REINGOLD: You can answer.

THE WITNESS: I can?

MR. REINGOLD: Yes, go ahead.

THE WITNESS: The only reason that I could have seen was because I saw it linked together with $1000 a plate dinner. He said come to the dinner, it was $1000 a plate dinner, I want to have some people there. Whether he was having a problem attracting contributors, I don't

know. He needed some support from the upper echelon of Fellows.

BY MR. KELLNER:

Q Was there any other reason you know of why you were asked to write a check for $1000?

A No. As far as I know it was, you know, when we were asked or when it was first told to us, my recollection is that Goldman is having a political dinner, $1000 a plate, and I would like you fellows to come. I don't remember any other reason. I can't think of any other reason.

Q I'm just trying to exhaust your total knowledge.

A It's probably not as expansive as maybe you would like.

Q What instructions were you given, if any, for writing the check?

A I really don't remember how it was supposed to be made. I don't know.

Q Were you given any forms to fill out?

A Not at that time, not that I remember.

Q Did you speak to anyone from the Haig campaign?

A I don't remember speaking to anyone from the Haig campaign. I think I indicated that about the time I went to Florida somebody did call my house in Vermont and spoke with my wife. But I don't think I ever called him from Florida or anything, but, you know, maybe I did.

Q Well, who called your wife?

A I can't even tell you that, I don't know. I just remember calling home and she said do you know that somebody from Haig for Reelection Campaign has called and is sending you something in the mail. Well, I'm down here and there is not a hell of a lot I can do about it right now.

Q Why did someone from the campaign call?

A That's the real mystery that we really haven't been able to say with certainty. I don't know whether it was to sign a copy of that check or it was something else that I was supposed to do. I certainly get lots of requests for further contributions or donations, which I didn't respond to or acknowledge.

Q You mean you began receiving?

A That's correct.

Q That was unusual?

A Well, yes, I didn't -- I never had anything to do with Alexander Haig prior to that. Yes, I would say that was unusual.

Q Who were the mailings from?

A The reelection committee. And if there was a specific individual -- well, maybe even Haig himself sent a couple of them.

Q Why do you think you were mailed these letters?

A He was looking for money.

Q Why did he think -- why do you think that you were all of a sudden going to be asked for money?

MR. REINGOLD: Object to the form of that. I think it is confusing.

MR. KELLNER: Do you understand the question?

THE WITNESS: Why --

MR. REINGOLD: Could you read it back.

(The reporter read the record as requested.)

MR. KELLNER: That might be confusing.

BY MR. KELLNER:

Q But do you understand it?

(Laughter.)

I'll rephrase the question.

(Discussion off the record.)

THE WITNESS: My assumption is because I met Haig at the dinner so he had to think I was supporting him, because everybody, supposedly, who was sitting at the tables contributed $1000 for the dinner

BY MR. KELLNER:

Q So you think it was believed that you had made a political contribution in the past?

A Because I was at that dinner.

Q What mailings did you receive from the Haig campaign?

A The mailings -- I'm sure there were solicitations for more contributions. The vague part, as I've indicated to you, was why were the phone calls and what came in September? And whether or not it was a copy of that check, I don't know.

Q Did your wife receive mailings, too?

A I'm just trying to think whether letters of solicitation were actually addressed to her. Yes, I would think so. But, again I'm guessing. It's reasonable to assume that since we were both there that they would likely send each one of us. I don't remember whether they

were addressed to Mr. and Mrs. Allen or just to me, or one to each of us. I really didn't save anything that was sent because I didn't plan on contributing any money. I put it into the wastebasket.

Q Did you receive an invitation to this fund-raising?

A Yes.

Q Could you provide us with a copy of it?

A I wish I could. I did search through my records because it was a very nicely done invitation with an artist's rendering or portrait of the house that Goldman has and we liked it. I thought we kept it somewhere, but I couldn't find it. We've moved several times since then and things seem to get lost on the move.

Q Were you invited to any other fund-raisers?

A No.

Q So you didn't attend any other fund-raisers either?

A That's correct.

MR. KELLNER: Could we go off the record?

MR. REINGOLD: We can go off the record.

(Discussion off the record.)

BY MR. KELLNER:

Q When did you receive the invitation you mentioned earlier, to the Haig fund-raiser?

A Again I can't tell you the exact date. But I would guess in early July, because I think it was -- when was it? What was the date of the fund-raiser? Anybody have that? If it was the -- I would guess two weeks before it, whenever that was. Maybe it was a month before. I'm not -- I can't tell you with certainty. The fund-raiser was mid-August, it must have been mid-July or late July or early August. I don't know.

Q Did you receive the invitation after the meetings with Joseph Smith to discuss whether to give a check to Haig for president?

A I don't know when it was. I would think it might have been in between those two meetings.

Q How did you get the invitation?

A Through the mail.

Q Why did you attend the fund-raiser?

A Because I was requested to attend.

Q Were you uncomfortable about attending a fund-raiser for which you hadn't made any contributions

to?

A I suppose a little. But there was certainly a curiosity factor about it since I had never been involved in that process, and to end up seeing somebody who had made so many headlines in the past such as Alexander Haig -- perhaps my concerns of him of not having contributed were overweighed by my curiosity.

Q But it was $1000 a plate dinner?

A Yes.

Q Were there others there who had made contributions to the Haig campaign?

A You are asking me a question that I really don't have firsthand knowledge of. I assumed that all of the people there paid the $1000. But I don't know, because that I have really no way of knowing. It is just an assumption on my part.

Q You mentioned earlier that you called David Goldman to discuss your attendance.

A That's correct.

Q Why did you call him?

A I had called him to tell him that I was going to leave the company and why. And I don't remember if I told

him then or if I had subsequent conversation, but I said to him on that basis I probably shouldn't, you know, attend the fund-raiser. Probably should get somebody else to go in my place, my replacement or somebody like that.

Q What did he tell you?

A He said, no. He said, I would like to have you and your wife in attendance there. So when he said that, I said okay.

Q What did you say back to him?

A I just said okay, if you really want me to go, then I'll go.

Q Did you discuss contributions to the Haig campaign with David Goldman?

A No.

Q Did you mention that you hadn't written a check to the campaign --

A No.

Q How come?

A I guess I really didn't see any need to.

Q You mentioned that you were relieved that another way had been found for contributions to be made for the Haig campaign.

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Do you know what I'm referring to?

MR. REINGOLD: No, in fact, I don't think that was his testimony. You are referring to that conversation with Mr. Smith?

BY MR. KELLNER:

Q You stated earlier that other employees had written checks to the Haig campaign and had their checks returned to them; is that right?

A Yes.

Q And that employees were relieved?

A Yes.

Q And they were relieved because, you stated, that another way had been found?

A They were relieved because they were no longer involved.

Q Why were their checks returned to them?

A I don't know what the thinking was.

Q What explanation did Mr. Smith give for the checks being returned?

A I don't remember a deep or lengthy conversation on it. I just remember the words that Goldman is determined another way to handle it, or he is going to

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take care of it himself, not to worry about it.

Q Did you ask Goldman about that when you spoke to him?

A No.

Q Were you curious as to what other way was being used to handle it?

A No, I don't want any involvement in the political process. I had my hands full with worrying about the business end of Fellows and worrying about where I was going.

Q Did you eventually find out what other way was found?

A No. That may not be a clear answer. I certainly saw those checks, but, you know, where the money came from, I don't know.

Q You mentioned a company before called DAG.

A Right.

Q Did you call it DAG or did you call it DAG?

A I had referred to it both ways. I think now -- I think it was DAG Holding. I think that would have been the -- it might have been even DACG; DACG, I think it was.

Q What is the relationship between that company

and David Goldman?

A I think David Goldman owned the stock in that company or there was another company called Fellows Acquisition Company that owned the stock in DACG Holding Company.

Q Do you know what DACG stands for?

A No. That was a question that I had, too, and never got an answer to.

Q Who owns the Fellows Acquisitions Company that you mentioned?

A I would think, and again I'm not sure, but I think it was probably David Goldman directly. I don't remember whether it went through Goldman Financial Services, Inc. or not. My understanding is ultimately it ended with David Goldman. I don't know how many corporations in between. Who knows.

Q You mentioned a number of corporations; could you tell me the hierarchy that eventually led up to David Goldman.

A I can only tell you the way I remember it which -- this wasn't something that we needed to deal with on a day-to-day basis. When companies get acquired the lawyers

usually set up some company as the vehicle to buy the assets or buy the stock in the other company. It is common procedure.

I think there was a Fellows Acquisition Company, which I think David Goldman owned the stock in. And I think Fellows Acquisition Company owned DACG Holding Company, Inc.. And I think DACG Holding Company, Inc. Owned the stock and Fellows Corporation. I think that's the way it is, but I wouldn't swear that's the way the deal went.

MR. KELLNER: We're going to take a lunch break now. Off the record.

(Discussion off the record.)

(Whereupon, at 12:30 p.m., the deposition was recessed, to be reconvened at 1:30 p.m. this same day.)

AFTERNOON SESSION (2:00 p.m.)

Whereupon,

JEFFREY W. ALLEN

resumed the stand and, having been previously duly sworn, was examined and testified further as follows:

EXAMINATION (continued)

BY MR. KELLNER:

Q Mr. Allen, do you have new or additional counsel with you today as we reconvene?

A I have Judith Corley, who has been with me from the beginning.

Q You mean she just joined us, here, today?

A Correct.

Q Mr. Allen, I'm going to ask you some follow-up questions to things we've discussed earlier, and I'm going to move on and show you some documents.

Getting back to the fund-raiser held at David Goldman's home, you mentioned that there was a speech by Mr. Goldman?

A Yes, I would call it kind of like an introductory kind of thing.

Q Did anyone else speak in front of all the

attendees?

A Haig.

Q Did anyone else?

A No.

Q Was Dominic Saraceno at this fund-raiser?

A Yes.

Q Did you meet him?

A No, I did not.

Q How do you know he was there?

A I asked somebody specifically because I was curious what he looked like.

Q What did he look like?

A That's a good question. I think maybe he had curly hair, but that's about all I can tell you. I don't remember. It wasn't -- he wasn't a giant of a man or --

Q Did he give a speech or introduction?

A I don't remember him saying anything.

Q Other than the candidate, were there any --

A I just thought, Haig's wife did talk, she said a few words.

Q Other than the candidate, were there any other celebrities in attendance?

A Not that I -- you know, that was made known.

Q How did you travel to this fund-raiser?

A I would say I drove.

Q By yourself?

A My wife was certainly with me. I don't -- I'm not sure whether I went with, you know, some of the other fellows, people, or I went by myself. I probably went by myself, meaning myself and my wife.

Q Did all of you stay at the same hotel?

A Well, all of the Fellows vice-presidents, yes.

Q And the Fellows Corporation paid all the expenses?

A Yes.

Q Who arranged the accommodations and things like that?

A I really don't know. I don't know. It could have been Joe Smith's secretary. Could have been my secretary. Could have been David Goldman, I don't know.

Q Could you have made them?

A It is possible, although I would have probably tried to delegate that if somebody told me to do it.

Q So based on your experience working there, you

think it was somebody else, a secretary perhaps?

A I think so.

Q Why did Fellows Corporation arrange and pay for this trip?

A Well, I think we considered it as a business expense, where we were all members of management; certainly weren't going down there for, you know, as a personal kind of thing, it wasn't a vacation or something personally.

Q But what advantage was there to the company of having its vice-presidents attend a fund-raiser for Al Haig?

A I think this, you know, you -- there are always some advantages when executives of a company get together with their wives, there's always some fallout something good, even if it is nothing more than being able to help get along a little bit better.

Q What other trips were there other than this one?

A Of a political nature, none.

Q Were there any other trips?

MR. REINGOLD: Speaking for the whole executive committee or any group of them or any number of them?

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MR. KELLNER: Any combination.

MR. REINGOLD: Any combination of any executives? Any two or more?

BY MR. KELLNER:

Q Do you understand the question?

A I think you are saying did we ever get together before?

Q Right.

A I'm trying to think of other times, because certainly I have met most of the other people's wives on one occasion or another. It wasn't something that Fellows did that frequently, but I'm sure we were together one time or another in the past. For what reason, right now it escapes me.

Q Do you recall any other time in which Fellows Corporation arranged a trip for all the executives and their wives to go away and be together?

A I don't specifically recall that right now. That wasn't what I was alluding to before. What I was alluding to before was there have been social times in the past when one or two members of the executive committee have been together and, I would think, with their wives.

Q With regard to trips, do you recall any other trips?

A Not right at this moment.

Q What did Smith tell you was the purpose of this trip?

A I think the invitation we received said we were to go to a fund-raiser.

Q What did he say was the reason the company wanted you to go on this trip?

MR. REINGOLD: I'm going to object. That has been asked and answered three times this morning.

MR. BERNSTEIN: I think Mr. Allen had said that he received an invitation, and his understanding was that the invitation was the purpose of the trip. And I guess the point of Mr. Kellner's question was did Smith say something to that effect or give some other reason or anything?

MR. REINGOLD: He's discussed at length meeting with Smith, where Smith talked about the fund-raiser and the thousand dollars. He's discussed a second meeting where they discussed checks, he's discussed getting an invitation and has discussed going to fund-raiser. I

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don't understand what new ground we're covering in all of this.

MR. KELLNER: There is no question at all that the purpose of trip was to attend the fund-raiser?

MR. REINGOLD: Why are you asking the question?

MR. KELLNER: The purpose of the question was to find out why Fellows Corporation paid for this trip. It was a business expense. What business purpose was there? And to his knowledge, if he could tell us that, we'd like to know.

MR. REINGOLD: He's already talked about that. You have asked that. He was told by the president of the company they were executed to go to this fund-raiser. I think we all want to get moving on this thing. I really don't understand why we're replowing the same old ground. We've been here for hours.

MR. KELLNER: Let me rephrase it.

Could you read back the question, please.

(The reporter read the record as requested.)

BY MR. KELLNER:

Q Now, so we can move on, can you, please, answer the question.

A I guess the primary reason was to go to the fund-raiser.

Q So he didn't state to you any business purpose?

A You know, he may have said we're all going to spend some time together or something like that. But the main reason was to go to the fund-raiser.

MR. REINGOLD: I would like to confer with the witness. There is no question is pending.

MR. KELLNER: Sure, we'll go off the record.

(Discussion off the record.)

(Counsel conferred with witness.)

BY MR. KELLNER:

Q Back on the record.

Are you through conferring with counsel?

A Yes.

Q I want to give you all the time you need.

MR. REINGOLD: Are you finished conferring with your co-counsel? I want to give you all the time you need.

MR. BERNSTEIN: Thank you.

(Pause.)

BY MR. KELLNER:

Q How long was the trip to the fund-raiser?

A Two hours.

Q I mean you stayed one night and returned?

A Yes.

Q Were there any meetings other than at the fund-raiser?

A Not that I recall. Not sitting in a conference room per se. There were certainly discussions between all of this about the Fellows' business and it was hard to be together without talking about what was going on.

Q You mentioned earlier that yourself and some of the other vice-presidents were uncomfortable about writing a check to pay for president and having it reimbursed by the company?

MR. REINGOLD: Object to that. His testimony was he was uncomfortable about being requested to do that. He's also testified he didn't write a check.

MR. KELLNER: That's what I meant, uncomfortable about the idea of writing a check.

BY MR. KELLNER:

Q Is that right?

A Right.

Q Of the other vice-presidents, who in particular was the most uncomfortable?

A I don't know.

Q Do you recall anyone who most expressed discomfort?

A No. I don't remember one person standing out more than the rest. And it wasn't everybody saying, I don't want to do this. It wasn't like that. It was just general feeling that you felt when you were there.

Q Do you recall any one vice-president more than another confiding with you more about this or talking to you more about it?

A No.

Q Who were you closest to on the executive committee?

A One of the vice-presidents probably, Tlaker.

Q Mr. Tlaker?

A Yes.

Q Do you still keep in touch with him now?

A Not very often. I got a Christmas card from him.

Q Of the vice-presidents, who was the closest to Mr. Smith?

A Probably me.

Q Was there any that had a particularly poor relationship with the president?

A I had testified earlier that there had been a falling out between Carl Johnson and Joe Smith. But that seemed to get ironed out and I felt the rapport was pretty reasonable. I think, you know, that from time to time everybody has just a normal course of disagreement. There would be times when they got along with somebody better than other times. I wouldn't call it, they were not open hostilities during the time I was there.

Q How were you involved in the acquisition of Fellows Corporation by Goldman's company?

A You should try to be more specific with what you want to know about that.

MR. REINGOLD: Are you asking if he played any role in the acquisition?

BY MR. KELLNER:

Q Any role at all is what I want to find out. You mentioned earlier that David Goldman had come to the

office prior to his acquisition --

A He had come to the office prior to the acquisition to meet with the key members of Fellows' management to get a better understanding of what the company was all about, the status of its development programs, where it stood in the market, vis-a-vis its customers and competition, to get a first-line feel as to who the guys were that were the first-line managers to talk about Johnson, who was the president, assess him and his role, to go over numbers, you know, how good or bad is the company doing and that kind of thing.

Q Did you have any other involvement in the acquisition?

A After that Goldman would send financial consulting people that he had hired to come in and do detailed financial analyses so that he could determine how much he wanted to pay for the company and go to the banks and borrow enough money to do the whole thing.

I had a lot of contact with those people and then Goldman himself would call up periodically and have specific questions that his underlings had not gotten the answers that he needed in order to determine what and how

he was going to -- whether, what, and how he was going to proceed.

MR. KELLNER: I'm going to ask the court reporter to mark this two-page document as FEC Exhibit 1. I'm going to hand a copy to the witness and his counsel and ask them to look at it.

(FEC Exhibit 1 identified.)

(Pause.)

BY MR. KELLNER:

Q Have you had a chance to look at this document?

A Yes.

Q Do you recognize it?

MR. REINGOLD: First, you have referred to it as a document. It is two separate pieces of paper. Are you representing that these are attached in some way, that they are the same document?

MR. KELLNER: I was and I was going to refer to them as the first page of the document and the second page of the document. If you have another preference --

MR. REINGOLD: Well, if you are going to be asking questions like when did you receive this document, we're going to have an unclear record. We should address

the two documents seperately. Maybe, in fact, he did get them together but maybe not. I don't want a record that refers to this document as being somehting said,"oh sure, I got it September 4," or a couple days after. Because that's the date that appears on the letter.

MR. KELLNER: We'll see what develops.

MR. REINGOLD: Can we mark this 1-A and 1-B?

MR. BERNSTEIN: I think Mr. Kellner had stated that this is a two-page on the record. So it will be clear that it is two pages.

BY MR. KELLNER:

Q Have you looked at the two pages of Exhibit 1?

A Yes.

Q Do you recognize them?

A Really, I testified earlier that I did not remember seeing the check or signing the check. I do remember that in September there were phone calls and something was mailed to my house. And what we did with that, I don't know. But I would not testify that that isn't my signature. Certainly appears to be my signature.

Q Were these two pages what you were mailed was

Exhibit 7 what you mailed?

A I don't know.

Q Looking at page 2 --

A That's the letter?

Q That's correct. You don't recall seeing this before?

A That was my testimony, I don't recall seeing it. But I am telling you that something came to my house when I was in Florida. Whether this was the document, I cannot tell you with 100 percent certainty.

Q What do you recall that you received?

A I don't recall. If I did recall, we could clarify the matter.

Q So this may or may not have been it?

A That's correct.

Q I'll ask you to look at the first page. What is this? Can you describe it for me?

A Well, it looks to me like a treasurer's check.

MR. REINGOLD: Counsel, do you have the original of this treasurer's check?

MR. KELLNER: No.

MR. REINGOLD: Does the Commission have the

original, even though you don't have it in your personal possession?

MR. BERNSTEIN: Why do you ask, Mr. Reingold?

MR. REINGOLD: Because I don't know what this is or what generation copy this was. I notice that even the signature, if you look at the "y", it appears to drop below the edge of the check.

So, I suspect that whatever it is on which the signature appears it is certainly not the original check. If you have the original check, I would certainly like to see it.

MR. BERNSTEIN: Well, perhaps with more questions Mr. Allen's recollection can be refreshed about how it was that his signature came to be on this. And that might also clear up what it was that his signature was put on.

MR. REINGOLD: You can ask him more questions if you want. I am still requesting to see the original, if, in fact, the Commission has a copy of the original.

MR. BERNSTEIN: Thank you.

BY MR. KELLNER:

Q So, again, what is it that we're looking at on

the first page of this exhibit?

A A treasurer's check.

Q That's correct.

MR. REINGOLD: Well, we want to be quite clear about that. That's the top half of the page. Mr. Allen, is it your understanding that the language that appears on the bottom half is also a treasurer's check?

THE WITNESS: I don't know. That's my address.

BY MR. KELLNER:

Q Is that your handwriting at the bottom of the page?

A I don't think so. My handwriting -- it would probably be difficult to read that if I wrote it.

Q Whose name and address is at the upper left-hand corner of the check?

A That's mine, or was mine.

Q Who prepared this check?

A I have no idea.

Q The check is made out for how much?

A $1000.

Q And who is it made out to?

A Haig for President.

Q Is your signature on this check?

A My signature is under Olympic International Bank. Not as a payer.

Q You recognize your signature?

A It looks to be my signature.

Q Why did you sign this check?

MR. REINGOLD: Objection.

THE WITNESS: I don't remember testifying that I did.

BY MR. KELLNER:

Q Did you sign this check?

A I just said I don't know. I don't remember it.

Q Do you recall signing anything on behalf of the Haig campaign?

A I recall at one point, and I thought it was when I was at Fellows, that there was some kind of a document, whether the document -- a coupon or something, that would have said words to the effect I agree to contribute $1000 or something like that. But I haven't, you know, I don't have a copy of that.

Q You stated that you recalled receiving a mailing from the Haig committee?

A There were a number of things that were sent to me from the Haig committee.

Q And you don't recall receiving this document from the Haig committee?

MR. REINGOLD: Objection.

THE WITNESS: Not specifically.

MR. REINGOLD: You are going to have to give me a second before you answer so I can pose an objection, okay?

THE WITNESS: Okay.

MR. REINGOLD: Did you get my objection?

THE REPORTER: Yes.

BY MR. KELLNER:

Q What happened to those mailings from the Haig committee?

A If they were requests for more money, I wouldn't have thrown them away.

Q What else would they be?

A That I don't know. I do remember that there was something that they were concerned about when I was in Florida, but I can't tell you that it was that.

Q Do you recall when that was that you received --

it was a phone call; is that right?

A I think something was sent in the mail and then I think there were phone calls. I think it was in September or very early October, because I was in Florida at that point and time.

Q Did your wife receive something in the mail also?

A I don't know whether it came to me or whether it came to her or us jointly.

Q Did your wife mail anything to you in Florida regarding this?

A Not to my knowledge.

Q Did you receive anything from your wife regarding this?

A In Florida?

Q Yes.

A Not that I remember.

Q Were you in Vermont in September of '87?

A I think I left September to go to Florida. And I think I came back sometime during the first two weeks of October.

Q Do you have a calendar showing where you were on

those dates?

A Which dates?

Q Verifying whether you were in Florida or whether you were in Vermont?

A On which --

Q In September.

A I didn't have a calendar, no.

Q Or any record that would show where you were during that time period?

MR. REINGOLD: You mean anything like hotel receipts, food receipts, anything?

MR. KELLNER: Sure.

THE WITNESS: Yes, I could prove that I was away in September, sure. Yes, I have a whole lot of bills from that period in time.

BY MR. KELLNER:

Q Now you have never made a political contribution; is that correct?

A Correct.

Q And it was unusual for you to have been asked to make a contribution by Mr. Smith?

A Would you repeat the question?

Q It was an unusual event that Mr. Smith asked you to make such a contribution --

A Yes --

MR. REINGOLD: Hold it. We've been over this three times in every conceivable form, leading and nonleading. Are we going to be here the next two hours? Because this is going to stop.

MR. KELLNER: I hope not.

MR. REINGOLD: I really don't know why you are doing this. You are asking the same questions.

MR. BERNSTEIN: We have good reason to do it.

MR. REINGOLD: But you are badgering the witness when you keep asking him the same question.

MR. BERNSTEIN: We're trying to get information. We have a document here that has a signature and the witness thinks it is his. We're trying to exhaust his recollection about how the signature came to be there and the circumstances surrounding the question.

MR. REINGOLD: But the question -- read the question back. Please, court reporter, read the last question.

(The reporter read the record as requested.)

THE WITNESS: Yes.

MR. REINGOLD: I fail to see how that question is in any way connected to exhausting his recollection about the second page of Exhibit 1. You are entitled to elicit information but you are not entitled to harass the man or badger him by asking the same question three or four times. He's answered the question.

BY MR. KELLNER:

Q Mr. Allen, I would like to ask you to read the letter again that's contained in Exhibit Number 1.

MR. REINGOLD: You can read it to yourself.

(Pause.)

BY MR. KELLNER:

Q Mr. Allen, does reading this letter again refresh your recollection as to whether or not you received this letter in the mail?

A It has some familiarity to me, it does.

Q It does? Can you elaborate?

A Plus I saw the same thing yesterday, so, was that my familiarity with it, I don't know, or was it --

MR. REINGOLD: Hold it. Yesterday in discussions with counsel, letters of this type were

discussed. Those discussions are privileged. If you are asking whether he has any independent recollection of anything he saw yesterday, receiving this letter, you are certainly entitled to ask that.

Putting aside our discussions yesterday, do you have any recollection of receiving this? Does reading it refresh your recollection of having received it?

THE WITNESS: It seems somewhat familiar, the letter does.

BY MR. KELLNER:

Q And how about the treasurer's check?

MR. REINGOLD: Again we're excluding any conversations with counsel.

THE WITNESS: It's not really ringing any bells. But I told you before that I just don't know. I really don't. I can't say that that thing came and I signed it.

BY MR. KELLNER:

Q Could you look at the letter one more time, please. Is that your phone number next to your address?

A Yes, it was at the time.

Q Is that your handwriting?

A I don't know. I couldn't say. I would say that the $2000 that's written, isn't my kind of letters. I would say I doubt it. But, it's, you know, who knows. I can tell you the writing on here --

MR. REINGOLD: When you say "here," you mean what?

THE WITNESS: Page one.

MR. REINGOLD: At the bottom.

THE WITNESS: That isn't mine.

BY MR. KELLNER:

Q Do you recall seeking anyone's advice after receiving mailings from the Haig committee?

A I do not.

Q Do you recall discussing -- well, let me rephrase that.

What discussions have you had with -- what discussions did you have with the other vice-presidents of the company regarding mailings from the committee?

A I don't recall any. If this document came to my house in September, I would have been out of the company. And it was during a rather hairy period in my life. And I wouldn't -- well, I don't remember talking to any of the

other fellows about it.

Q Just to sum up, you have never made a contribution to a political committee, you attended a fund-raiser on behalf of Haig without having made a contribution to the committee, yet you don't recall whether or not you've read a letter asking for your signature in response to a contribution from you?

MR. REINGOLD: Object to the form. Argumentative. Go ahead. You can answer.

THE WITNESS: What you said is what I'm saying is my testimony.

BY MR. KELLNER:

Q Have you ever signed the treasurer's check before?

A I don't remember ever signing a treasurer's check before.

Q Have you ever purchased a money order from a bank?

A A money order? Sure.

Q So you have some familiarity with what they look like?

A Yes.

Q But you don't recall whether you signed this one in Exhibit 1 that was made out in your name?

MR. REINGOLD: Objection, asked and answered. You can answer.

THE WITNESS: That's correct.

MR. REINGOLD: Again, I would like to restate our request that we receive the original for examination if the Commission has custody of the original. I assume from lack of response that my request is being denied.

MR. BERNSTEIN: We'll take it under advisement, Mr. Reingold. This isn't civil litigation and discovery and that sort of thing. We certainly want to clear up the facts and so we'll take it under advisement.

MR. REINGOLD: Well, you would aid immeasurably toward that end by giving the original for us to look at.

MR. KELLNER: What is it exactly that you want?

MR. REINGOLD: I want the original of whatever this thing is that you say has his signature. There is an original somewhere, I just want to see it.

MR. KELLNER: Well, clearly it has his signature on it.

MR. REINGOLD: I would like to see if it is on

the original. If it's not, I would like to see how it got on whatever copy this is. From looking at this I can see discrepancies right here. The Y in the name Jeffrey drops below the edge of the check. It is something on which his signature appears and if there is an original, I would like to see it.

MR. KELLNER: Reading the letter that is attached to the exhibit, it clearly implies that attached is a copy of a check, which would have required signature. So --

MR. REINGOLD: I can read the words "pertinent check copy." I don't know what that means. I would like to see the original of whatever it was that went out with this letter. Let's move on.

MR. KELLNER: I will ask the court reporter to mark this two-page document as FEC Exhibit 2.

(FEC Exhibit 2 identified.)

MR. KELLNER: I'm handing a copy to the witness and his counsel.

(Pause.)

BY MR. KELLNER:

Q Have you had a chance to look at FEC Exhibit 2?

A Yes.

Q Do you recognize it?

A My testimony for the document number 2 is really no different than document number 1. I have even spoken with my wife to say, "You remember the activity in September somebody called, something came, what was it?" And she said, "I don't remember."

I said, "Well, do you remember signing something?"

"I don't know.

"Well, if it was a check, wouldn't you remember it?" She said, "I would think I would but I don't."

If it was a copy of a check maybe it is less likely to embed itself in a memory than if it was the real McCoy. I'm trying to help you. Because if I signed the damn copy, I'd just as soon say I signed it and done with it. I would bet money that the original check does not contain our signatures.

Q How come?

A I think I would remember signing an original document.

Q Looking at the first page of Exhibit Number 2,

can you describe it for me?

A It is a treasurer's check.

Q Made out on behalf of whom?

A It would appear that it is made out on behalf of my wife, it was made from Olympic Bank.

Q That's your wife's name and address in the upper left-hand corner?

A That's correct. Her name is incorrectly spelled, but that's it.

Q Is that your wife's signature at the lower left-hand side of the check?

A It certainly appears to me to be hers and she felt the same way.

Q Has she ever discussed with you signing such a check?

A Only when I asked her did she remember signing it the other day.

Q And she didn't?

A No. But like I, she indicated in September, could have been. We certainly remember somebody contacting us from the Haig committee.

Q The bottom half of the first page of Exhibit 2,

what information is that?

A Well, it is our address at the top. But why -- Arthur Andersen & Company underneath it, they were the orders for Goldman. But I don't know why they -- that would be on there.

Q Was your wife ever employed for Arthur Andersen?

A No.

Q Arthur Andersen of the auditors for -- one of Goldman's companies?

A They were for Fellows. And I don't know whether there were any others or not.

Q Now on the check where your wife's name is typed in, her first name is spelled incorrectly?

A That's right.

Q Does she use her first name?

A Her first name is really Lynn. And she always goes by Allyson.

Q Do you know who supplied the information contained on the check to the person who purchased the check?

A No, I don't.

Q Do you recall giving out this information for

this purpose?

A No.

Q Or your address for this purpose?

A No.

Q Apart from discussions with counsel, have you seen this check before?

A I testified that I did not remember seeing that check before.

MR. KELLNER: We're going to take a short break. Off the record.

(Discussion off the record.)

(Recess.)

MR. KELLNER: Back on the record.

Off the record we located and showed to you, the witness, and his counsel documents which were submitted by the Haig committee for matching purposes. They include copies of the treasurer's checks that appear to be identical to FEC Exhibits 1 and 2, with the exception that there is yellow highlighting over the signatures of Jeffrey Allen and Lynn Allyson Allen. The documents submitted by the Haig committee are also copies of the treasurer's checks. And I don't have the original

treasurer's checks.

Do you have anything you would like to add, Mr. Reingold?

MR. REINGOLD: No.

BY MR. KELLNER:

Q Mr. Allen, in light of your review of those documents, do you wish to modify your answers to any questions previously asked?

MR. REINGOLD: I think that's an unfair question. Are you asking him whether he recollects signing the check after having seen the documents you presented to him?

MR. KELLNER: Well, that's one of our concerns.

BY MR. KELLNER:

Q Do you recall any additional --

A I don't. What I said previously is still what I remember.

Q So you still don't recall whether or not you signed those checks?

A That's right.

MR. REINGOLD: Those copies.

THE WITNESS: Copies.

BY MR. KELLNER:

Q You stated earlier that your wife spoke to representatives of the Haig campaign?

A Somebody I think from the Haig committee or campaign office called my house referenced to something that was coming in the mail and had been there in the mail or they needed it back they wanted something.

Q And they spoke to your wife?

A Yes, that's my recollection, they spoke to my wife.

Q But you never spoke to them?

A I don't remember ever speaking to them. Certainly if they called my house in September they did not speak to me.

Q Because most likely you would have been in Florida --

A I was in Florida.

Q I wonder if you would just flesh out that trip to Florida a bit, when you left and when you flew back and forth, to the best of your recollection.

A It seems to me that I worked through the end of August, and the first day in September I was on the

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plane. And I think I was gone for six weeks. For sure, I was gone for four weeks but I think it was six weeks. I came back somewhere between October 1 and October 15th.

Q And when did you go back to Florida?

A I stayed home for roughly five or six days. Back on a plane and went back to Florida and came back right around Thanksgiving.

Q During your trips back to Vermont, do you recall whether there was anything awaiting your attention from the Haig committee?

A That's the fuzzy part. I remember talking to my wife, and I think it was in a phone conversation, but I don't really remember reading or seeing or acting. I think the other side of the coin is that when you come back after one of those trips, whatever was there was amongst a lot of other things.

Q Do you recall the letter we showed you in the exhibits was vaguely familiar or you stated?

A I think what I said was the letter struck some recall, not absolute recall, but, the check I don't recall.

Q Since leaving Fellows, what contacts have you

had with employees or former employees of Fellows Corporation?

A Since leaving?

Q Yes.

A Not a great deal. A couple of times when I came back I might have spent an afternoon at Fellows just to renew acquaintances. I think I went to lunch with Joe Smith once, and walked through the offices and say hi to some people, but that -- that was most of it.

I did, in January after I left, David Goldman did call me and ask me to do some consulting work for him. It was at a company that he was going to buy in Vermont, another machine tool company. I had some familiarity with some of the people and I still hadn't closed on my company. So I spent a week back in Vermont at that company doing a five-year pro forma for the bank -- for him to give to the bank.

Q What is a pro forma?

A Projection of income and balance sheet, financials.

Q Did you discuss the Haig campaign with anyone during your past visits and conversations?

A Not that I remember.

Q Well, how about after you received the subpoena from the Federal Election Commission --

A I made three phone calls. First one was to Joe Smith; he wasn't home. I wasn't sure whether I had the right number because the phone had been disconnected or something.

So I called Eric Tlaker, and asked him, you know, what was happening, and what it was all about. And he said that they had engaged an attorney in Vermont to help him with it and they were finishing up some paperwork regarding it. He really wasn't interested in discussing any details about it and I didn't press him. And he told me that he had left the company, which was a shock to me because I hadn't spoken to him in quite some time.

So I spent most of the conversation discussing what he was going to do, whether he had some other jobs lined up, that kind of thing. He said that, you know, that Chabot has also left the company I think he would like to hear from you, why don't you give him a call. So I said fine. I hung up with Eric.

I called Chabot, I don't remember even

mentioning this in the conversation with Chabot. The conversation was along the lines of, you know, what happened and are you going to stay -- he lived in Quechee, are you going to stay living in Quechee or are you planning on moving? Do you have any job opportunities? That kind of thing. That was the end of that conversation.

Q Why did Mr. Tlaker leave the company?

A I guess he was unhappy with maybe the way he was being treated. But I didn't -- that's basically what he told me. He didn't really -- I think it -- he was hurt by the whole thing and didn't really want to, you know, tell me the details of what really happened other than to say that he just was feeling increasingly uncomfortable. I think, you know, Joe and he were having some problems. And I think the pressure was getting to them and I thought he had resigned. That's kind of how he had led me to believe it. Whether or not he resigned or -- no, I think -- well, when I talked with Joe Smith I think he said he fired him. So, who knows.

Q What did Mr. Tlaker say to you about the Commission's subpoena?

A I didn't even know that he had gotten a subpoena. I knew he had gotten a letter or some -- you know, with some questions, I thought similar to what my wife had got. He didn't say very much about that. I think -- I'm sure his attorney basically told him that he shouldn't discuss it. He was a friend of mine. I think, you know, we basically be interested but in very general terms. I at one point said, gee, would you mind if I used your attorney, because I don't know what I'm doing here, what I'm going to do. It was one day after, and I think he felt a little bit uncomfortable with it. Because I guess the other guys had gone down there as a group and some time had lapsed, because I think it took a long time for your paperwork to get to me because I had moved several times.

So I think he felt it was -- you know, they were essentially done with it or they had at least been to their attorney and done their thing. And to have me come into the middle of it -- I guess I was a little bit hurt, I think, the way he said that.

And then after I hung up I thought about it and said I guess that probably makes a lot of sense. Why

would I want to jump into something with their attorney, when they have done whatever they were going to do. That was it. And I haven't spoken to him since. I did get a Christmas card from him and that was it.

Q Did you ever speak to Mr. Smith about the subpoena?

A Yes, I called Mr. Smith, I think, the next day and he wasn't in. And he called me back a day or two later. I don't remember any real deep details or discussions with him except he said he spent the previous day, that's why he wasn't there when I had called or two days before that, in Boston with a law firm or an attorney trying to understand what, you know, it all meant and what have you.

He said it was a civil matter and had I talked with Brown, Rudnick. I said yes. I said that they had called me a couple of nights before I had received the information asking me if I had received the information, for which I said I hadn't. And they said you probably will. And we're going to send you a letter with a law firm in the future to use that we recommend. I said fine.

And then the balance of the conversation was with Joe Smith was, you know, what happened to Tlaker, what happened to Chabot, what the hell is going on in the company? That kind of thing.

Q What other details do you remember about your conversation with him?

A That's it.

Q Was he apologetic at all?

A I don't remember whether he was apologetic.

Q Did he appear concerned?

A I thought at first no, and then I think he stressed the fact that it was a civil matter and how -- I guess I read into that that maybe he wasn't real concerned in the beginning. Then I thought about it later and said there must have been. So, I guess I really don't know how concerned he was. But if he spent the day at a law firm in Boston, he must have been concerned. What he intended to do thereafter, I don't know.

Q Did he relay to you anything that Mr. Goldman had to say about the subpoena?

A No. Not at all.

Q Did you ever speak to Mr. Goldman about it?

A No.

Q Have you spoken to Mr. Smith about it since?

A No.

Q Anyone else that you spoke to about it?

A No, other than my wife.

Q Has your wife spoken with anyone about it?

A Maybe some of her friends in Florida, but certainly not anybody that would be -- that we would expect to be connected with the case, let's put it that way.

Q During your time at Fellows, what contacts or communications, if any, were you aware of of the Haig campaign?

A You mean direct conversation, conversation with somebody from the Haig campaign or --

Q Anything that you recall seeing, mail pass by your desk to you, anything?

A I recall about the time of this dinner, I thought it was some kind of a coupon, a document of some kind that I signed, but I haven't seen it since. And I don't really remember it coming in the mail to my house. I thought it was at Fellows, you know, whether it came to

Joe Smith and he gave it to me, or --

Q That was prior to the dinner at Mr. Goldman's house?

A It may have been immediately thereafter, but it was right around that time.

Q But it was a form other than what we showed you in the exhibits?

A Oh, yes.

Q What information did that form or coupon have on it?

A I don't know. Probably name, rank and serial number, that kind of thing.

Q Do you have a copy of it?

A No.

Q Who did you give it to?

A I don't know. I don't know whether I put a stamp on it and mailed it back, whether I gave it to Joe Smith, whether it went into the interoffice mail or whether it was mailed out or what happened to it.

Q But your recollection is this took place at the office?

A Yes, that's the way I remember it.

MR. KELLNER: Off the record.

MR. REINGOLD: Sure.

(Discussion off the record.)

(Recess.)

BY MR. KELLNER:

Q Back on the record.

Mr. Allen, referring to the trip paid for by the company to go to the fund-raiser at David Goldman's house for the fund-raiser for Haig, excluding the travel reimbursement for that trip, were you ever reimbursed for any other expenses relating to political activity?

A I was never reimbursed for any expenses for political activities.

Q In your capacity as an officer of the company did you ever authorize payment by the company to the Haig campaign?

A No.

Q Do you know of such reimbursement by the company?

A No.

(Pause.)

BY MR. KELLNER:

Q You stated earlier that you reviewed, in preparation for this deposition, an expense report and copies of treasurer's checks?

A Yes.

Q Are there any other documents that you reviewed?

A I don't think so.

MR. REINGOLD: No, no other documents were available to him.

BY MR. KELLNER:

Q Did you maintain a personal calendar while you were employed at Fellows?

A No.

Q Or a business related calendar?

A I had a -- I always had a calendar on my desk where you write things on, but most of the time I never used it. It was a scratch pad, whatever that is. Who knows.

Q So you couldn't supply us with copies of that document?

A No.

Q Could you supply us with copies of your check

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register for the last half of 1987?

MR. REINGOLD: We'll take it under advisement. We'll discuss that with our client.

MR. BERNSTEIN: Mr. Reingold, when can we expect to hear from you on the question of supplying of Mr. Allen's check registers?

MR. REINGOLD: I don't know. I'm going to have to talk with Mr. Allen about it and get back to you.

MR. BERNSTEIN: Can we expect to hear from you within a week on the subject?

MR. REINGOLD: I don't know. I'll get back to you.

MR. BERNSTEIN: The reason I ask is that these are materials that would be useful to us and they arguably are not necessarily responsive to the subpoena that the Commission had issued to Mr. Allen. They would be materials that we would be interested in. And the reason we ask at this stage is to obviate the need for additional formal process to issue. I ask you for a time not to put any pressure on you. And certainly you have every right to discuss what your response should be, but only so that we can make plans about how we have to go. And I think it

would, you know, just be reasonable if you could give us sometime frame when we would hear one way or another.

MR. REINGOLD: We will try to get back to you within a week.

MR. BERNSTEIN: I'll settle for that, thank you.

BY MR. KELLNER:

Q Mr. Allen would you like to add anything to your testimony you have given here today?

A I don't think so.

Q Anything at all?

A No.

Q In preparation of your response to the Commission's subpoena, did you consult with anyone other than counsel?

MR. REINGOLD: You mean the deposition subpoena?

MR. KELLNER: Also included a request for documents.

MR. REINGOLD: The question was did he consult with anyone other than counsel?

THE WITNESS: I consulted with counsel and I

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told you that I talked with Mr. Tlaker and Mr. Smith. And I would say the only real consultation has been with this law firm.

BY MR. KELLNER:

Q Did you give full and complete answers to our questions here today?

A Yes.

MR. KELLNER: Would you like to ask the witness any questions?

MR. REINGOLD: No, I would not.

MR. KELLNER: Mr. Allen, I would like to thank you for being here. We're going to adjourn this deposition. This deposition is not concluded. We don't anticipate we'll have to speak to you again. But in case we have to --

THE WITNESS: Don't leave the country?

MR. KELLNER: -- we're only adjourning it for the time being. Please remember this matter must remain confidential, and that you should read the transcript and make sure it coincides with your recollection of the testimony you gave today, sign it and return it to us.

MR. REINGOLD: So the record is clear. I don't

regard this as adjourned. I believe the deposition is over. We will receive the transcript and review it. As for confidentiality, we will be bound by the government's statutes and regulations.

MR. BERNSTEIN: Thank you, Mr. Reingold.

Off the record.

MR. KELLNER: Off the record.

(Discussion off the record.)

(Whereupon, at 4:05 p.m., the deposition was adjourned.)

JEFFREY W. ALLEN

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I, MARLENE KNOWLES, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken in shorthand and thereafter reduced to typewriting by me or under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Marlene Knowles
Notary Public in and for the
District of Columbia

My Commission Expires FEBRUARY 29, 1992

JEFFREY W. ALLEN
[redacted]

4963

AUGUST 12, 19 87 5-207 110

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * $ 1,000.00

OLYMPIC INTL. BANK & TRUST CO 1,000 00 CTS

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

TREASURER'S CHECK

[redacted]

8/14/87 # 2

Residence: 109 Dartmouth Place
Quechee, VT
05059

Fellows Corp.
V.P Finance

DEPOSITION EXHIBIT FEC 1
1-18-90

HAIG
LEADERSHIP FOR AMERICA

September 4, 1987

Mr. & Mrs. Jeffrey W. Allen
P. O. Box 704
Quechee, VT 05059

802/295-1118

Dear Mr. & Mrs. Allen:

Thank you for your very generous contribution to the Haig for President Campaign.

I need your help with one additional matter. Federal Election Law requires that we hold on file the signature of the person making the contribution. Therefore because your contribution was made in the form of a Treasurer's Check, your signature is also required to be in our files. Would you please sign the pertinent check copy in the area I have indicated with a yellow marker and return the copies to me in the return envelope.

We appreciate your help and prompt attention to this very necessary step in your contribution.

Sincerely,

Pauli Kirby
Fundraising
Special Events

enclosures

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-[illegible]

Paid for by Haig for President, Inc

ALLISON ALLEN
[redacted]

G-4
545
4964

PAY TO THE ORDER OF * * * * * HAIG FOR PRESIDENT * * * * * AUGUST 12, 19 87 B-207 110

OLYMPIC INTL. BANK & TRUST CO. 1,000.00 CTS $ 1,000.00

DOLLARS

OLYMPIC INTERNATIONAL
BANK & TRUST COMPANY
803 Congress Street, Boston, MA 02210

TREASURER'S CHECK

Lynn Allison Allen
[redacted]

8/14/87 # 2

Residence: 10A Dartmouth Place
Quechee, VT 05059
Arthur Anderson & Co.
CPA

DEPOSITION EXHIBIT
FEC 2
1-18-90 MK

HAIG
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TRANSCRIPT OF PROCEEDINGS

UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ELECTION COMMISSION

- -x
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IN RE :
:
M U R 2717 :
:
- -x

DEPOSITION OF RABBI MILTON BALKANY

Washington, D. C.

Wednesday, April 25, 1990

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UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ELECTION COMMISSION

- -x
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IN RE :
:
M U R 2717 :
:
- -x

DEPOSITION OF RABBI MILTON BALKANY

Washington, D. C.

Wednesday, April 25, 1990

Deposition of RABBI MILTON BALKANY, called for examination pursuant to notice of deposition, at the Federal Election Commission, 999 E Street, N.W., Sixth Floor, at 11:15 a.m. before PATRICIA A. ZUBER, a Notary Public within and for the District of Columbia, when were present on behalf of the respective parties:

KENNETH E. KELLNER, ESQ.
JONATHAN A. BERNSTEIN, ESQ.
Assistant General Counsel
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463
On behalf of Federal Election Commission.

-- continued --

APPEARANCES (CONTINUED):

BRIAN W. FITZGERALD, ESQ.
Swidler & Berlin
3000 K Street, N.W.
Suite 300
Washington, D. C. 20007-3851
On behalf of the Deponent.

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PROCEEDINGS

Whereupon,

RABBI MILTON BALKANY

was called as a witness and, having first been duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. KELLNER:

Q Could you please state your full name.

A Rabbi Milton Balkany. Milton, M-i-l-t-o-n, Balkany, B-a-l-k-a-n-y.

Q Do you know that you have a right to have counsel with you at this deposition?

A Yes, this is the counsel.

Q Could you identify your counsel?

A I'm sorry?

Q Could you identify your counsel?

A Brian Fitzgerald.

MR. KELLNER: Counsel, are you representing the witness in his personal capacity?

MR. FITZGERALD: Yes.

MR. KELLNER: Do you represent anyone else in this matter?

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MR. FITZGERALD: No, I do not.

BY MR. KELLNER:

Q Rabbi Balkany, my name is Kenneth E. Kellner, and I am representing the Federal Election Commission today. With me is Jonathan Bernstein, who is assistant general counsel. This deposition is being taken pursuant to a Federal Election Commission subpoena issued in connection with the investigation under section 437G of title 2 of the United States code. The statute provides that the confidentiality of this proceeding must be maintained until the commission closes its file.

Do you understand this matter must remain confidential?

A Yes.

Q This investigation is designated "Matter Under Review," or MUR 2717.

Have you ever had your deposition taken before?

A By the Federal Election Commission?

Q In general.

A I've been interviewed a number of times. But have I ever been in a deposition? Possibly years ago in court something may have come up with a family in my

school or something. I'm not sure.

Q Well --

A Have I ever been in court before? The answer is yes, on behalf of families, on behalf of whatever. A judge has called me down for -- I'm the principal of a day school, Hebrew day school, in Brooklyn for the last 20 years, so I have been in court, and I have been involved -- I've never been a defendant or a plaintiff in a criminal court.

Q The focus of my question was really on how much I should tell you on what is going on here. But I'll explain to you the procedure that will be happening.

I'm going to be asking you questions seeking information about this investigation. The information I'll be seeking might not be limited to your involvement, but may include your knowledge of the involvement of others. You should treat this as if you were in front of a court of law, in front of a judge or jury, and you should remember that you have affirmed to tell the truth.

The court reporter will be taking down everything we say, and we'll be typing up a transcript. You'll have an opportunity to read the transcript and see

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if it conforms with your recollection of what took place here. You should read the transcript, sign it, and return it to us.

It is also very important that you answer each question in words because the court reporter can't record any nods or responses not spoken.

A Fine, I understand.

Q You should also speak up so the court reporter can hear you.

A I will make every effort.

Q If you don't understand or hear a question, please let me know, and I can repeat or rephrase a question. If you give an answer, it will be understood that you understood the question and answered it fully and completely. If you give an answer that you later realize is incomplete or inaccurate, please let me know, and you'll be able to modify or add to your answer.

A Thank you.

Q Finally, if you need to take a break for any reason, please let me know, and we'll take a break.

A Fine.

Q Rabbi Balkany, what documents did you review in

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preparation for this deposition?

A A statement that I signed some time back, a few months ago. This morning I met the attorney at the hotel and he showed me what we had discussed earlier, months ago.

Q Are you referring to the document that was submitted on your behalf to the Federal Election Commission?

A Well, there was a statement that I gave as to what actually happened, and I signed it, and I looked at the statement today. The lawyer handed it to me, and I looked at it.

Q Did you review any other documents?

A No.

Q What is your address?

A 5402, 15th Avenue, Brooklyn, New York, 11219. I assume you mean my home address, not my office.

Q What is your office address?

A 1362, 49th street, also in Brooklyn and also 11219.

Q Are you from that area?

A Yes. I live there.

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Q You were born in Brooklyn?

A No, I was born in Detroit, and I went to yeshiva when I was Bar Mitzvahed and got married after that. I opened a school, and I'm there since.

Q So you moved from Detroit to Brooklyn?

A Yes.

Q Are you married?

A Yes.

Q Where are you currently employed?

A Bais Yaakov of Brooklyn. That's the name of the school.

Q What is your job title?

A Dean.

Q How long have you worked there?

A 19 years.

Q How did you come to be dean of that school?

A I founded it. I'm the founding Dean.

Q It's always been at the same location?

A Yes. We have rented other buildings when we had an overflow of students or different programs that we opened for a certain amount of years, but it always was at this location as its main location.

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Q What kind of school is it?

A It's a Hebrew day school for girls.

Q Any particular age group?

A Nursery through 8th grade, and this year we opened a high school which is just a 9th grade, the first year of high school.

Q So what generally are your responsibilities as Dean?

A The education and the total functioning of the school.

Q How many employees are there?

A We have around 50 or 55 teaching staff. That includes administrative personnel. Then we have another 10 or so between the cooks, bus drivers, and secretaries -- 10 or 12. I'd say between 60 or 65 all in all.

Q Would it be fair to say you are in charge of the operations of the school?

A I think so.

Q Who makes the decisions there?

A I do.

Q Who hires and fires employees?

A I or other administrative staff.

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Q Do you have the authority to hire and fire employees?

A I do.

Q Could you be just a little bit more specific about your daily activities as dean of the school?

A I have three assistants who -- one is like assistant principal for the English department; one is assistant principal for the Hebrew department; one is assistant principal as director of the early childhood program. I meet with each one of them right away in the morning. We go over whatever that day will take place: scheduling, programs, assemblies before Yom Tov, Shabos, all of those things, the curriculum, the calendar of the school. I deal with the next line of command, and they in turn deal with their prospective staffs.

Q Who is responsible for raising funds for the school's operation?

A Partially myself and some of that the board.

Q The board?

A There is a board of directors, yes.

Q How many members are there?

A On our board, I think there are 12, 11 or 12.

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Q Could you give me the names of the assistants you mentioned earlier?

A My assistants?

Q Yes.

A Yes. Mrs. Stein. Her first name is Shoshanna, I think her English name she goes by is Rose. S-t-e-i-n. Mrs. Kurland, K-u-r-l-a-n-d, and Mrs. Gruen, G-r-u-e-n, Rochel, R-o-c-h-e-l. And Mrs. Kurland's first name is Syril, S-y-r -- I'm not sure how she spells it. We call everyone by their last names.

Q Are there meetings of the board of directors?

A Oh, yes.

Q How often does it meet?

A Three times a year.

Q I'm generally unfamiliar with how a school is operated. Is there an owner of the school?

A No. It's a religious nonprofit corporation. If it would be a business or an owner, a profit corporation, if that would be have been a basis, I think it would have been bankrupt and closed long ago like any synagogue or any school; it's always in trouble financially.

Q Is it associated with any other entity?

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A No, we are independent. We're Bais Yaakov which is a name that you will find many girls' schools in Brooklyn and nationwide have that same beginning title; Bais Yaakov. Because that reflects a certain type of ideology in education and everyone basically follows that ideology which means a lot of enrichment and a lot of intensified learning has that.

In our own community we have one school called Bais Yaakov of High School, Bais Yaakov of Seminary, Bais Yaakov of Brooklyn, as we are, Bais Yaakov Academy, and each and every one of them is a totally separate entity with no link whatsoever one to the other.

Q How does a school obtain money for its operations?

A Tuitions and gifts.

Q Does the school give out scholarships?

A Oh, at least 60 percent of our student body is on scholarship; some full scholarship, some partial scholarships. We've never turned a child down because of money, ever.

Q Where does the school do its banking?

A At Manufacturers Hanover Trust.

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Q How long has it had its accounts there?

A Around 20 years, 19 years since we opened up the school.

Q Do you draw salary from the school?

A Yes, I do.

Q Who has the authority to issue checks from the school?

A I do or the Mother's League -- the head of the Mother's League -- or the administrator of the school.

Q What sort of payments do you receive other than salary?

A None.

Q Are you ever reimbursed for expenses?

A Yes. I would say I am, in a limited basis. That when I do my tax return, the accountant says how much travel. I don't go into that stuff. I just leave it. But I am reimbursed for some of my trips, part of it whatever it has to do with education or whatever has to do with communal activity in terms of humanitarian efforts if I travel. There I am reimbursed.

Q Are you employed anywhere else other than --

A No.

Q I'm going to move off of this line of questioning soon.

A I'm sorry?

Q Just a few more questions.

A Fine.

Q What is the procedure for the reimbursement of expenses?

A We keep a pretty good track of like what the expenses are, and I'm given that, you know. If I use a credit card -- I use, basically, a credit card, so it's all documented exactly what the expenses are. I don't take any petty cash reimbursement or anything like that. Just things that would pertain to other than -- I use my credit cart for both personal and public so whatever is determined to be not personal is reimbursed.

Q Do you submit a voucher?

A No. I go over it with the bookkeeper.

Q And the bookkeeper authorizes the reimbursement of funds?

A We come to -- we sit once a month, and we go over payroll items. She takes out her time sheets and her records, and we go over everything that is -- that

occurred that month.

Q How regularly do you draw a paycheck from the school?

A What I do -- I don't maintain a private checking account, myself. I don't have a personal checking account. So what I do is the school has a ledger with my name on it, and my bills are brought into the school, and the school pays all of my bills and they mark on every check that was personal for me, and it is then listed on a ledger sheet exactly what it is.

Q I'm a little confused. The school pays all your bills?

A Yes. I choose not to have a checking account.

Q I see.

A So they simply will issue, let's say, ten checks a month: My telephone bill and my electricity bill. And it will be marked on the check and on the stub that it was for me specifically, and the accountant then takes all of the numbers of every check that I -- was drawn for me personally and adds it up, and I am given a W-2 at the end of the year.

Q Are you given a regular paycheck from the

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school?

A No. 'Cause there were times when the school was in bad financial positions so I was the last always to take out money. But teachers are in a regular monthly, regular payroll, and everyone else, not just teachers. Everyone is on the regular once-a-month payroll.

Q I see. So when you have bills to be paid for utilities or anything, you just discuss it with the bookkeeper, and the school issues a check on your behalf?

A Right, and pays the bill.

Q And it's a Bais Yaakov check?

A Right.

Q And how regularly did you say that you did this?

A Whenever it comes up. It could happen twice in a week; it could happen twice in two weeks. Whenever bills would come in. And we're not talking about a hundred items. We're talking about 8 or 10 or 12 or 15, in that period.

Q So how do you obtain cash?

A Well, I sometimes take a check and I cash it. It's made out to my name and I endorse it, and again it's written on the stub and on the check for me.

Q I cash a check every month because I always need some cash on me.

Q Why don't you have a checking account?

A Why don't I have a checking account?

Q Yes.

A Because my wife couldn't keep totals and balances so I didn't want to mess with it. I had one when we first got married, and it became a mess. I just stopped it. I stopped it around 18 or 19 years ago. I am married about 21, going on 22, years and I had it for like a year. A year or a year and a half.

Q And you haven't had an account since then?

A No. Maybe it was two years. The very, very beginning. I haven't had an account for at least 18 or 19 years.

Q Do you have other accounts?

A No. I have no savings and I have no stocks or bonds or anything like that.

Q And you chose not to have a checking account because of the hassle involved?

A Yes. I just didn't want a checking account. Checks were coming back, my wife was issuing them like

there was no reason to even think about if there was money there or not; she just issued checks. A lovely person. I love my wife very dearly, but as far as accounting went, she just didn't keep a very orderly -- and after I suffered a little bit of embarrassment, I just didn't want to deal with it.

Q How does your wife obtain funds?

A I give -- well, the bills are paid through the school, and I give her some petty cash every week.

Q I see. So the school also pays your wife's bills?

A No. My wife doesn't have bills. My wife is a housewife. I pay the phone and the electricity, and I might give her money every week for whatever she might need. But she doesn't pay any of the major bills in the house.

Q Well, are there any bills that are paid by the school on your wife's behalf?

A I mean, if a bill comes in that she ordered something, that's a personal bill. It will be paid like any other bill. But she doesn't have any set of circumstances separate, you know, but they will pay a

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bill. Let's say if she ordered something for the kitchen or a dress or something, it would be listed as a separate -- as a matter of fact, we asked the IRS once if this was permissible because we are a charitable, tax-exempt organization, and they said as long as a careful, detailed listing was maintained, it was perfectly acceptable.

Q And at the end of the year all your expenses that were reimbursed would be added up--

A And I'm given a W-2 for it, yes.

Q So depending upon your expenses, your salary would vary from year to year?

A Yes. It has varied from year to year; that's true. It has not been like a set amount and every year ten percent more or something, no.

Q Let's say your wife wished to make a charitable contribution. Would that go through the same process?

A Well, a charitable contribution if it was more than $20, she'd speak to me. I guess there is some money in the house. People are always knocking, coming to the door and asking for contributions, so she'll give out $5 at the door to anyone who knocked at the door and put out their hand.

If somebody came and said I wanted $100 for a yearbook, she would talk to me before she would give out something large.

Q I see. Has there ever been an instance where she made a contribution to a charity where--

MR. FITZGERALD: I'm going to object. I think this is going beyond to what is relevant to this investigation.

THE WITNESS: I don't mind answering questions. I have nothing to hide and --

MR. FITZGERALD: He's told you about how he's reimbursed his salary. And his wife, I think that's irrelevant. I think we're going beyond what's relevant here.

THE WITNESS: It sounds more like an IRS investigation. I don't even like the word "investigation." I thought this was supposed to be an audit or something. "Investigation" has a very criminal connotation to it. That word "investigation". I understood this was an audit or this was a clarification.

MR. FITZGERALD: We're using a technical term. But again, I think we're going beyond what is relevant to

the subpoena and investigation. This is turning into a fishing expedition.

BY MR. KELLNER:

Q Has the school ever reimbursed a contribution to a charity made by your wife?

A Probably -- well, reimbursement, no. They would make a check out directly to a charity for either something I chose to give or she chose to give.

Q I see. From what account does the school draw funds to issue those checks on your behalf?

A From the school account.

Q The school has one account?

A The school has -- yes, the school has one account. We have a Mother's League account, the student account. There are three or four accounts. In regard -- but they are all at the same bank and for minor items, graduation trips, yearbook things for the school.

Q And what is the source of funds for that account?

A The source of funds is tuition, which accounts for around 75 percent, 80 percent of the moneys that come into the school. And then you have contributions. You

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have funds which come in through the annual dinner for the school, there is a tea -- tea party put on on behalf of the school, things like that.

Q So if the school received a check, it would be endorsed and placed into that account?

A Yes.

Q And what's the title of that account?

A Bais Yaakov of Brooklyn.

Q How would you describe the level of political activity at Bais Yaakov?

A At Bais Yaakov?

Q Yes.

A From nothing to 2 percent.

Q So you wouldn't describe it as a political organization?

A Political?

Q Yes.

A Bais Yaakov? Are you asking about myself, or are you asking about the school?

Q I'm asking about the school, that's what I'm asking about.

A I would say zero. Except for occasionally a

senator will visit me in the school -- in terms of what the school does or the school function as, I would say absolutely, absolutely zero. I mean, in the strongest sense. Except when I'm asked to be visited, I don't even invite a politician to come down. If they ask me to -- that they'd like to visit, I welcome them. But I have never extended an invitation to even a politician to -- as close as I am to many of them here, but in that context, in the school context, never.

Q What politicians have visited the school?

A A number of senators. Do you want to know their names?

Q Could you tell us?

A May I ask why you are asking this?

Q We're interested.

A Senator Borshwitz came just a few weeks ago. Senator Specter came in the last six weeks or so, eight weeks.

Q Any others that you recall?

A No. I haven't -- I've never -- a lot of them have indicated an interest to come see the school and visit, but I have never extended an invitation. They

actually said that they wanted to come and when is a date that they could come, so that is how I set a time. But besides those two I didn't.

Mrs. Reagan came on her own before she was first lady, also asked to come. I didn't -- but that's it. I try to keep all of that stuff completely out of that school. It's a religious Hebrew day school for the purpose of education, and it's exactly what it sticks to. We don't do any political activity whatsoever. I try to -- even in my own home pictures with all these politicians and everything I keep it completely in a drawer. I do not even put them up on a wall.

Q Did anyone else ask to visit the school?

A Anyone else?

Q Yes.

A A politician?

Q Yes.

A Not that I recall. Those are the two that I've had recently.

I mean, is there someone that you're aware of that came that I'm forgetting?

Q No.

A No. To my knowledge those are the only two that have come. And they were both very recent. I think both in the month of March, last March, a month ago.

Q What was the purpose of the visit?

A Well, one was coming to see the community because there was a request for some type of federal funds -- nothing to do with me -- in the community, and Senator Specter, being a ranking member of that committee, wanted to visit the site of that group and said, "If I'm coming into Brooklyn I want to stop by and say hello." That's why he came.

And Senator Borshwitz was also in New York, and I'm good friends with him, and he wanted very much to see the children, see the school. I took him around to the classrooms. It wasn't like I brought them into the office and sat down. I had the children. It was an assembly. I had the children come together, and he spoke to them about Israel, and he spoke to them about the items that are very relevant to us: About Iraq and how it effects Israel and the Soviet Jews coming into Israel and the loan guarantees for their housing; things like that.

Q Do you consider yourself politically active?

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A Yes. I would say so. I mean I'm in Washington every week. In a month I'm here sometimes three times a month, and I'm here sometimes one time a month. And again I'm not hired by anyone to come. I'm here specifically for issues that affect our people and whenever there is a meeting or something I'm invited to or that I arrange and go to to try to do X, Y, or Z to exert whatever influence or opinion that I can.

Q And you pay the expenses associated with the trip?

A It matters what the nature of the trip is. If I come here because somebody is having a problem in prison with his getting kosher food and I have to go to the bureau, they may pay for my coming down. But I would say 70 percent of my trips or 60 percent of the trips, I pay for myself.

Q When did you become involved or so involved in politics?

A Around seven or eight years ago. Mrs. Reagan and others came prior to 1980, but I never really involved myself in the Washington scene until the community pushed me to do so because they felt that I had some limited

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influence, and I just wasn't using it at all. They said that this problem and that problem and you are just sitting around and doing nothing. That sort of propelled me to come. I don't particularly look forward to it, but I try to keep out of the newspapers. I'm not looking for any glory; I'm not on an ego trip.

Like I told you with the pictures hanging on a wall. People walk into the office, they want everyone to see who they were with and pictures and all of that. I don't have any of that stuff anywhere. I have the pictures. I keep them in a drawer in the desk.

Q So what would you describe as your first political activity?

A I can't answer. Whatever the issues were at the time. It certainly had to be something related to Israel with an Arab sale. President always called me in to discuss -- President Reagan -- whenever he was fighting Congress or something.

But to say which was exactly the first, I'm not sure. I couldn't tell you.

Q What was the first political contribution you recall making?

A I would imagine it must have been somewhere in 1984, because that's when I really started coming down to Washington -- '83 or '84, coming to Washington.

Q Who was that contribution to?

A I don't know. I've given out to a number of senators for a number of causes. I probably -- some years I've given $30-40,000. My salary is in the [redacted] area. So I give out $30- or $40,000 a year. Some years I've only give out 20, 15, 18, but it's in that realm.

It's a very important investment, and I get others to give too, because I feel that you have to have input.

Q Rabbi Balkany, I'm going to ask the court reporter to mark this one-page document as an exhibit. As you'll see, it's a list of contributions that you've made to federal candidates. This list is not all-inclusive of every contribution you've made. It makes no pretense to be. It's just for the purpose of refreshing your recollection.

A Fine.

(Exhibit 1 identified.)

MR. FITZGERALD: Before we get into this

inquiry, it comes to a certain point whether all of this is relevant to this investigation, does it go beyond the scope of the subpoena? I can see some limited inquiry into his level of sophistication in political activity, but his other activities are not at issue here, and I'm not going to allow an open inquiry into every other contribution or the full extent of his political -- it's not relevant to this investigation.

MR. KELLNER: We'll try to -- we don't want to go beyond any further than we have to, also.

THE WITNESS: Yes. I mean, this is -- I mean, are you asking is there anything I see on here that doesn't look like I gave to?

MR. FITZGERALD: Let him ask the question.

BY MR. KELLNER:

Q It's just for you to keep in front of you.

A Okay, fine.

Q We're interested in how your contributions to specific candidates would come about. For example, could you -- well, how did these contributions come about? Were you solicited for these contributions? Did you make--

MR. FITZGERALD: Objection. I think this is irrelevant to this investigation. It has nothing to do whatsoever with his contribution to the Haig campaign.

MR. BERNSTEIN: Well, it's useful background information. As Mr. Kellner said, we're not going to try to prolong this any more than is necessary. Maybe we could just continue and hopefully we'll move along fairly quickly.

MR. FITZGERALD: Once you ask the questions, then I'll object accordingly.

BY MR. KELLNER:

Q You've made a number of political contributions. Are these contributions generally solicited from you or made on your own initiative?

A Both. Both. There are -- sometimes a letter comes to the house of an event that is taking place, and I'll attend the event, or I'll be informed by one of the committees that there is such an event taking place.

Q Other than making contributions, you mentioned that you sought contributions from other people; is that correct?

A On occasion. When it was a good friend and he

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was either having an event or whatever.

Q What other activities did you engage in on behalf of political candidates?

A On behalf of political candidates?

Q Yes.

A Well, other than to attend an event or to bring money or to ask a friend to contribute to an event -- let's say he was having a party or a cocktail party or a reception in New York or here in Washington -- nothing. I mean, do you mean to ask me if I was ever part of an official campaign staff?

Q Sure. Could you tell us about that?

A No, the answer is no. I was never hired by anyone, ever, in Washington to do anything.

Q I'm interested in any other events you may have conducted for a candidate. For example, did you ever operated a phone bank?

A Never.

Q Anything else that you can think of?

A No. I never coordinated with a phone bank. I never went door to door. I never sent out a letter soliciting. Now, phone bank, if you're asking me did I

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ever pick up a telephone and tell five people there is going to be an event at this and this place for so and so who is a good friend of Israel, try to attend or get some people to attend, yes. But if you mean a phone bank, sitting there for a whole day or a week, never.

Q Or coordinating a group of people to operate a phone bank?

A No, never. The most I've ever asked anyone else to do was simply if they could attend an event or participate financially in an event or help get any friend or someone who may be willing to participate also. That's all. And not at all occasions, but on some occasions when I thought the crowd would be smaller or something.

Q What is your relationship with a committee known as Campaign America?

A Campaign America is Bob Dole's political PAC. Dole, the minority leader, he has -- they have PACs. And he -- whatever he does with his PAC, I think he gives out the money to other political candidates -- and he tries to help other political candidates.

I'm good friends with him. At least up until two months ago, I was very good friends with him. Since

he's been blasting Israel, I've not been overly thrilled with him.

Q What activities have you engaged in on behalf of Alexander Haig?

A Well, Alexander Haig ran for president in 1988, and I know General Haig. He was a very good friend of the Jewish people and of Israel. He got fired from being secretary of state because of that friendship over Lebanon.

And I didn't think he would ever make it but I felt I had to do something in a special way just to show that appreciation because there was feeling in his camp that our community was really not expressing any way of appreciation for all the years of his friendship in trying to help him in his bit. And some of his people in his campaign called me and asked me to participate, which I was happy to, and I did.

Q How did you come to know General Haig?

A How did I come to know him? From Republican events. We've known each other very well. When he would meet with the Israelis here, he would speak to me always before about what the latest issues were and items that I

thought maybe should be brought up in these meetings. He was helpful with some Soviet Jews when he was-- when he went over while he was secretary of state. But I really wasn't in touch with him at that stage, because I really wasn't involved at that point. I used to meet him occasionally at something.

But after '84 I got much closer. He was no longer secretary of state, but he was still called upon from time to time by different groups for advice, suggestions, because of his background.

Q When did you first meet him?

A On a formal basis I probably met him in '84 or '85.

Q What was the context?

A I don't remember. It must have been something here in Washington. I attend a lot of dinners here and a lot of social functions. It was at one of them.

Q Did he ever visit your school?

A Never.

Q Since it is a focus of investigation, I'm going to ask you just to describe in more detail what activities you engaged in on his behalf.

A The activities he invited me to a few meetings that he was having in '87, and in '88, maybe three, four, or five top meetings dealing with his presidential -- his seeking of the presidential nomination. I attended -- and those meetings were here in Washington, and there was, I think, one in New York that I attended.

There was a meeting, and then also there was a national Jewish organization, the Union of Orthodox Jewish Congregations of America. If you ever see on food items of the OU that tells if something is kosher or not kosher, the little zero the circle with the U on top of an item, that's the union that certifies something is kosher.

Now, they wanted General Haig to come to a convention of theirs in, I think, 1988 the year that he was running for president or the year right before it. And they had asked him to come, and they couldn't get him to come. They called me and asked me if I would help get him as a guest speaker. There was no fees involved or anything like that, but just as a favor to me; they knew he was friendly to me. And I called him and he went and I introduced him at that convention. In other words, when he spoke, I had formally introduced him.

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So there was that meeting, and then there was four or five of his political meetings here in Washington. And one, I think, was in New York. That's the extent of it.

Q But political meetings, what do you mean?

A They got together, strategy, how can we -- what do you people think. Give us ideas. How do we reach the community. Those type of meetings.

Q Okay. I don't have a 1988 calendar with me. If necessary, I can go get one. I'm not going to make it a part of the record, but it's a calendar. The calendar is also for the purpose of refreshing your recollection. Can you tell us when the meetings you discussed took place?

A No. I couldn't. You'd have to go back to his campaign staff. They scheduled regular -- it wasn't personal meetings. I mean, these are meetings where they invited 20, 30, 40 people to. They used to sit around a large conference table and discuss issues. And I never kept the dates or any of that stuff. I mean I'd be invited. I would put it on my calendar, and if I could make it, I attended it.

Q Do you recall the time of year of the meetings?

A No. They were, I guess, all during '87, different times of the year. I'm sure someone, if they maintained any type of records, they must have the dates of the meetings. I remember there was one at the Madison Hotel. I don't remember when it was.

Q You mentioned that you wrote it on your calendar. Do you maintain a personal calendar?

A No. I have a secretary that keeps for the forthcoming month any and all of my wedding invitations, whenever I'm performing a wedding or anything like that, or an event I have to attend here in Washington. And at the beginning or like the end of the week before, she'll put on a piece of paper on my desk the next Monday through Friday or Sunday through Friday. Showing me Sunday night 7:30, so and so wedding, this hall, this and this place. Monday, 2:00 -- it's a one-week thing. Take it, and I carry it with me, and at the end, I just throw it out.

Q I see. Do you retain them?

A No.

Q You throw them away? You need to say yes for the court reporter.

A Yes. I mean, no, I don't. I mean, yes to your

point; no, I don't maintain them. I'm not paid by anyone, you know, other than the school, so I'm not a public official. I'm not required to carry or hold any logs or anything like that of what I do or don't do.

Q Okay. How did you -- you made contributions to Haig for President; isn't that right?

A Yes, I did.

Q How did you come to make those contributions?

A It was a request always from someone in his organization who would call and ask for the funds.

Q Who called you?

A Sometimes it was Dan Mariaschin, who is no longer with Haig. Others I don't remember, but he was not the only one. There was one or two others in the office that they seemed to have had a, you know, a lot of pressure with fund raising, and periodically they called me to help.

Q And what would you do for them?

A Well, I think I certainly gave my limit. I didn't have a checking account, so I would buy a money order and send it to them. And sometimes I would make a call.

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Like in this instance, of the checks that you had asked me, I remember specifically that they had called. They had to put something on air or something, and they needed money immediately because they specifically said that was there any way of, you know, as quickly as possible getting it to them. And that it shouldn't be an out-of-town check because then it would take ten days for them to get credit because of an out-of-town check.

So I called up Mr. Halpert, who was a friend in the community, and I asked him if he wanted to bring in $5,000, and I said I'm allowed to bring in $1,000 and could he possibly help. I explained Haig's record to him, and what he was and everything, you know, how important it was. And I asked him if he would be willing to, he and his family, to do something.

And he said fine, and I said to him, would it be an inconvenience to ask you to bring cash simply because I want to send them money orders because that, they said, a money order or a bank check they could get immediate credit for and they could use the money the next day in their bank.

Q Okay. How many times did the Haig committee call you for help?

A Not 25 times. I mean 3 times, 4 times, 5 times. That was, I think, the largest single time that I responded to them. Others if they were in an outside-of-New York community, "could you call somebody that we could maybe contact or be in touch with; give them my name or call someone on my behalf; he will be in Los Angeles could you help him or attend the fund raiser for him, or something like that.

Q What contacts from the committee do you recall prior to the making of your contribution, prior to that call which they asked you for you to give funds?

A They were in touch with me periodically, meaning once a month, once in six weeks. Sometimes general questions not to do with money, you know, "how do you think they would do in Florida at a fund raiser? How would the Jewish community respond there? " That type of a question. Periodic, but not very often, not on a weekly or a daily basis.

Q The time you discussed where they needed money immediately and you called friends and asked them to bring

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over cash, who called you that time from the Haig committee?

A I don't remember. It was somebody -- I don't think it was Dan. It wasn't Dan. It was somebody in the office who had said, "we are calling you to thank you for your past help, but right now we have a crunch. Could you help us?"

And I didn't call, you know, many people. I called Mr. Halpert, and I called his son; Mr. Halpert and he spoke to his son. It was he, it was his wife and it was his son, and they had a neighbor who they asked. And I made it very clear, if I was taking their cash, I was going to be converting it into money orders and sending it all right off. And on the money order, their name would be there, so there was no misunderstanding.

I was a little bit uncomfortable with that because handling cash like that, you know. I did it specifically, I remember, because they said that they wanted to save the time of depositing and then having to wait the ten days.

Q Why were you uncomfortable?

A Well, are you comfortable handling $5,000 cash?

You see what happened because -- what, I'm sitting here today.

Q Whose idea was it that you purchase money orders?

A It was my own. He said bank check. They gave an example, bank check or money order. I was more comfortable with money order because a lot of other times that I gave, I simply did that same thing. I didn't have any own personal, and you have to have a personal check. So quite often I would give a money order as a way of contributing.

Q Of the list of contributions you made in front of you that is Exhibit 1, do you recall any of those that you made with a money order?

A I couldn't tell you. I am sure there were some that were done and some were not. But to say -- I mean, you're talking about '85 and '86. It's years ago. Even if I did it six months ago, I really couldn't answer you.

Q So some of those were made by money orders purchased and some of those were by checks issued from the school?

A Well, you see that's a very touchy thing,

because I rarely do that. You see, the school account is a charity account, and you are supposed to give only, I was told, personal moneys. You're not supposed to give corporate and you're not supposed to give charity things.

Now, again, we had the accountant ask in a few instances where I did give a check. They said if it was marked on the check drawn against my personal account, meaning my account in the school, and it was not in any way misconstrued to have been given by the school on behalf of a candidate, that it was acceptable.

But I try to keep away from that practice. 98 percent of the time I either gave a money order or I asked somebody to simply contribute and I took their check and I gave it on behalf of them. But I did do it on occasion. But very carefully marking the check, marking the stub, marking the back of the check.

Q How else would you make contributions?

A That's all. One of those three or four ways.

Q Rabbi Balkany, I have a list of individuals associated with the Haig campaign, and I'll have this marked as Exhibit 2. And I'm showing it to you also for the purpose of refreshing your recollection and see if you

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can recall the person that called you that day.

THE WITNESS: You mean their names? I really wouldn't remember. They had two or three staff people. I mean, Dan, I told you. His name is right here, and I did speak with him most of the time. But I remember specifically that the day that I was called on that request, it was not Dan. It was somebody in this staff that had called, and I really wouldn't -- I was not, you know, involved with them on that type of a basis. I don't think there is a name here on this list that I recognize.

BY MR. KELLNER:

Q The list is three pages long. Some of the names were repeated.

A Except for Dan Mariaschin, who was the one who originally called me to get involved and called me most of the time, I don't remember a name here.

Now, that doesn't mean that there may be some young lady on this list who may have called me and said, "my name is Nancy Jones, and I'm giving a message from the campaign. Will you attend a meeting next Wednesday?" I don't remember any of the names.

I may have spoken with all of them. They may have walked over at one of the functions and said good evening and shaken my hand and said hello, my name is such and such. I just don't remember any person here.

Q We're going to take a five minute break and we'll reconvene right where we are.

A Fine.

(Recess.)

(Exhibit 2 identified.)

BY MR. KELLNER:

Q Rabbi Balkany, as best as you recall, regarding the phone call that led to your purchase of money orders that led to this investigation, what was said to you exactly?

A What was said to me was that they were calling for funds, because they had a current crunch. They had to either purchase ads in the newspaper or media, on the radio or television. They needed a substantial sum of money, and they requested if I could help them with something substantial, and I answered them I would. And they said that the timing is also crucial to us; that they

would be able to have it as soon as possible and use it as quickly as possible.

Q When did you receive the phone call?

A It must have been a day or two before I sent it to them.

Q When did you send it to them?

A Whenever the dates of those money orders are. Either that day or the next day.

Q There is a time frame of a couple days.

A I would imagine so, definitely. You know, this event that you are referring to, is three years ago, you realize.

Q Yes.

A And had you not provided me with the names of who I had called then, in all honestly -- I mean, once I was told who it was, I remembered, oh yeah, I remembered having called them. I'm not sure I could have provided the names even to you. That's not the first or the last time that I called people for help.

Q And what was suggested that you do?

A Do you mean what did the Haig people suggest?

Q Yes.

A I don't know if they said exactly money order or they said certified checks, or they said bank checks. But there was some sort of a request that it be sent as quickly as possible, and it be an item that they could use immediately, that there wouldn't have to be a long waiting period for them to be able to receive the credit for the item.

I remember saying that to Mr. Halpert when I called him, "don't bring me a check, bring cash. We have to immediately purchase a money order and send it in that fashion."

Q I see. Did they tell you how much money they needed?

A No. But they may have asked me for $10,000, but I said I would try for five, and I couldn't reach the ten. I don't know if they specifically set a number, but they tried -- either I said that I would try this and they asked if I could do more or vice versa.

Q And who did you call in response?

A I called Mr. Halpert, Jonus Halpert, who lives in the same community as I live, and I'm a good friend of his. He's older than I am, but we're good friends. And I

asked him -- he's a fairly well-to-do man, and I asked him if he could participate.

I told him how much I needed, and I told him I would give one and if he would give one, maybe his wife would consider, and if his son -- his son is independently involved in the business. I mean his son is 30 years old. We're not talking about a youngster. He has his own business and is very properous, and I asked if he could speak to him.

Q How do you know Mr. Halpert?

A How do I know Mr. Halpert?

Q Yes.

A Mr. Halpert owned a very large bus company in the community that serviced -- we have 44 Hebrew schools in our area alone. You're talking about a little less than two square miles. It's a very densely Jewish area, densely populated Jewish area, and he serviced a lot of the schools. He's been out of that business, I don't know, five, six, seven years. But for a while he owned a company and they were school buses.

And he used to service -- the school could either purchase a bus and hire a driver and pay their own

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insurance and gas, or you could take a local company that had buses and simply pay them a fee for doing the pick up, the pick-up of the children, bringing them to school and picking them up at the end of the day and bringing them back home. So it was like a rental-type basis but on a daily basis.

In other words, they did it every day and he was the owner of that company. And that's how I got to know him, and that's how I've been friends with him ever since. Although he hasn't been in the company for a good number of years, we've remained close friends ever since.

Q And did you speak to him regarding this?

A You mean after I got the call from the Haig --

Q Yes.

A Yes, I called him at that time, and I asked him if he would be willing to participate. I said there was no event. It wasn't like I was asking him to attend an event or to -- whatever. It was just purely they needed the money to cover some expenditures, and would he be willing to participate.

Q And what did he say to you?

A He said he would be happy to.

Q And what did he tell you he was going to do?

A He was going to come in that day or the next day to the office.

Q And bring cash?

A Yes. I told him I was going to purchase money orders with them and put them in his name and so it would be recorded.

Q Why did the Haig committee think that you'd be able to help in this matter?

A You'd have to ask them.

Q Was it based on a past relationship with the committee?

A Well, yes. I don't know if I helped them with that amount, but occasionally there was help. I mean, it was all during that year. I don't think they were even established prior to '87. That's just a guess, but I would doubt it. I don't think there were many who had formally announced their intention prior to '87. Maybe it was the latter or the tail end of '86, possibly.

Q So they asked you because of other activities you've done on their behalf?

MR. FITZGERALD: Objection. I don't think he

can speak on behalf of the Haig campaign. You can't go into the mind of the Haig campaign through him. You'll have to rephrase the question, but he can't speak for the Haig campaign, what their motivation was.

BY MR. KELLNER:

Q I can rephrase that. Prior to that, did you engage in any activities on their behalf?

A Well, they had invited me to some meetings. And I'm not exactly sure it was exactly right before that. I'm sure it was one or two months before that all occurred. But I did come to Washington. There was one in New York. There were a few in Washington. I don't know if all of them were prior to that phone call or some were prior and others were right after that phone call. But they were during 1987 or the latter part of '86.

Q But did you help them out at all prior to this?

A I don't know. I don't know. If I made a call on their behalf, if I asked anyone to give any money on their behalf, maybe, could be.

Perhaps the main thing they wanted from this group wasn't so much to get advice. I think the advice was just a courtesy extended. Rather than calling you

into the room and saying, "where is the money," they, for a half an hour, said, "what do you think of this, and what do you think of that," and then they ask you for the money. And I was never invited alone. It was always a group of people.

Q Who else was invited?

A Other people. Most of them who I really didn't know. He had a very interesting group that he brought together, because most of them or almost all of them I never saw in the traditional Republican functions.

Q You traveled to the meetings together? I'm not sure what you mean.

A No, I never went with anyone to these meetings. I traveled myself, and I attended the meeting. If it was here in Washington, I went from wherever I was doing prior to that, and came to the meeting.

Q Who do you recall that was in attendance at these meetings?

A A lot of staff. And when I came, I always met Dan Mariaschin; he was my person there who I dealt with. And the General, his wife and his children. But most of the people -- other than that, if I was at the first

meeting and I got to say hello to some of them, then at the second meeting they were familiar faces.

I really didn't know his audience there. He had old friends. Some from Virginia and from all over that I guess weren't traditionally involved, but were involved because of him, not because of specifically the Republican party or anything like that.

Q By staff you mean staff of the Haig campaign?

A Right. Always had a lot of staff around. I guess, many of these people who you have on this list.

Q What meetings were there outside of Washington?

A I remember there was something in the Waldorf-Astoria that they put on in his behalf. I think it was for his formal announcement, the fund-raising event. And I went to that.

Q Who sponsored that event?

A I guess it was the Haig for -- whatever their official name is. Haig for President committee.

Q When was the announcement at the Waldorf-Astoria?

A You'd have to ask them. I don't remember.

Q Did you attend meetings in Washington prior to

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that?

A You'd have to check their calendar date. They had four or five meetings in Washington, and there was that one major event in New York that I did attend. Exactly which one was first or second, I don't remember.

Q You said your secretary would give you a weekly calendar?

A Yes.

Q Did she have her own separate calendar?

A She had like a calendar a regular wall calendar, and she would keep, let's say, invitations in a pile according to the dates, and she would always refer to them. She would take out the pile and look through them, and she would look at her calendar, and then she would take a piece of paper and right it up. It wasn't even typed. The date, where it is, the time, and what I was expected to do there: Speak, introduce somebody, perform a ceremony, whatever.

Q Does she retain these calendars?

A No. She's not even there anymore. She got married and gave birth. I've had a few secretaries in the office. But she is no longer there. I mean, in regard to

these, like your talking about in the '80s, but she's around. I mean, she's there.

Q So --

A If you ever wanted to talk to her -- I don't know if he likes what I'm saying -- you're welcome to speak to her any time.

Q Well, if those calendars exist --

A No, they don't. I can tell you for sure they don't. Because she used to take the invitation -- after she gave me the handwritten notice of what was coming up, she threw the invitation away. So I mean, this wasn't some Watergate-type style tape recording. I mean, it was yeshiva secretary. It was just giving me my weekly calendar.

Q Let's go back to the call you made to Jonus Halpert.

A Yes. That's the father. Jonus is the father and Regina is Mrs. Halpert, his wife. Simon is their son who lives in Williamsburg on Hughe's Street.

Q What other calls did you make regarding that?

A No. That was about it. Either I called his son Simon, or he called his son Simon. You know, it was

something along those lines. I mean, there weren't 25 calls here. I called Halpert, and he said, "look, I'll be happy to participate, and I'll be in to your office."

Q Did you make any other calls?

A Again, his son. I don't remember if he said, "well, I'll reach Simon, or you give him a call." That's my only question in my mind that I'm not 100 percent sure of. Other than that, no, I did not.

Q You didn't call anyone who said no or anything?

A No.

Q And how did you know what was to be brought to you?

A Well, Mr. Halpert told me. He said according to the campaign law you cannot give more than $1,000 per person. And normally when I would ask someone like that, I would say, "do you have a personal check?" If they didn't have a personal check, you know -- I mean, that's how it was usually done.

In this case, I specified "don't bring me a check because of this request that was made to me that it be funds that they should be able to use quickly." I mean, in all my political involvement, I don't think that

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ever happened before or after, ever. I mean, I have personally given money orders, but to ask somebody to bring in cash in all my years of involvement, that never happened. I don't think it ever happened. Ever. Because if somebody ever said, "well, could I give you cash," maybe they had cash on them, I never accepted it. Never. I never wanted to deal with cash.

Q Did he call you back and tell you who else was going to bring money?

A No. He just came in. He said, "I'll take care of it."

Q And he arrived with how much money?

A He came. With him he brought -- I think he brought 30,000 and Simon came in himself and brought the other 1000. One was for himself, from his wife, and from his neighbor, Mr. Freedman, who gave a $1000.

Q Was it the same day you called?

A Either that day or the next day. I don't remember. It was right around that day.

Q And the money all came in on the same day?

A Yes. I mean, the money came in, and when I had it all together, I then sent my secretary to a local

bank.

Our school is located between 13th and 14th Avenues on 49th street. And on 13th you have a series within around six blocks, around six banks; so she went to one of them and purchased $500 money orders because that was the maximum. Some banks sell $1000 money orders, and some sell only up to $500, and the one she went to only did up to $500, so she bought 10 $500 money orders.

Q I was going to ask you what did you do with the money, but I'll ask you anyway, and you can just --

A That's what we did what I just said now. When the money came in, I sent the secretary to buy money orders.

Q The money from Simon came in the same day that --

A It came within a day's span. But when I had it all together -- I didn't send out for money orders and then more. When I had it, she was sent out to purchase money orders.

Q And purchase money orders for you as well?

A Yes. The two that -- I also had two $500 money orders in there that was coming from myself.

Q So you gave your secretary, was it $5,000?

A It was $5,000. I'm just trying to think, because there are some banks in our community that don't charge the Rabbis for money orders. Some take $.50 or $1 or $2 for each money order. So if that was where she bought it, if she had to, then she went with an extra $5 or $10 just to purchase the money order.

Q Where did you get the money for your purchase of the money orders in your name?

A I probably cashed a check and drew it on my own salary, towards my salary.

Q And that would be the same for the money used to pay the money order fee, if there was one?

A Probably. I mean, I don't know if that gets technical. If you're allowed to give $1000, if you have to purchase a money order and it ends up a $1,002, is that called a violation? I don't know.

Q I don't want to explore that.

A I mean, who knows. I mean, maybe when a person gives a check and they're allowed to give $1,000 for something and then they get a bank fee for 50 cents for their check, maybe that's over.

Q Were there receipts from the money orders?

A There were, because most money orders have a carbon copy in between. But I'm positive -- I mean, it sounds awful, but I'm positive I threw them away because most of the time I take money orders, if the bookkeeper isn't sitting right there and says, "give me the copy I want to keep it for the record," then I'll just take it and throw it into the garbage, if I'm paying something, whatever the items are. I just don't save the stubs.

And then there are some of them that I don't think -- well, that may be. I'm not sure if it's the bank checks that there are no receipt, or they are the money orders. I'm not sure. It may be that most money orders, most of them, do have some sort of a stub or a carbon to it. But on the front of the actual money order, the name was put with the address from whoever this was coming.

Q Who put that information on the check?

A I probably did. Either I or the secretary. That means when she came back from the bank, I filled out the money orders as I had specifically told the people.

I remember asking Mr. Halpert if he very told

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Mr. Freedman what was happening with his $1000, and he said absolutely that he was; you know, he told him that there was going to be a money order that was purchased, and it was going for the Haig campaign, and exactly what was being done with the money and where it was going.

Q Rabbi Balkany, I have copies of the money orders or you can state whether they are copies of the money orders, and I'm going to ask the court reporter to mark this as exhibit 3.

A This is my handwriting.

Q If you can wait for the court reporter to mark it, and we will discuss it.

(Exhibit 3 identified.)

BY MR. KELLNER:

Q For the record, the exhibit is five pages long. Do you recognize this exhibit?

A Do I recognize the money orders?

Q Yes.

A The bank -- I see where it was bought, it was bought at the Bay Ridge when is around two blocks away from our school, three blocks away from our school, and I filled out every one of them. This is my handwriting, and

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this is my printing at the bottom.

Q Do you mean where it says signature of drawer and address?

A Correct. I filled in every name, and I printed it in, because I didn't want to sign someone else's name. I didn't remember if I had done it or the secretary, but when you show it to me, I recognize my handwriting.

Q So your secretary purchased the money orders and brought them back to you?

A Yes.

Q What was her name?

A Well, her name then -- I don't think she was married in '87 -- her name was Marton, last name, M-a-r-t-o-n, first name, Breindy, B-r-e-i-n-d-y.

Q Did you tell her which bank to go to?

A No. She was a secretary that had like her own -- I mean, she was like the head secretary in the office. And when I needed a money order, I would say please purchase money orders. If she went into one bank and saw a long line, she would go across the street. I never specifically told her to bank at bank A or bank B.

As a matter of fact, our own bank happens to be

much closer. It's a block and a half closer than this one, but this bank is usually empty and the other bank is usually packed. So that would explain why she went there. I didn't care where the money orders were from.

Q On the first page of the exhibit, is that your address?

A Yes. 5402, 15th Avenue Brooklyn. I didn't put the ZIP in. But I gave it at the beginning.

Q How did you get the information to fill in the rest of the checks?

A You mean the Halpert or the Freedman? Halpert gave me the address which turned out to be the wrong address for Freedman. He lived right there, but it was the wrong address. Halpert, I knew. I mean, I wasn't sure of Simon's exact number, but I knew he lived on Hughe's Street in Brooklyn, and I didn't put the number because I had forgotten to ask him for his address. When they give me the money, they gave it and they left. They didn't wait there until I got back the money orders. They brought it and left. So Regina and Jonus I know well, and I know exactly their address without asking them. They live two blocks to my house and around 7 blocks from the

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school. As you can see Freedman lives around the corner from them. And Simon, their son, lives in a different area. It's in Williamsburg, it's also in Brooklyn, but it's a different section, and he lives on Hughe's street.

Q The money orders marked "Freedman" where it says "signature of drawer", did he have a first name?

A Well, I'm sure he has a first name, but I didn't know what it was. It was Mr. Freedman, so I just wrote down Freedman and the address.

Q How did you find out that this was his wrong address?

A When this issue came up, you sent us that request for clarification and for this audit. I called Mr. Halpert, I said, because when we communicated either the lawyer spoke to you or -- it was brought to my attention somehow that there was some incorrect addresses.

I knew it couldn't have been mine, and I knew it couldn't have been Halpert's, so I asked Halpert. I said, did I -- see, I didn't have these in front of me. I didn't remember until you showed me who filled it out. I asked what was Simon's address, and he said whatever

number he said on Hughe's. And I remembered that. And I then asked him to double check the Freedman address.

I wrote this down because he told it to me at the time, the address. But when this came up, he said no, what I gave you was an incorrect address. He doesn't live to my left, he lives to my right. Halpert lives on 14th between 56th and 57th. He wrote him at the corner right towards the corner of 56th, when he happens to really live at the corner of 57th. Same distance from his house, but just to his right instead of his left. I don't know where he got this address from.

Q Is this still the address of the Halpert's?

A Yes.

Q What is the date on the money orders? It's hard to see, is that April 9?

A I think it says April 9. That's the way it looks to me. April 9, 1987. Yes, it is, because some don't have it filled in. It looks like a 4, but then there are some that do have it filled in and it's a 9, and they were all purchased the same day, so its April 9th.

Q If you'll look at the 1987 calendar, and we see April 9 is a Thursday. Does that refresh your

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recollection as to when you received the call from the Haig commitee?

A No, but I would imagine it was the 7th or the 8th, 6th, 7th, or 8th. Something right before then.

Q And do you recall if there were any fees associated with these money orders?

A I do not recall. If I gave her $5,000 and she had to, she would take out of a petty cash or something, or I possibly would give her an extra $10, if she would have asked me, "I may have a cost for buying these. "

Q What did you do with the money orders after you filled them out?

A I had them sent to the "Haig for President." I'm almost positive -- I'm not 100 percent sure, but I'm almost positive that on the 9th, when they were purchased, they were sent out. If they weren't, then it was done the next day, the 10th. Which means they either would have received it the 10th, the 11th or I don't know if I sent it overnight mail. I don't know if they had in '87 overnight mail yet. But I tried to get them in the quickest fashion that they should receive it here in Washington.

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Q How did you get the Haig for President address?

A How did I get their address?

Q Yes.

A I imagine I had it there. I mean they had an office, they had a campaign office.

Q Did you enclose a cover letter?

A No. I never do with those things.

Q Did you enclose anything else?

A No. I probably just would have put it to the attention of whoever had called me at the time. I would have put the money orders in. Or if I had any reason to be that next day in Washington, I would have handed it to someone, and I don't remember that. What I am sure is that shortly after I had the money orders, that it was either mailed or given to them shortly after. It wasn't a month later.

Q If they were mailed, would you have mailed them, or would your secretary have mailed them?

A Secretary.

Q She would have addressed the envelope, et cetera?

A Probably. But since I see that I did the money

orders, which she usually would do, maybe I took the envelope and filled it out and just said, "here it is, send it." I don't remember who did the envelope.

Q Why did you think that Jonus Halpert would be interested in making this contribution?

A Because I know how he thinks, and if I told him the issues were important, it was important for us to participate in the campaign, I thought that he would be a good person to approach.

Q Had you approached him before?

A Possibly. I mean, I speak to him so often.

Q Have you approached him since?

A Also possibly.

Q Do you know a Harry Freedman?

A Yes. It turns out he's a parent in my school.

Q A parent of a student?

A A parent of a student in my school. I didn't realize it was him, when the money was brought in and said it was from my neighbor Mr. Freedman. And especially the address he had given me didn't strike any bell to me. But when this issue came up, I found out it was a parent in school.

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Q When did you first meet him?

A First meet Mr. Freedman? Around ten years ago.

Q Okay.

A I mean, he has four daughters in my school. Maybe more than ten years. Maybe -- oh, as a matter of fact, I remember him from way back. It's a small community.

Q Did you receive a subpoena and other materials from the Federal Election Commission?

A Other than this one you mean?

Q I'm referring to this.

A To this? Well, I don't know if it was a subpoena. I received something going back around Succoth time. That's either September or October. I received something at that time, a Jewish holiday. I remember getting it on a holiday because I was very upset. It was a holiday and I was not happy.

Q And what did you do after you received the subpoena?

A I called Bruce Layman who is a lawyer here in Washington who I'm friendly with. I've never used him as

a hired lawyer for a specific item, but we've sometimes spoken about different situations and different coordinated items, and I told him. I said I got this and this package.

I think I placed a call to you. The very first as soon as I got it, I think I had called you, and I wanted to acknowledge that I had received it, and I didn't want it to be left up in the air. So I acknowledged to you that I received it, and I don't remember whatever else I said to you specifically at that time.

But then a day or two later I contacted Mr. Layman, and he asked me to send him the materials, I mean, I didn't think this was a murder case that I needed a group of 20 lawyers, but I just felt that anything that involves any type of governmental agency that it would be advisable to have some, you know, someone who would be much more familiar and able to recommend.

I've never been to this commission before. I've never been asked any question by this commission. I've never been invited to this commission, so I just was dealing with something that I never had dealt with before, and I just didn't want to do anything improper or wrong.

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Q Did you discuss this matter with anyone else?

A My wife.

Q Anyone else?

A Not that I know of.

Q Did you speak to any of the Halperts about it?

A Yes. I mean, after I was told Mr. Fitzgerald wanted to meet them, then I called them. At the beginning I didn't call them, because any time you take a contribution or anything from anyone and they have to meet a lawyer or anything like that, that's bad news, because it's like, "I gave the contribution what did I get myself into over here. Did I do something wrong?"

So I just told them I received this package and there has to be some clarification, because it was unusual that I should send in so many money orders in one day all filled out all, given to the same source. It looks as if I had given all of the money. I explained just what I thought was the issue here. And I said, "I may need you to just clarify what happened and to be perfectly honest and meet with them."

So Mr. Fitzgerald came to New York a month or two later, I don't know when it was. It may have been in

November, maybe December, January. He came to New York, and he met with the people, and he asked them the specific questions. Did you bring the cash to the office and were you asked and whatever. And then subsequently he said he wanted to draw up a statement that each one of them should read very carefully and make sure it was absolutely accurate and sign it and have it notarized.

Q Do you know where they got the money for the money they gave to you?

A No, no. I never ask that question. I mean these weren't 15-year-old children. I mean, if I asked you for a contribution -- if I was friends with you and asked you for a contribution for this or for that, and you said, fine, I'm giving you a check, I wouldn't ask you later, "are you taking it out of your bank account, are you getting it from your father?"

Q So you don't know where the money came from?

A No.

Q What did the Halperts say to you when you told them about this?

A Well, they said that they'll be happy to be of help to clarify whatever transpired. They weren't happy

about the idea of having to meet a lawyer. I mean, the Halperts live in a million dollar house. We're not talking about poor people. This wasn't the biggest thing in their life that ever happened to them, that they gave $1000 to Haig.

Q Do you know a Dominic Saraceno?

A No.

Q Does that name sound familiar to you?

A No. Do you know a David Goldman?

A David Goldman? I know a lot of Goldmans. So before I answer you I'd have to really think. I mean, I could tell you right now there are at least 20 Goldman families that I can -- my brother-in-law's name is Goldman. What am I saying. I have a brother-in-law named Goldman. Jay Goldman is my brother-in-law.

Q This David Goldman lives in Massachusetts?

A I don't think I know him.

Q Do you know someone named Steve Jernigan?

A No.

(Recess.)

BY MR. KELLNER:

Q Have you ever heard of a committee named

Committee for America?

A Committee for America. Well, Dole calls his Campaign America. I wouldn't be -- I mean, if I would be reminded whose it is. They have -- all these PACs have -- Spirit of '88 -- I mean, all these names. So if I would be reminded whose it is, I could answer you.

Q It's Alexander Haig's.

A Oh, that's his PAC?

Q Yes.

A Well, either -- a lot of them establish two types of names, because sometimes under one you're not allowed to give corporate money, and the other your allowed to give corporate money or those types of things. I'm not saying that's necessarily the case in Haig's case. I mean -- all right. I don't remember. I think that on most of those I wrote "Haig for President." Like it says here.

Q Have you engaged in any activities on behalf of that committee?

A Possibly. If I would have had anyone send in a check or brought any money in, made out that way, it would have been, because the committee would have -- the

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campaign would have asked specifically to do it that way.

Q Do you recall attending any meetings for that committee?

A No. It was all the same thing. Haig for President; Committee for America. I mean, even as you tell me now, it was associated with Haig, I vaguely remember that.

Q Was Committee for America the sponsor of the fund raiser you attended at the Waldorf-Astoria?

A I don't have any idea. It was a Haig event. I don't know who was officially sponsoring.

Q Have you ever made a contribution in cash?

A Never.

Q How come?

A To the best of my knowledge. Let me say that. I mean, I don't remember ever doing such a thing. I just don't think it's a healthy practice. I mean, you know cash can be an innocent, honest transaction, but to many it raises a red flag. And I just don't -- I'm here because of this. I mean, look what happened. I took cash and put it in, and that's why I'm here. I don't remember ever making any cash, no.

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Q What sorts of items would you purchase money orders for in general?

A If I needed something, if the bookkeeper wasn't available and I didn't have a check and I had to pay a bill and I needed a money order for something I would. I mean, there were times that I used to pay most of my bills with money orders. Or for an item like this, like a campaign, because there you need specifically a personal check. I don't have a personal checking account, so that would be an item that I would give a money order for, made out to the campaign of an individual.

Q What other ways did you make contributions? You mentioned four ways before, that you made political contributions?

A I may have meant three and said four. I wasn't trying to specifically say. Either through a money order or to ask a friend to contribute which he would then give his own check in. And, very rarely, I would use a school check, but since it's a charity organization -- you are not allowed to use a charity organization but since it was asked and ascertained since I marked it and it's coming out of my personal funds, it's tantamount to a check that

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just represents funds from me, and I could use that check. I did that on occasion, but not often at all.

Q When you asked someone to write a check for you, what would you do? What was the process?

A Like I asked Halpert, except him I asked to bring in the money. Do you want to make a -- what is your last name?

Q Kellner.

A I'd say Mr. Kellner, I have a such and such person who is running for X, Y, and Z. This is his record on Israel. He's very important to us. Maybe you would be interested in -- and sometimes it wouldn't be so formal. I wouldn't call somebody who would question doing it or wouldn't be able financially to do it.

But I would explain what it is and ask if they would be interested in making a contribution. And if yes, they would forward a check either directly to the campaign or attend a fund raiser that was taking place and bring the check.

Q Did you ever ask someone to write a check for you on your behalf?

A Never.

Q So you never have someone write a check for you and you'd give them cash in return?

A No.

Q Were there any other ways that you can recall that you made political contributions?

A No.

Q What written materials have you gotten from the Haig campaign?

A In the last two years? Probably nothing.

Q How about prior to then?

A There were general campaign material updates as to what was happening, polls to let everyone know what progress was taking place, and what direction they were going in and all of that.

Q Do you retain any of these documents?

A No. I don't have any of that stuff. I mean even from Bush or from Dole or from any of them, I don't keep any of that stuff.

Q Just to refresh your memory again, I'm going to show you two documents. I'm going to clip them together and make them one exhibit. And I'm going to ask the court reporter to mark these two pages as FEC Exhibit 4 and have

you take a look at them.

(Exhibit 4 identified.)

THE WITNESS: Yes, I'm looking at them.

BY MR. KELLNER:

Q Do you recall ever receiving these documents from the Haig campaign?

A No, I don't remember receiving them. But it's my handwriting, and I did fill it out, and I did send it back.

Q What does the first page refer to?

A What does it refer to?

Q Yes. Why did you get it, and what did you do with it?

A Well, if I opened up the mail and I had something like this in there, I would imagine that the campaign had to live up to certain requirements by the Federal Election Commission, which is part of giving and receiving contributions for any campaign, and they needed to have certain documentation on file. And they asked me to fill it in, which I did. My employer is the name of my school, my occupation is dean, my name, and I signed it. And the next page does basically the same thing except it

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asks me for my home address which I filled in and signed that also.

Q Do you recall any other materials you received from the campaign?

A No. I don't even remember receiving this. I received it, obviously. I filled it out and either sent it back to them or did whatever I did with it. But I do remember, in general, receiving from them updates on the campaign and sometimes a letter inviting me to a meeting or things like that.

Q Did General Haig ever write you personally?

A He may have, to thank me or to invite me to something. He may have.

Q Did you retain his letters?

A No. I don't have any of those things. I may have a few letters from the President. Very few. I don't keep any of that stuff.

Q You mentioned before that the school you operate is a nonprofit corporation?

A Well, I don't know the technical forms whatever it's called, but it's an educational institute with tax-exempt status. It's a religious school. We teach

religious studies, and we teach secular studies like most day schools and yeshivas in that area do.

Q Does it have officers?

A Yes.

Q Who are the officers?

A I'd have to send you a list. Mr. Leiber is president, and some of the women of our mother's league serve on the board. I've never -- I'm offering this on my own, I've never asked any -- to the best of my knowledge -- any parent in school -- I mean, this Mr. Freedman turned out to be a parent, but push him aside for a second. I've never asked any staff or any individuals to contribute.

I kept politics out of the school. I did not involve staff, I did not ask any staff to participate in any fundraisers or contribute or attend fundraisers or anything like that except for those two senators that paid the visit to me. I like to keep it completely out of the school.

Q Is the school incorporated?

A Yes. It should be.

Q Are you an officer of the corporation?

A Yes. When I first -- when we first made it, I was the president, I was the founder. And we have many of those situations even in our area, founder/president.

Q What is your current title?

A Dean.

Q Are there vice presidents?

A Yes, there are. Usually it's the president and then a group of board. It's not such a formal -- I mean, formal in the sense they have meetings and they sign off on things and we discuss, you know, school policy together. I would be very surprised if you took our parent list or our board members and ever found their name as contributing to any politician. And if they did, if you did find it, it definitely had nothing to do with me. That means that maybe some friend or they got some letter independent in the mail. I kept the politics in Washington completely out of the school. Completely.

Q Could you provide a list of officers?

A Could I provide a list?

Q Yes.

A Well, I don't know. If you want, I mean, I will. I don't want people to be harassed though. I could

give you their names and their addresses because I have nothing to hide from you. But a regular housewife or a man who has a store or an accountant gets a letter from you, it's a lot more frightening than it is. You're not a prosecuting agency or anything like that, but it's just very uncomfortable. I'd like to -- I don't know. Do I have to provide that to you?

MR. BERNSTEIN: The commission has not submitted a subpoena calling for this information, and we are asking if you will provide it voluntarily.

THE WITNESS: If I didn't, would you subpoena it?

MR. BERNSTEIN: Well, we would take it under advisement.

THE WITNESS: I'm not trying to create that type of an atmosphere. Believe me I did not come in here in that atmosphere. I have nothing to hide, and I think I've answered every question without any hesitation that you've asked me. I'm just not thrilled about involving the people. If you felt it was the most make-or-break issue and it was crucial to include it, I would do it, but I'm not happy about it. Simply because I just never involve

-- but you will see that there is no -- I have never asked any officer or any parent in this school ever or any staff person ever. And if they did any contribution, it was completely on their own.

BY MR. KELLNER:

Q Do you ask board members?

A No, no. Absolutely not.

Q There are some documents, other documents we'd be interested in, documents from the school or other documents demonstrating the source of funds for your personal contribution to Haig. A withdrawal or cashing of a check of $1000, just those documents demonstrating --

A It doesn't mean it has to be $1000. It could have been $2000, I could have cashed a $2000 check and used $1000 for that. I mean, it doesn't mean -- I'm not saying that there isn't $1000 check. But I'm just saying that that specific amount is not --

Q Could you provide us with the documents showing that transaction?

A Yes.

MR. FITZGERALD: If they exist.

MR. KELLNER: If they exist.

THE WITNESS: Don't forget it was around Pesache then. I could have just had $1000 cash that I used for that too. So to answer you, I'll be happy to. I'll pull out that month's statement, and I will look through the checks.

MR. FITZGERALD: We'll reserve our right to object to providing a list of the officers or directors.

MR. BERNSTEIN: We can communicate after the deposition is over. And so long as we reach an understanding in short time, you know, what you'll provide and when, I don't think we needn't have anything more on the record right now.

BY MR. KELLNER:

Q Did anyone else give money or checks to you to pass on to Haig for President?

A I don't know. Very possibly. Either I passed on or I asked them to send it directly. But very possibly.

Q What specific instances do you recall?

A I don't remember any specific instance. But I'm

sure I brought them in more than $5,000. I don't know if it was 7 or 8 or 10 or 12 or whatever the number was, but some other source must have given me at some point something in addition to that.

Q Who else did you ask for money?

A You want a thousand names? I mean --

Q Asked for money on behalf of Haig for President?

A I have no idea who I asked. I just don't ask for Haig, I ask for others. So who I asked for what -- if you asked me six months ago who did you ask for X, Y, and Z, unless you said the name and reminded me of it, I wouldn't remember.

Q Rabbi Balkany, did you consult with anyone other than counsel regarding your responses to our questions?

A No.

Q Is there anything you'd like to add to the answers you've given here today?

A I don't think so.

Q Are you sure?

A Yes.

Q Have you given a full and complete testimony in response to the questions directed to you today?

A I think so.

MR. KELLNER: Counsel, do you have any questions for the witness.

MR. FITZGERALD: No, I have no questions.

MR. KELLNER: Rabbi Balkany, I'd like to thank you for being here. We are going to adjourn the deposition at this time. We reserve the right to speak to you again.

THE WITNESS: Any time.

MR. KELLNER: Therefore, this deposition is not concluded for that purpose.

You should read this transcript and make sure it coincides with your recollection of what took place here, and you should sign it and return it to us.

THE WITNESS: Fine. You'll be sending it to me or to the lawyer?

MR. FITZGERALD: Send it to me.

THE WITNESS: Okay.

MR. KELLNER: And I'd like to remind you again that this matter must remain confidential, until the

commission closes its file in this matter.

MR. FITZGERALD: Let the record reflect that we have requested it to remain confidential.

(Whereupon, at 1:35 p.m., the deposition was adjourned.)

Rabbi Milton Balkany

RABBI MILTON BALKANY

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CERTIFICATE OF NOTARY PUBLIC & REPORTER

I, PATRICIA A. ZUBER, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken in shorthand and thereafter reduced to typewriting by me or under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Patricia A. Zuber
Notary Public in and for the
District of Columbia

My Commission Expires JANUARY 31, 1995

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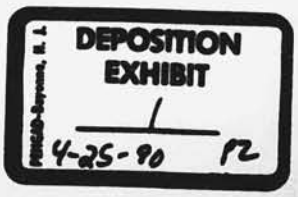
CONTRIBUTIONS BY RABBI MILTON BALKANY

LAST	FIRST	DATE	AMOUNT	P/G	RECIPIENT
BALKANY	MILTON	25-JAN-1985	$1,000.00	P	KASTEN/SENATE
BALKANY	MILTON	25-JAN-1985	$1,000.00	G	KASTEN/SENATE
BALKANY	MILTON	25-FEB-1985	$1,000.00	P	DOLE/SENATE
BALKANY	MILTON	25-FEB-1985	$1,000.00	G	DOLE/SENATE
BALKANY	MILTON	26-MAR-1985	($100.00)	P	NRSC
BALKANY	MILTON	10-APR-1985	$5,000.00	P	CITIZENS REPUBLIC
BALKANY	MILTON	01-JUL-1985	$1,000.00	P	MARK ANDREWS
BALKANY	MILTON	15-JUL-1985	$1,000.00	P	BOSCHWITZ '90
BALKANY	MILTON	22-JUL-1985	$10,000.00	P	NRSC
BALKANY	MILTON	22-JUL-1985	$1,000.00	P	ARLEN SPECTER/SEN
BALKANY	MILTON	31-JUL-1985	$1,000.00	P	JEREMIAH DENTON S
BALKANY	MILTON	31-JUL-1985	$1,000.00	P	QUAYLE/SENATE
BALKANY	MILTON	02-AUG-1985	$1,000.00	P	STEVE SYMMS/SEN
BALKANY	MILTON	07-AUG-1985	$1,000.00	P	FRANK MURKOWSKI S
BALKANY	MILTON	07-MAR-1986	$500.00	G	NRSC/KIT BOND
BALKANY	MILTON	20-MAR-1986	$500.00	P	KIT BOND
BALKANY	MILTON	09-APR-1986	$5,000.00	P	CAMPAIGN AMER
BALKANY	MILTON	05-SEP-1986	$1,000.00	G	LINDA CHAVEZ SEN
BALKANY	MILTON	05-SEP-1986	$1,000.00	P	LINDA CHAVEZ SEN
BALKANY	MILTON	25-SEP-1986	$1,000.00	G	JIM ABDNOR
BALKANY	MILTON	27-OCT-1986	$500.00	G	DON NICKLES SEN
BALKANY	MILTON	27-OCT-1986	$500.00	G	DON NICKLES SEN
BALKANY	MILTON	10-FEB-1987	$500.00	P	CAMPAIGN AMER
BALKANY	MILTON	10-FEB-1987	$500.00	P	CAMPAIGN AMER
BALKANY	MILTON	10-FEB-1987	$500.00	P	CAMPAIGN AMER
BALKANY	MILTON	10-FEB-1987	$500.00	P	CAMPAIGN AMER
BALKANY	MILTON	12-MAR-1987	$500.00	P	BENTLEY '88
BALKANY	MILTON	12-MAR-1987	$500.00	P	BENTLEY '88
BALKANY	RABBI Y	27-MAR-1987	$1,000.00	G	VIN WEBER CMTE
BALKANY	RABBI Y	27-MAR-1987	$1,000.00	P	VIN WEBER CMTE
BALKANY	MILTON	27-MAR-1987	$1,000.00	P	LARRY PRESSLER
BALKANY	MILTON	15-APR-1987	$500.00	P	HAIG/PRESIDENT
BALKANY	MILTON	15-APR-1987	$500.00	P	HAIG /PRESIDENT
BALKANY	MILTON	04-MAY-1987	$1,000.00	P	DURENBERGER SEN
BALKANY	MILTON	18-MAY-1987	$1,000.00	P	JACK KEMP/PRES
BALKANY	MILTON	19-MAY-1987	$1,000.00	P	PHIL GRAMM



PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430458

APR. 04, 87

_____ 19___ 1-30/210 93999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

0318 DOLLARS

RABBI MILTON BALKANY
SIGNATURE OF DRAWER

5402 15th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

[redacted]

PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430459

APR. 04, 87

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PAY TO THE ORDER OF Haig For President

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SIGNATURE OF DRAWER

5402 15th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

[redacted]

DEPOSITION EXHIBIT
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4-25-90 PZ

PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430461

APR. 09, 87

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PAY TO THE ORDER OF Haig For President

$******500*AND*00/100

_____ DOLLARS

031B

FRIED MAN
SIGNATURE OF DRAWER

1408 56th ST BKLYN
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

[redacted]

PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430460

APR. 09, 87

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PAY TO THE ORDER OF Haig For President

$******500*AND*00/100

_____ DOLLARS

031B

FRIED MAN
SIGNATURE OF DRAWER

1408 56th BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn, NY 11209

[redacted]

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430462

APR. 09, 87

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1-30/210

83999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

UJ18

SIMON HALPERT
SIGNATURE OF DRAWER

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

HEWES ST BKLYN NY
ADDRESS

[redacted]

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430463

APR. 09, 87

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1-30/210

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PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

_____ DOLLARS

UJ18

SIMON HALPERT
SIGNATURE OF DRAWER

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

HEWES ST BKLYN
ADDRESS

[redacted]

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PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

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APR. 09, 87

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PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

0318 _____ DOLLARS

REGINA HALPERT
SIGNATURE OF DRAWER

5608 14th AVE BKLYN
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

[redacted]

PERSONAL MONEY ORDER

CHARTERED 1887

NOT VALID OVER $500.00

Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430464

APR. 09, 87

_____ 19___ 1-30/210 (93999)

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100

0318 _____ DOLLARS

REGINA HALPERT
SIGNATURE OF DRAWER

5608 14th AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue, Brooklyn, NY 11209

[redacted]

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430467

APR. 09, 87

1-30/210 — 03999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100 DOLLARS

UJ1B

JONAS HALPERT
SIGNATURE OF DRAWER

5608 14TH AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

[redacted]

PERSONAL MONEY ORDER
NOT VALID OVER $500.00

CHARTERED 1887
Bay Ridge
Federal Savings
BROOKLYN, NEW YORK 11209

30430466

APR. 09, 87

1-30/210 — 03999

PAY TO THE ORDER OF Haig For President

$*******500*AND*00/100 DOLLARS

UJ1B

JONAS HALPERT
SIGNATURE OF DRAWER

5608 14TH AVE BKLYN NY
ADDRESS

PAYABLE THROUGH
MANUFACTURERS HANOVER TRUST COMPANY
7510 Fifth Avenue Brooklyn NY 11209

[redacted]

MAY 20 1987

HAIG

LEADERSHIP FOR AMERICA

April 20, 1987

Rabbi Milton Balkany
5402 15th Avenue
Brooklyn, NY

Dear Rabbi Balkany:

On behalf of General Haig, I wish to express again his appreciation for your support.

The Federal Election Commission requires me to maintain on file the information I have requested below. I would sincerely appreciate your cooperation in completing and returning this letter with the requested information at your earliest convenience.

Sincerely,

Russ McReynolds
Controller

RM/dsl

Employer: BAIS YAAKOV of BROOKLYN

Occupation: DEAN

RABBI MILTON BALKANY
Print Name

Rabbi Balkany
Signature

DEPOSITION EXHIBIT 4
4-25-90 PZ

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

MAY 2 6 1987

HAIG

LEADERSHIP FOR AMERICA

May 18, 1987

Rabbi Milton Balkany
5402 15th Avenue
Brooklyn, NY

Dear Contributor:

Under Chapter 96 of Title 26, United States Code, presidential primary candidates are entitled to receive federal funds from the Presidential Primary Matching Payment Account in an amount up to $250 from an individual contributor.

To ensure that only contributions which qualify as such are matched, the Federal Election Commission requires contributions received in the form of money orders or cashiers' checks to be accompanied by a signed statement from the contributor before they can be submitted for matching.

Your contribution of $500.00, dated April 9, 1987 and drawn on money order #30430458 issued by Bay Ridge Federal Savings Bank, will qualify for matching only if the contribution is confirmed by the statement below and by your signature. If you cannot verify the statement below because of its inaccuracy, please provide a short explanation in order that the proper attribution of the contribution may be made.

Sincerely,

Russ McReynolds
Controller

This is to confirm that the written instrument described above was obtained by me and was purchased solely with my personal funds. It represents my personal contribution to the Committee.

NAME RABBI MILTON BALKANY

ADDRESS 5402 15TH AVE

CITY BKLYN N

STATE NY ZIP 11219

YOUR SIGNATURE Rabbi Milton Balkany
(Please do not print)

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 233-7590

Paid for by Haig for President, Inc.

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UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JAN -3 PM 3:24

DONALD A. COOKE,)
)
-v-) MUR-2717
)
FEDERAL ELECTION COMMISSION,)

THE ORAL DEPOSITION OF DONALD A. COOKE, held pursuant to Notice, and taken pursuant to Federal Election Commission Subpoena issued in connection with an investigation under Section 437 (G) of Title II of the United States Code, before Jocelyn Luff, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the U.S. Attorney, Post Office and Courthouse, Boston, Massachusetts, on Thursday, December 12, 1991, commencing at 10:10 o'clock a.m.

PRESENT:

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

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I N D E X

WITNESS	EXAMINATION
Donald A. Cooke Jr.	3

EXHIBITS		PAGE
FEC		
1	Copy of check for $1,000.00	23
2	Contribution Forms, 11 pages	48
3	Document	55
4	Check for $250.00 from D. Cooke to Haig for President	66

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D E P O S I T I O N

(10:10 am)

D O N A L D A. C O O K E, 6 Brom Dutcher Road, Buzzards Bay, MA. 02532, having been duly sworn by a Notary Public to tell the truth, the whole truth, and nothing but the truth, testified upon his oath as follows:

MS. MASTROBATTISTA: This deposition is being taken pursuant to a Federal Election Commission Subpoena issued in connection with an investigation under Section 437 G of Title II of the United States Code.

The statute provides that the confidentiality of this investigation must be maintained, until the Commission closes its files. This investigation is designated Matter Under Review 2771.

The Federal Election Commission has civil jurisdiction over the Federal Election Campaign Act of 1971, as amended.

My name is Mary Mastrobattista, and I represent the Federal Election Commission here today.

EXAMINATION BY MS. MASTROBATTISTA:

Q Would you, please, state your full name?

A Donald A. Cooke, Jr.

Q Mr. Cooke, are you represented by counsel today?

A No.

Q Do you understand that you have the right to be

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represented by counsel?

A Yes, I do.

Q Mr. Cooke, have you ever had your deposition taken before?

A Yes.

MS. MASTROBATTISTA: Even though you have, I will explain a little bit about what will take place here today.

I'm going to be asking you a series of questions designed to elicit information in connection with our investigation. The questions will not be limited to your involvement only, but will, also, include requests for information involving other persons, as well.

You should treat this as if you were testifying in a court of law and remember that you are under oath.

The court reporter will be recording everything you say and will be typing up a transcript. Since the court reporter will not record any gestures or response which is not spoken, it is important that you answer each question in words.

If you don't understand or don't hear a question, let me know, and I will repeat it or rephrase it. If you want to qualify an answer, you can do so.

If during the course of the deposition, you realize that you gave an inaccurate or incomplete answer, let me know and you can go back and correct it.

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Finally, if you need to take a break for any reason, let me know and we can take a break.

BY MS. MASTROBATTISTA:

Q Mr. Cooke, what documents did you review in preparation for this deposition today?

A None.

Q Would you, please, state your home address?

A Six Brom Dutcher Road, Buzzards Bay, Mass.

Q And how long have you lived at that address?

A Approximately ten years.

Q Mr. Cooke, what is your educational background?

A High school, two years of technical school.

Q High school and two years of technical school?

A Um-hum.

Q Where are you currently employed?

A Trade Wind Systems.

Q And how long have you been employed there?

A Sixteen years.

Q And what is your current position at Trade Winds?

A President and owner.

Q Have you always been president and owner of the company?

A Yes.

Q When was the company founded?

A In 1975.

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Q And how did the company start?

A Basically, started by myself.

Q Did you have a partner who started with you?

A More or less. I mean, not really a legal partner.

Q But a working partner?

THE WITNESS: Excuse me?

BY MS. MASTROBATTISTA:

Q A working partner?

A Yes.

Q And who was that partner?

A Chris Mitchell.

Q I'm sorry?

A Chris Mitchell.

Q Chris Mitchell?

A Um-hum.

Q Is Mr. Mitchell still employed at Trade Wind Systems?

A No.

Q And when did he leave Trade Winds?

A Ten years ago.

Q What type of business is Trade Winds Systems?

A Heating and air conditioning contractor.

Q How many employees do you have currently?

A Twenty-five.

Q How many employees did you have in 1987?

A I'm going to say approximately 60.

Q Sixty, and how do you account for the change from 16 employees to 25 at the present time?

A Economic here in this area.

Q How many bank accounts does Trade Winds Systems have?

A One.

Q Is that a checking account--

A Um-hum.

Q --or a savings account?

A Checking.

Q Is there a separate payroll account?

A No.

Q What bank is the account maintained at?

A Bank of Boston.

Q So there is one checking account for the company, which pays payroll and all company expenses?

A Um-hum.

Q Do you have a separate banking account, a personal account?

A Yes.

Q Do you have a personal account at Blue Hill Credit Union?

A Not at this time.

Q Did you in the past?

A Yes.

Q And when did that account close?

A I really don't know. I'm going to guess maybe six years ago, seven years ago.

Q And why did you close that account?

A Because I went with The Bank of Boston.

Q Do you have an account at The Bank of Boston now?

THE WITNESS: As Trade Winds Systems?

BY MS. MASTROBATTISTA:

Q A personal account?

A No.

Q Where -- where is your personal account?

THE WITNESS: I don't know if I really have to answer that. Do I?

BY MS. MASTROBATTISTA:

Q Do you have an account at Randolph Savings Bank?

A Yes, I do.

Q You said that you were the owner and president of Trade Winds Systems?

A Um-hum.

Q Who is the vice-president?

A I am.

Q Secretary?

A I am.

Q Treasurer?

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A I am.

Q What are your duties as owner and president of Trade Wind Systems?

A Well, I just oversee the daily operations of the company.

Q Do you go to the offices on a daily basis?

A Um-hum.

Q And where are the offices located?

A Seventy-nine Cedar Street, in Canton.

MS. MASTROBATTISTA: If you could be sure to answer yes or not rather another response, it will be clear for the record.

THE WITNESS: Fine.

BY MS. MASTROBATTISTA:

Q Do you own any other businesses, other than Trade Wind Systems?

A No.

Q Are you a part owner in any other businesses?

A No.

Q Can you tell me about a business called C & D Design?

A Um-hum. Yes. It was an engineering company that was formed -- oh, maybe five years after we were in business. It was in an effort to keep the engineering separate from the contracting company for various reasons.

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Well, as of -- maybe two or three years ago, the company does not exist at this time.

Q Mr. Cooke, can you describe the level of political activity at Trade Wind Systems?

A It was not a lot.

Q Does Trade Wind Systems -- has Trade Wind Systems ever hosted any fund raisers?

A Hosted, no. Participated in, yes.

Q And what fund raisers has Trade Wind Systems participated in?

A There was a campaign, I guess you would call it, relative to Alexander Haig for president, and we participated in that.

Q Any other campaigns?

A I mean, maybe some local stuff, but that's it. Nothing on a federal or state level.

Q Have there ever been any candidates for state, federal, or local office, who have made appearances at Trade Winds?

A Appearances, no. Telephone requests and that type of thing, yes.

Q Has Al Haig ever visited the premises of Trade Wind Systems?

A No.

Q What candidates have called Trade Wind Systems?

A Representative Flood. He is about the most prominent one that comes to mind right now.

Q Has Alexander Haig ever called Trade Wind Systems?

A No.

Q And what was the nature of Representative Flood's telephone call?

A Well, it was the fact that he was running, you know, for State Rep, and, you know, would we be behind him, you know, in terms of his running.

Q In terms of?

A His running for office, okay, whether it would be at a monetary level or help with the campaign signs, signatures, you know, that type of--

Q Does anyone at Trade Winds or has anyone at Trade Winds ever stuffed envelopes for a campaign and that type of thing?

A Yes.

Q What campaign was that?

A We belong to ABC, which is the Associated Builders and Contractors Association. They were having a -- not really a fund raiser, but it was a run against the Davis-Bacon Act, and we were looking to get signatures and this type of thing to bring to the State House and try and get reform in that area. We supported them by getting signatures and that type of thing.

Q Any other occasions?

A Not that I can think of.

Q How did you first learn of Alexander Haig's candidacy?

A Well, we've always seen the paper.

Q At the time that Alexander Haig was running his campaign, what did you know about limits regarding political contributions to federal candidates?

A Basically nothing.

Q Were you aware that there was a -- a limit on how much an individual could contribute?

A Not really.

Q When you say "not really", do you mean you were not really aware of the amount or you were not really aware of the fact that there was a limit at all?

A I would probably say more the amount, rather than the -- I mean, you hear things, you know, about, you know, well, somebody can only, you know, donate X, you know, whether it be on their Federal Income Tax Form or whatever; but to get into the specifics or anything like that, I never did or didn't know what they were. I mean, it could have been ten grand for all I know.

Q Were you aware of any limitations on corporate contributions?

A No.

Q Have there ever been any meetings held at Trade Winds Systems to discuss Alexander Haig's candidacy?

A Yes.

Q How many meetings?

A One.

Q And could you tell me a little bit about that meeting?

A Well, it was basically -- I think he was putting on a fund raiser here at fund raiser here at Fanieul Hall, and we had learned that Billy D. Williams was going to be there. You know, free food, cocktails, chance to meet the would be president. That type of situation.

I forget exactly. I know there was a con -- contribution involved, if you wanted to go to this affair at Fanieul Hall. So, you know, we brought it up. I brought it up, personally.

When I say a meeting, it wasn't a type of, you know, we were all sitting in a room type situation and we're discussing, you know, pro and con of this guy and that type of thing.

It was basically, you know, hey, there is a time going -- being held at Fanieul Hall, Alexander Haig is going to be there, again, Billy D. Williams. The whole thing sounds like a nice affair. Would you like to go. It involves a campaign contribution. I don't remember what it was at the

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time, whether it was $200.00 or whatever it was. That was basically the context of the meeting.

Q Did you attend the fund raiser at Fanieul Hall?

A Yeah.

Q How many employees were at the meeting when you discussed the fund raiser?

A Oh, I'm going to say maybe a dozen.

Q Any persons other than employees?

A No. No.

Q And how did you find out about the fund raiser at Fanieul Hall?

A A developer that I do business with, Kurt Saracin Associates. One of the principals there had told me about it.

Q And who is that individual?

A Dominic Saraceno.

Q When did you first meet Dominic Saraceno?

A I can't really be accurate, but I'd say probably -- if I had to guess, maybe eight years ago. It was somewhere around eight or nine years ago.

Q And how--

A Ten.

Q How did you first meet him?

A Through a -- you know, project that he had.

Q With Kurt Saracin Associates?

A Yes, and being HAFC (phonetic) contractors, you

know, they had asked us to come to a meeting and, you know, discuss the project. That's when I first met him.

Q So Trade Winds did business with Kurt Saracin Associates?

A Yes.

Q Did work for Kurt Saracin Associates?

A That's correct.

Q Does Trade Winds currently do work for Kurt Saracin Associates?

A No.

Q When was the last job you had of Kurt Saracin's?

A Oh, I'd say about two years ago.

Q How would you describe Dominic Saraceno?

THE WITNESS: In terms of what?

MS. MASTROBATTISTA: Personality.

A He's fine. He's a great guy.

Q Outgoing?

A Yeah, outgoing, down to earth. You know, very business like. He's fine. I mean--

Q How often has he been to Trade Winds' offices?

A I don't think he's ever been there.

Q Never?

A Never.

Q Have you had any recent conversations with Dominic Saraceno, within the past year?

THE WITNESS: Within the last year? Let me see?

A Yeah.

Q And what was the nature of your conversation?

A Just what's going on in business, you know, Wellsely and that type of thing; the economic conditions; are you building anything; you know, do you have any work. That type of thing.

Q And did you call him or did he call you?

A Oh, I called him.

Q And, basically, you were looking for work?

A Um-hum.

Q What was Dominic Saraceno's relationship with the Haig Committee?

A I don't know.

Q Did you ever attend any meetings with Dominic Saraceno, to discuss the Haig Campaign?

A No.

Q Have you ever had any discussions with Dominic Saraceno, over the telephone, to discuss the Haig Campaign?

A Yeah.

Q How many?

A A couple maybe.

Q And what was the nature of your conversations?

A Oh, they were, basically, that he was involved in

someway. I don't know what his official capacity was with the campaign. I mean, I never asked the question. I mean, it's irrelevant to me.

It was, you know, this guy is a good guy. He has a shot at, you know, doing something. Yeah, okay. That type of situation.

I mean, it was never really anything that was going to involve me in it, you know, at possibly the level he was at.

Q Did Mr.--

A Whatever that was.

THE WITNESS: Go ahead?

BY MS. MASTROBATTISTA:

Q Did Dominic Saraceno invite you attend any fund raisers?

A Yes.

Q How many?

A Two, I believe.

Q And can you tell me a little bit about those two?

A Well, one of them was at Fanieul Hall, the one I explained to you before; and the other one was at his home.

Q Do you recall the time period of the fund raiser that was held at his home?

A No. I think -- well, let me see, the election would have been, what, in November. So I'm going to say it

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was sometime during the summer--

Q Was it--

A --'87. I think so.

Q Was it before or after the Fanieul Hall fund raiser?

A Oh, geez, I don't remember now. I'm going to say before. I think it was before it.

Q And how many people were at the fund raiser at his home?

A Oh, I have no idea. It was a lot of them.

Q More than 10?

A Yeah.

Q More than 50?

A Between 10 and 50. I mean, it wasn't 100, okay. I think it was something less than 50. Whether 30 or 20, I mean, I have no idea.

Q Did anyone go with you to the fund raiser at his home?

A Yes.

Q Who was that?

A That would be Abby Allard.

Q Did anyone else from Trade Winds attend the fund raiser at Dominic Saraceno's home?

A Not that I remember.

Q Was Alexander Haig there?

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A Yes.

Q Did he make a speech?

A Yes.

Q And what did he talk about?

A Patriotism, this, that, and the other thing.

Q Was Billy D. Williams there?

A No.

Q Anyone else that you recall?

THE WITNESS: In terms of?

BY MS. MASTROBATTISTA:

Q Who was there at the fund raiser?

A There were other business associates and stuff like that, but that's all I remember. Nobody of prominence, other than Alexander Haig and his wife.

Q What other business associates can you identify who were at his home?

A There was a glass guy there that does business with him. I don't know who. I don't even know his name. I really don't.

Q Someone how is in the glass business?

A Yeah. He -- he is in the glass business. There were some accounting people there; some engineering people. His family was there.

Q Dominic Saraceno's family?

A Yeah. His wife, and his son, and his daughter.

You know, like I said, names I don't know. I mean, some of the people I had never even seen before or, you know, you know how those things are. I mean, you go there, you do your thing, and psst, gone.

Q Did you have dinner at his home?

A No. They had little hors d'oeuvre and stuff, and that type of thing, but, otherwise, no.

Q Did you make a contribution to the Haig Campaign, in connection with that fund raiser?

A Yes.

Q And how much was that contribution?

A Um, I don't remember to tell you the truth. I really don't.

Q Was a contribution required, in order to attend the fund raiser, at Dominic Sar--

A No.

Q --aceno's home?

A I don't think so. I don't think it was -- I mean, I said, geez, I'd like to go to the thing just to see the guy and meet him, and make some decisions, based on the fact that you're going to have him at his house. I'm sure he wouldn't have said, well, you know, make a contribution or forget it. I'm sure you could have gone and just met him.

Q Are you familiar--

A I'm assuming that anyway, let me put it that way.

You know, I don't know for sure.

Q You didn't have a -- an issued invitation in order to get in the door then?

A No, I don't think so. Not that I remember.

Q Are you familiar with an organization called Silent Wings?

A No.

THE WITNESS: What is it?

(Pause.)

BY MS. MASTROBATTISTA:

Q Have you ever attended any fund raisers for Alexander Haig, other than the fund raiser at Faneuil Hall and the fund raiser at Dominic Saraceno's home?

A Not that I remember. Those were the only two occasions.

Q Did you attend a fund raiser at the Waldorf Astoria Hotel, in New York City, in March of 1987?

A No.

Q Were you invited to attend this fund raiser?

A No.

Q Did you attend a fund raiser at the home of David Goldman, in Rhode Island?

A No.

Q Do you know David Goldman?

A No.

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Q Ever heard the name before?

A No.

Q Have you ever received any communications from the Haig Committee?

A Yes.

Q What types of communications?

A Thank you for your donation, that type of thing. The kicker was after the thing was all over, they were looking for some -- for additional campaign contributions. I was, like, hey.

Q Do you still have any of these communications today?

A No.

Q What did you do with them?

A I don't remember. They may have wound up in the trash. They may still be in a file somewhere at my home. I don't know. I mean it is kind of tough to remember what you did with a piece of paper.

Q You said earlier that you made a contribution to the Haig For President Campaign, and that was in connection with the fund raiser at Dominic Saraceno's home; is that correct?

A Yes.

(Pause.)

MS. MASTROBATTISTA: Mr. Cooke, I'm handing you a

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one-page exhibit -- document which is marked as FEC Exhibit 1.

THE WITNESS: Yes.

BY MS. MASTROBATTISTA:

Q I'd like for you to take a look at that for just a moment?

A Um-hum.

Q Have you seen this before?

A Obviously.

Q Can you describe FEC Exhibit 1, please?

A It's my check made out to Haig For President for $1,000.00.

Q And the date is?

A April 29th of '87.

Q And is that your signature at the bottom of the check?

A Yes, it is.

Q Was this the contribution that you referred to earlier, that you made to the Haig For President Campaign?

A Yeah. I didn't know -- I didn't remember what it is. Okay, it was $1,000.00 obviously.

Q Have you made any other contributions to the Haig For President Campaign, other than this $1,000.00 contribution?

THE WITNESS: Well, you'll have to kind of be more specific or maybe I can ask you a question, and then you can

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clarify something for me?

MS. MASTROBATTISTA: Please, do.

THE WITNESS: The -- the Fanieul Hall party, if that's what you want to call it, money was given for that. Now, whether it was used for a contribution into his fund or that was sort of the price to attend the party and part of that went into his fund and part of that was to pay for the -- for the party or something like that, I don't know, but I know I had to pay to go to that.

A So I mean, those were the only two times I'm aware of that I, you know, made money available.

MS. MASTROBATTISTA: Let me ask you a different question.

BY MS. MASTROBATTISTA:

Q Have you written any checks to the Haig For President Campaign, other than this $1,000.00 check?

A Possibly one other; yes.

Q In connection with the Fanieul Hall?

A I think so. Yeah.

Q Do you recall the amount of that check?

A No. It may -- no. I could guess. I'd say maybe $200.00. I don't know. I would guess that's about what it was.

Q And that was the price of a ticket to go to the Fanieul Hall fund raiser?

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A Ye -- well, I don't know if it was a ticket. I don't know if we had to have tickets or not. I don't remember, but I -- you know, I know it was -- we were all going to a party to meet Billy D. Williams and get his autograph and all that stuff.

Q Did you get Billy D. Williams' autograph?

A Un-huh.

Q Do you still have it?

A Yeah, I think so.

Q But you think that you wrote a personal check to the Haig for President Campaign, to attend that fund raiser?

A I think so.

Q Would it have been on the same account or the Blue Hill Credit Union?

A I don't know. I mean, you find -- you may find that a strange answer, but I don't remember, you know, exactly what was on the check that I wrote for that type of thing four years ago. I mean, I really don't. So rather than say yes, I mean, you know, I don't know. I really don't.

Q Why was this check--

A In fact, I didn't even remember having that check -- that checking account, as recent as '87, for Blue Hills. I thought it was further than that that I had cancelled it, but that's neither here nor there.

Q Why was the check, which is Exhibit 1, in the

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amount of $1,000.00? Why $1,000.00? Why not $500.00? Why not $250.00?

A Oh, I think when we were asked to go, we were told that, you know, a contribution, okay, not would be expected, but Haig's running for president. He needs money for this, that, and the other thing. I think the question was well what is customary at something like this, and a $1,000.00 figure was mentioned, I guess, and bingo, that's why I wrote it. I mean, if they had said $500.00, it probably would have been $500.00.

Q And who is they?

THE WITNESS: In terms of?

MS. MASTROBATTISTA: Of who you spoke to and said a contribution is customary and the amount was 1,000.

A I believe it was Dominic.

Q Dominic Saraceno?

A Yeah.

Q Did you ever speak to anyone else who worked for the Haig Campaign, other than Dominic Saraceno?

A Not that I recall.

Q Did Dominic Saraceno tell you that the maximum amount you could give was $1,000.00?

A No.

Q So this $1,000.00 contribution was in connection with the fund raising event at Dominic Saraceno's house?

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A Um-hum.

Q Which Dominic Saraceno invited you to attend?

A Um-hum.

Q Was that a written invitation or over the phone?

A I don't remember, to tell you the truth, Mary. I -- I -- somehow I was invited, whether it was a written invitation or a phone call or he sent me a letter or that type of thing, I don't remember.

Q Did you bring the check to the fund raiser with you?

A I don't remember. I don't know if it was something that I gave to him or presented at the fund raiser. I don't remember. I really don't.

Q So you may have mailed it in advance or you may have delivered it at the fund raiser?

A Yeah. I'm not sure how that went.

Q If you mailed it in advance, would you have mailed it to Dominic Saraceno, at his home?

A Probably not. Probably would have went to his business address.

Q To Kurt Saracin Associates?

A Yeah.

Q Where did the money come from for the $1,000.00 contribution, which you made to Haig For President?

A Out of my checking account.

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Q Your personal checking account?

A Yeah. That one.

Q "That one" refers to--

A I was referring to Exhibit 1.

MS. MASTROBATTISTA: Thank you.

BY MS. MASTROBATTISTA:

Q And what type of funds were deposited into the Blue Hill Credit Union account? Paychecks?

A Yeah. Paychecks. I do some consulting work for the insurance industry, and that type of thing.

Q Can you think of any other contributions, any other checks that you may have written to Haig For President, other than the $1,000.00 check, and other than a possible contribution in connection with the Fanieul Hall fund raiser?

A Not that I'm aware of, or not -- not that I remember, let me put it that way.

Q Have any employees of Trade Winds Systems made contributions to Haig For President?

A Yeah.

Q How many?

A Let me guess. Maybe a dozen.

Q And can you tell me about the circumstances of the employee's contributions?

A Well, as I said previous, you know, the thing at Fanieul Hall was being held -- the, you know, election party.

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I went to the employees and told them about it, and the fact of who was going to be there, and, you know, that type of thing, and if you'd like to go, it would be, you know, a donation to his campaign for X and that type of situation.

Q How did you pick the employees that you told about it?

A It was mostly office personnel and shop employees. The field personnel are really outside most of the time, and you don't really have a lot of contact with them. They're out, you know, in different cities and different towns, you know, doing heating and air conditioning for the buildings that we build.

So you don't have a lot of contact with the field people. So it was, basically, office and shop personnel.

Q Why did you ask employees if they would be interested in attending the fund raiser?

A To tell you the truth, I thought it would be a good time.

Q You thought that they might be interested in attending?

A Interested in attending and maybe, you know, meeting, you know, a candidate for presidential election, and, you know, that type of thing. You know, rub elbows, whatever. I mean--.

Q Did you ask anyone other than employees of Trade

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Wind Systems if they would be interested in attending the fund raiser at Fanieul Hall?

A Um.

Q Who did you ask?

A My mom. I think I said to the employees, you know, if you know of, you know, somebody, you know, that's a friend or something like that that may want to go, ask them. You know, but it involves a contribution and that type of thing.

Q Once the employees wrote checks for the Fanieul Hall fund raiser, who--

THE WITNESS: Um-hum?

BY MS. MASTROBATTISTA:

Q --who collected all the checks?

A I did.

Q And what did you do with them?

A I don't know. We had a -- I think we had to fill out some forms and stuff. I forget now. Let me see. I know there were some forms that had to be filled out. I think the checks were attached to the forms or something and put altogether, and then I think they were sent off to Washington or something. I really don't remember.

Q To the Haig campaign?

A I think so. Yeah. I really don't remember where they were sent.

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Q Did you hand deliver the checks to Dominic Saraceno?

A I think all the paperwork went there, and then it was being taken from there and sent down to Washington or something.

Q When you say "the paperwork went there", there meaning?

A To Kurt Saracin Associates.

Q Did you hand deliver the paperwork to Kurt Saracin Associates?

A I believe I did; yes.

Q And who did you hand the paperwork to?

A Dominic.

Q Dominic Saraceno?

A Um.

Q And what did you tell Dominic Saraceno about the contribution checks?

A Nothing.

Q Did you have any conversation with him, regarding the checks?

A No, only that we had a good time at the party and that type of thing.

Q Were the checks delivered before the party or after?

A I think it was after.

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Q And I may have asked you this earlier, did you need a ticket to get to the party at Fanieul Hall?

A I don't remember. You asked me if there was a formal invitation or you needed a ticket and -- I don't remember, to tell you the truth.

Q Did you collect contributions for the fund raiser at Fanieul Hall from other companies that you may have been associated with at the time, other than Trade Winds? C & D Design?

A No.

Q Who attended the fund raiser at Fanieul Hall from Trade Winds?

A I'd probably say -- maybe, 60 or 70 percent of the people.

Q Sixty per -- seventy percent of the people who work at Trade Winds?

A No. Who made donations.

Q Any specific names?

THE WITNESS: Let me see?

(Pause.)

A I know I went.

(Pause.)

A I think our shop foreman, Guy Shorter and his wife went, I think.

Q Guy Shorter?

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A Um. Some of the secretaries went. Let me see, I think our outside superintendent.

Q Who is?

A Frap.

Q Frap?

A Arsene Frappier.

Q Arsene Frappier?

A Um-hum. Well, he says Arsene fire and Arsene rain, but anyway, it's -- to tell you the truth, how out of all them, to remember their names and stuff, I don't know; but I know a good portion of them showed up, which I was, you know, it was nice. You know, it was a pretty good crowd there.

Q Did Abigail Allard attend?

A Yes.

Q And did she make a contribution in connection with the fund raiser?

A That I don't know. She may have.

Q Did Dennis Cooke attend?

A That I don't know either.

Q Did Mary Cooke attend?

A No.

Q Were employees of Trade Wind Systems reimbursed for their contributions to the Haig Committee?

A Some.

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Q Which employees?

A That I don't remember. I don't remember specific names, okay, Mary. I believe the course of events were some of the people said, gee, I'd love to go, but I just can't come up with the hundred or two hundred bucks or whatever it was to go. I had said, well, look it, you know, I have personal money of my own. I'll make that -- you know, I'll give you the money to be able to do it, all right, and then pay me back, you know, 50 bucks a week, 10 bucks a week, you know, until it's cleared up. Some of them did it that way.

Q So you expected the employees to reimburse you for the money that you gave them to be able to attend the fund raiser?

A Yeah. There -- there was -- I don't remember who it was now, specifically, who did it, but there were some that did.

Q Did you ask the employees to sign a written loan agreement when you did this?

A No.

Q How many employees total made contributions to attend the fund raiser?

A Exact number I don't know. I'm guessing maybe 12.

Q Maybe 12? And of them--

A It could be 15, but I'm saying in that area. It wasn't, again, 50. It wasn't five. All right, and I knew it

wasn't 25. I'm guessing somewhere around 12, maybe something like that.

Q And of those 12 employees--

THE WITNESS: Um-hum?

BY MS. MASTROBATTISTA:

Q --how many agreed to pay you back because they were unable to pay for the full cost of attending?

A I'm going to say maybe three or four of them.

Q So as far as the other eight or so employees who are concerned, they were not reimbursed for their contributions?

A No.

Q You did not offer to advance them the money or loan them the money for their contributions?

A No.

Q And as far as you know, their contributions were paid for with their own personal funds?

A Um-hum. Yes.

Q For those employees who wanted to attend but were unable to afford the price of attending--

THE WITNESS: Um-hum?

BY MS. MASTROBATTISTA:

Q --how did you pay for their ticket? Did you write them a check?

A No, basically, what they did is -- I believe they

made out a check to the Haig For President Committee, and I reimbursed them so they could put that money back in their account, until they could pay me the 400 that I lent them or 300 or 200, whatever it was, back.

Q So you lent them the money by check?

A No.

Q You lent them the money by cash?

A Yes.

Q Did you just happen to have that much cash in your wallet at the time?

(Pause.)

A I think it was done on two different occasions, but I probably did.

Q So you normally walk around with $500.00 of cash in your wallet?

A I would say yes.

Q Of those three or four employees who wanted to go and offered to reimburse or to pay you back for the price of attending, have they paid you back?

(Pause.)

BY MS. MASTROBATTISTA:

Q Yes or no?

A No.

Q Have they paid you back any amount toward that price?

A No.

Q Have you asked for them to pay you back?

A No.

Q Why not?

A I don't know. I should, but it just didn't seem, you know. I think I did mention it maybe once or twice. I don't even know if some of them are still there. They may be gone from the company.

Q Mr. Cooke, let me read to you--

THE WITNESS: Um-hum?

BY MS. MASTROBATTISTA:

Q --a list of names; and if any of these employees borrowed money from you to attend the fund raiser at Faneuil Hall, let me know?

A Um-hum.

Q Maureen Becker?

A Not that I remember.

Q Richard Clegg?

A Not that I remember.

Q Mary Cooke?

A Not that I remember.

Q Dennis Cooke?

A No.

Q Bobby Cowart?

A He may have been on one of them.

Q Anthony DiBona?

A No, I don't think so.

Q Arsene Frappier?

A No, I don't think so.

Q Gregory Gagnon?

A No.

Q Richard Knowlton?

A No.

Q Dennis Morancy?

A No. I don't think so.

Q Daniel O'Hara?

A No.

Q Mary O'Hara?

A No.

Q Frederick Shea?

A He may have been on one of them, too.

Q Nancy Stockus?

A No.

Q Kimberly Stockus?

A No.

Q Maureen White?

A No.

Q So the only individuals on the list of names that I gave to you that you may recall as having loaned money to are Bobby Cowart and Frederick O'Shea -- and Frederick Shea?

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A Those are the two that I remember right now, I believe.

Q Have you--

THE WITNESS: Was that -- was that a complete list of names?

MS. MASTROBATTISTA: That's the list of names that I gave you.

BY MS. MASTROBATTISTA:

Q A complete list of names, as to?

A People that donated.

MS. MASTROBATTISTA: No.

THE WITNESS: Oh, okay. So there could be other people?

MS. MASTROBATTISTA: There could be.

THE WITNESS: Right.

BY MS. MASTROBATTISTA:

Q How did you ask Dennis Cooke if he wanted to attend the fund raiser at Faneuil Hall?

A The same way I did with everybody else, like I explained before.

Q Was he in a group that you addressed? Was it a group or was it individual?

A No, it was more or less small groups at different times. You know, like I said, not everybody -- you have to understand our business. We're not there -- I mean, it's an

in and out, on the road, field, shop, office type situation.

So you really can't -- I'm going to say, you know, say to everybody, you know, you all got to be here at a certain time, and that's that, and I'm going to address the situation. You know, I mean, it was it done in much smaller groups. You know, catch as catch can.

Q And, basically, you -- you asked people if they would like to attend the fund raiser?

A Yes.

Q And described a little bit about it?

A Right.

Q You did not offer to pay for the tickets for your employees?

A No, I told them it was a, you know, a contribution.

Q So the contribution was voluntary on their part?

A Um-hum.

Q Did you pressure employees to contribute?

A I don't think so.

Q Did any--

A I certainly didn't tell them if they didn't contribute they were going to be fired or anything like that.

Q Did any employees decline to attend?

A No, not the ones I asked.

Q So everyone you asked was interested in attending

and wrote a personal check with their own money to attend the fund raiser?

A Yes.

Q What about Mary Cooke? How did you ask Mary Cooke to attend?

A At her home.

Q And what was the substance of your conversation?

A Basically, I asked her if she'd like to attend this thing, and she said she would. She happened to be one of the ones that didn't show up. That night I was going to pick her up, obviously, she -- you know, she can tell by that she's my mom. Right?

She had something else -- she's like, I totally forgot, and I got to go do this thing. You know, that type of thing.

Q Did you offer to pay for her ticket?

A No.

Q Who was your accountant at the time for Trade Wind Systems?

THE WITNESS: This is in what? In '87; right?

MS. MASTROBATTISTA: In '87.

A I'm not sure, but I think in '87 we were in a transition period. It was either Schwartz & Fortin or Kennedy & Lehan. It was one of the two. I'm not sure.

Q Do you -- do you recall any particular individual

names?

THE WITNESS: As far as?

MS. MASTROBATTISTA: The accountant. You gave me the names of firms, I believe.

THE WITNESS: Right.

BY MS. MASTROBATTISTA:

Q Do you recall any individuals who worked for those firms?

THE WITNESS: At which ones? Both of them?

MS. MASTROBATTISTA: Either one, who may have been your accountant in the fall of 1987.

A Well, it was probably either Richard Fortin or Clark.

(Pause.)

BY MS. MASTROBATTISTA:

Q Did you have an accountant at anytime who was called Joe Teebage, T-E-E-B-A-G-E?

THE WITNESS: Joe Teebage?

BY MS. MASTROBATTISTA:

Q Teebage?

A He wasn't an accountant.

Q Was he an employee of Trade Winds?

A Yeah.

Q And what was his position?

A Nothing. He was just a -- he posted things to the

general ledger and things like that. He kept the receivables in order. He certainly was no accountant.

Q What was his title?

A He didn't have one.

Q So he was an office type person?

A That's all.

Q He wasn't a sheet metal worker or engineer?

A Absolutely not.

Q Did Joe Teebagg attend the fund raiser at Fanieul Hall?

A I don't remember.

Q Did you ask him if he would like to attend?

A I don't remember specifically.

Q Does he still work for Trade Winds Systems?

A No.

Q I believe you said earlier that you delivered the contribution checks to Dominic Saraceno to Kurt Saracin Associates; is that correct?

A To the best of my recollection, Mary.

Q And what conversation did you have with Dominic Saraceno, when you delivered the contribution checks?

A Not much, other than here is -- you know, an envelope with the forms filled out and checks; and, you know, it as a nice time; thank you; see you later.

Q Did Dominic Saraceno expect you to come up with a

certain number of checks or individuals to attend the fund raiser?

A I don't think so; no. There was never any mention of it.

Q Did he specifically ask you to ask employees of Trade Winds Systems, if they would like to attend?

THE WITNESS: When you say specifically, what do you mean?

BY MS. MASTROBATTISTA:

Q Did he ask you directly to ask employees of Trade Wind Systems if they would like to attend?

A I think it was more would you like to go to this affair to me: and if any other people, employees, relatives that would like to attend, you know, they're more than welcome.

Q You said earlier that you loaned the money to a few employees so they would be able to attend the fund raiser at Fanieul Hall?

A Um-hum.

Q Where did that money come from that you loaned the employees?

A Me.

Q Was that your own personal money?

A Yes.

Q Did you withdraw that money from your bank account

at the time?

A I don't remember, Mary. I may have had it, you know, some of it in my pocket. I may have, you know, taken it out of my account. I don't remember.

Q Was that money money that belonged to Trade Wind Systems?

A No, it was my money.

Q It was not corporate money?

A No.

Q And how are you sure of that?

THE WITNESS: How am I sure of it?

A Because it was in my possession, that's how I'm sure of it.

Q Have you ever received loans from the corporation -- a personal loan?

A Yeah.

Q And could the money have come from a personal loan that you received from the corporation?

A I doubt it very much. I mean, it could have -- let's put it this way -- indirectly. In other words, if -- oh, I don't know, if I -- if I borrowed some money from the corporation and hadn't paid it back yet, within a year period or a two year period or something like that, maybe indirectly you could consider that -- could consider that coming from the corporation, but I don't because the corporation loaned that

to me. They -- that's my personal money at that point in time.

Q When the corporation loans money to you, do you fill out any paperwork to reflect that transaction?

A Sometimes yes; sometimes no. It's not done -- it's a small company, so you have to realize things are pretty free and, you know, that type of thing.

It -- it certainly goes in as part of our bookkeeping process. All right, it's not that I just take money out and disregard it and, you know, I don't owe it back or anything like that.

Q Who, in your bookkeeping process, would handle that transaction?

A Um, I would say probably right now Maureen White.

Q And in 1987, would it have, also, been Maureen White?

A No, probably Nancy. At that time, Nancy Stockus.

Q Nancy Stockus?

A Um-hum.

Q Does Nancy Stockus still work for Trade Winds?

A No.

Q And when did she leave?

A Um, about a year ago.

Q Do you know where she works now?

A I think she has an ice cream business or

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something.

Q She owns an ice cream business?

A Yeah.

Q In Massachusetts?

A Yeah.

Q Is it in Boston or--

A No.

Q Do you know where it is?

A I think it's in -- here we go again. I'm not sure which one of the Bridgewaters. It's in one of the Bridgewaters. See, there is, like, East Bridgewater, West Bridgewater, South Bridgewater, Bridgewater. I'm not sure which one it is, but I think it is one of the Bridgewaters.

MS. MASTROBATTISTA: Okay.

BY MS. MASTROBATTISTA:

Q You said earlier that -- you made a reference to some forms that were filled out, and you said that they were filled out, and I think that they were delivered to--

A Um-hum.

Q --Kurt Saracin Associates?

A Um-hum.

Q Where did you get the forms from?

A I think Dominic gave them to me. I think he said in order to keep everything the way things should be -- whether they are structuring rules for, you know, an election

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or whatever, I don't know; but he said that these forms have to be filled out and presented with each one of the checks. That's all I knew about it.

Q And who filled the forms out?

A I don't remember. I would assume -- hum, I don't know, Mary. I would assume the employees, possibly.

(Pause.)

MS. MASTROBATTISTA: Mr. Cooke, I'd like to hand you an eleven page document, which has been marked FEC Exhibit 2.

THE WITNESS: Yeah.

BY MS. MASTROBATTISTA:

Q I'd like for you to take a look at that for a minute?

A Um-hum.

(Pause.)

THE WITNESS: Okay?

BY MS. MASTROBATTISTA:

Q Have you seen these documents before?

A No.

Q When you made a reference earlier to forms that were filled out--

THE WITNESS: Yeah.

BY MS. MASTROBATTISTA:

Q --were you talking about the bottom half of these

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pages? Were these the forms that you were referring to?

A I didn't -- all I knew was there was some kind of form that had to be filled out.

Q Does this form look familiar; enclosed is my personal contribution of, with an amount, name, address, telephone number, occupation, employer?

THE WITNESS: Tell you the truth?

MS. MASTROBATTISTA: Please.

THE WITNESS: Well, yes.

A I never even looked at them.

Q You never--

A All I knew was that they had to be filled out by -- I believe they said the individual that was presenting the check; and, I mean, I just passed them out. I mean, I didn't look at them.

These are probably the forms. Yeah, they probably are, but I'm just saying that I didn't really scrutinize them. If you asked me if these are the exact ones, I mean, you could have changed four things in there and I don't know.

I mean, I just -- all I'm saying to you is, yeah, this looks like the form. Is it or not, I don't know.

Q Did you fill these forms out?

THE WITNESS: Me?

MS. MASTROBATTISTA: Yes.

A No.

MS. MASTROBATTISTA: I'd like you to notice that on most of the forms that the type is identical.

THE WITNESS: Um-hum. I tell you I didn't fill them out.

BY MS. MASTROBATTISTA:

Q Why is that?

A Because I didn't.

Q Do you type?

A No. I wouldn't sit down to type it anyway.

Q Did any employee of Trade Wind Systems fill these forms out?

A I don't know. I really don't, Mary.

Q How can you explain that the type on most of the forms is identical?

A Probably somebody sat down and did it.

Q And who would have access to the information necessary to fill these forms out; such as, the address, telephone number, and occupation of the employees?

A Probably half a dozen people in the company.

Q Who are?

A Nancy Stockus, Mary White, Abby Allard, Joe Teebage, Richard Clegg, Arsene Frappier, Guy Shorter. I mean, you know -- I mean, almost all of these people could go to somebody and say, you know, I want to send this Christmas card to so and so, can you give me their address. I mean,

that would happen.

Q Of all of these people that you listed -- you listed, seven names?

A Um-hum. Yeah.

Q Who was likely to sit down at a typewriter and type? Guy Shorter?

A No.

Q Arsene?

A No. Nancy, Maureen. Those are probably the two.

Q Nancy Stockus and Maureen?

A White.

Q White?

A Um-hum.

Q Is Abby Allard an employee of Trade Wind Systems?

A Yes.

Q And what is her title?

A Secretary.

Q And how long has she been secretary?

A A year.

Q Was she employed at Trade Wind Systems prior--

A No.

Q --to that? I'm sorry?

A No.

Q Is it possible that Abby Allard filled these forms out in 1987?

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A No.

Q Do you recognize the type, as being a Trade Winds typewriter?

A No. I thought -- this is my own personal feeling. I thought the person making out the check was suppose to fill that form out for some reason.

I don't know why, but that's what we were requested to do. So I passed them out. After that, all I know is, you know, they were in a package, with the checks and, psst, off they went.

Q So you made the forms available to the individual employees?

A That's all.

Q And then you collected the forms and the checks from the employees?

A Well, I wouldn't say I did it, you know. They probably came to Nancy and put it on her desk. She put them on my desk or whatever; or just put everything in an envelope and that was it. You know, here is the checks and those forms and psst.

MS. MASTROBATTISTA: Of these individuals let me know who attended the fund raiser at Fanieul Hall.

BY MS. MASTROBATTISTA:

Q Maureen Becker?

THE WITNESS: If you're going to go right down

that list, I'm going to tell you right now, I cannot remember who was there or who wasn't there proof positive, Mary; and I am not going to answer a question and have it come back on me.

MS. MASTROBATTISTA: Well, if there is any individual who you recall was there at the fund raiser, let me know.

BY MS. MASTROBATTISTA:

Q Maureen Becker, Ric--

A I don't--

Q --hard--

A --know.

Q Richard Clegg?

A I don't know.

Q Mary Cooke?

A I don't know.

Q Did you say before that Mary Cooke--

A No, she didn't go.

Q Definitely was not there?

A Did not go.

Q Dennis Cooke?

A I don't know.

Q Bobby Cowart?

A I don't know.

Q Anthony DiBona?

A I don't know.

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Q Arsene Frappier?

A I don't know.

Q Gregory Gagnon?

A I don't know.

Q Richard Knowlton?

A I don't know.

Q Dennis Morancy?

A I don't know.

Q Daniel O'Hara?

A I don't know.

Q Mary O'Hara?

A I don't know.

Q Frederick Shea?

A I don't know.

Q Nancy Stockus?

A She was there, I believe.

Q Kimberly Stockus?

A I don't know.

Q Maureen White?

A I don't know.

Q Abby Allard?

A She was there.

Q Did you drive into Boston to attend the fund raiser?

A I don't remember. I may have taken the T.

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Q The T?

A Um-hum.

Q The train?

A Um-hum.

THE WITNESS: I feel like Edward Kennedy Smith here.

BY MS. MASTROBATTISTA:

Q Would you like to take a break?

A No.

Q Once you got to the fund raiser at Fanieul Hall, how many people were there?

A I have no idea.

Q Over 100?

A I have no idea.

Q Was there a private reception that you attended prior to the fund raiser event at Fanieul Hall?

A No.

MS. MASTROBATTISTA: Mr. Cooke, this is a one page document, which has been marked FEC Exhibit 3--

THE WITNESS: Um-hum.

MS. MASTROBATTISTA: --which I'm handing to you.

THE WITNESS: Um-hum.

BY MS. MASTROBATTISTA:

Q I'd like you to take a look at this for a minute?

(Pause.)

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THE WITNESS: A thousand dollars?

(Pause.)

THE WITNESS: Okay?

BY MS. MASTROBATTISTA:

Q Have you seen this document before?

A No.

Q You don't recall receiving this in the mail?

A No.

Q If you had received this in the mail, would you recall it now?

A Probably not.

Q So just because you don't recall seeing this before, doesn't mean that--

A Doesn't mean I didn't get it, but I -- I don't remember seeing it. No.

MS. MASTROBATTISTA: Okay.

(Pause.)

BY MS. MASTROBATTISTA:

Q Mr. Cooke have you ever been to any meetings with staff members of the Haig Committee?

A No.

Q Have you had any telephone conversations with staff of the Haig Committee?

A No.

Q Other than Dominic Saraceno?

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A No.

Q Have any of the Haig Committee staff members visited the premises of Trade Wind Systems?

A No.

Q What can you tell me about Olympic Bank?

A Not much.

Q Anything?

A Um, I know it's here in Boston. Um, I know Dominic has something to do with it, in an official capacity. That's about it.

Q Do you know anything about contributions to the Haig candidacy from Olympic Bank employees?

A No.

Q What can you tell me about a business called the Fellows Corporation?

A Nothing.

Q Have you ever heard of the Fellows Corporation?

A No.

Q Do you know an individual called Joseph Smith, President of the Fellows Corporation?

A No.

Q David Goldman?

A No.

Q Crown Controls Corporation?

A Nope.

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Q Saracin Investments?

A Nope. That's a new one.

Q Kurt Saracena? Do you know an individual called Kurt Saracena?

A No.

Q I think you said earlier that Dominic Saraceno's family was at the fund raiser, at his house; and I think you said his son and his daughter?

A I believe so.

Q Who are they -- their names?

A I know his son is Ted. I don't know his daughter's name. I forget it. It might be Heidi. I think that may be it.

Q And does he have--

A I'm not sure.

MS. MASTROBATTISTA: I'm sorry.

BY MS. MASTROBATTISTA:

Q Does he have just one son and one daughter?

A I don't know, to tell you the truth. Those are the only two that I have ever met, let me put it that way. He may have six more kids somewhere, but I never met them.

Q On how many occasions have you been to Dominic Saraceno's home?

A Um, twice.

Q And what were those occasions?

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A One was that fund raiser; and the other time he had a problem with his heat; and I went and took a look at it for him. That was it.

Q Have you heard of a committee, which is called Committee For America?

A No.

Q CFA?

A No.

Q Do you know an individual named Judith Curtin?

A Yes.

Q How do you know Judith Curtin?

(Pause.)

A Ah, I remember. Olympic Bank had just been formed somewhere around that time or maybe a little bit before. I'm not sure of the dates.

I think she was some kind of a -- a sales representative or account representative or that type of thing; and she had come to me and asked me if I would consider changing banks and doing my -- the business that I'm now doing with whatever bank it was at that time -- Bank of Boston, I believe -- and switching over to Olympic.

I said, no, I'm not doing any of that. I've been with Bank of Boston for, at that time, maybe ten, twelve years, and that I wasn't interested in changing over. That's what I knew about her.

Q Have you ever had an account at Olympic Bank--

A No.

Q --personal or business?

A No.

Q Do you know an individual named Victor Niccolazzo?

A Um--

(Pause.)

A No.

Q William O'Brien?

A No.

THE WITNESS: I play with a Niccolazzo. I play with golf with him, but it's not Victor.

BY MS. MASTROBATTISTA:

Q Does he work for Olympic Bank?

A No.

THE WITNESS: Why were those all people on the Board or whatever?

MS. MASTROBATTISTA: Mr. Cooke, I want to go down--

THE WITNESS: Wait a minute. Why can't you answer my questions?

MS. MASTROBATTISTA: Because I'm here to ask the questions.

THE WITNESS: Okay.

MS. MASTROBATTISTA: I want to go down the list of

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names I have for a minute, and I'd like you to tell me if these individuals are still employed at Trade Winds.

BY MS. MASTROBATTISTA:

Q Maureen Becker?

A No.

Q Richard Clegg?

A Yes.

Q Dennis Cooke?

A Yes.

Q Bobby Cowart?

A No.

Q Anthony DiBona?

A No.

Q Arsene Frappier?

A Yes.

Q Gregory Gagnon?

A Yes.

Q Richard Knowlton?

A No.

Q Dennis Morancy?

A Yes.

Q Daniel O'Hara?

A No.

Q Frederick Shea?

A No.

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Q Nancy Stockus?

A No.

Q Kimberly Stockus?

A Never was.

Q Maureen White?

A Yes.

MS. MASTROBATTISTA: Okay. I think this would be a good point to take a ten minute break. Off the record.

(Whereupon, a brief recess was held.)

MS. MASTROBATTISTA: Back on the record.

Mr. Cooke, I'd like to remind you that you're under oath and Title 18 of the United States Code, Section 1621 subjects you to criminal prosecution for failing to tell the truth in response to our questions here today.

BY MS. MASTROBATTISTA:

Q Do you understand that you're under oath?

A Sure.

MS. MASTROBATTISTA: I'd like to go back, if we can, for a moment to the circumstances surrounding the meeting, which you had at Trade Winds to ask employees if they would like to attend the fund raiser at Faneuil Hall.

THE WITNESS: Um-hum.

BY MS. MASTROBATTISTA:

Q Can you go back and tell me about that, again, please?

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A Basically, consisted of not getting together as a group of all the people that were involved, but because of the way things were run at the company, it was like a small group when I could catch them, and another small group when I could catch them. Some people were one on one.

I, basically, told them what the circumstances were that were discussed previously and that was it. I mean, it was a donation going to party and a good time and see you later.

Q Were these employees who wrote checks to attend the Faneuil Hall fund raiser supporters of Al Haig?

A I have no idea what their political affiliation was. I would assume so if they were willing to pay and go to a party and do those things; but whether or not that's the case, I don't know.

Q And you said that one or two, maybe three or four individuals expressed a desire to attend the fund raiser but couldn't afford it, and--

A That's correct.

Q --you loaned money to these individuals to attend?

A Um-hum.

Q I'm sorry, can you say yes or no?

A Yes.

Q And you said possibly two of these individuals were Bobby Cowart and Frederick Shea?

2504365259

A Yes, I think they were.

Q Do you recall the other two individuals?

A No.

Q And you have never received any payment back from Bobby Cowart, Frederick Shea, or other employees who you loaned money to, to attend the fund raiser at Fanieul Hall?

A No.

Q And you've never asked them to give you any money back?

A No.

Q Is there any written agreement anywhere to show that you loaned them this money?

A No.

Q Do you plan to ask them for the money?

A No, not at this late date.

Q Mr. Cooke, did you reim -- personally reimburse any employee at Trade Wind System for their contribution to the Haig campaign, to attend the Fanieul Hall fund raiser?

THE WITNESS: Could you repeat the question?

BY MS. MASTROBATTISTA:

Q Did you--

THE WITNESS: Did I, personally?

BY MS. MASTROBATTISTA:

Q --reimburse any employee for their contribution to the Haig Campaign, to attend the fund raiser at Fanieul Hall?

Did you give the money to any employee so they would be able to attend the fund raiser at Fanieul Hall, other than the loan that you were talking about?

A No.

Q Did you give an advance to any employee or a bonus to any employee so that they would be able to attend?

A No.

Q Did you give cash to any employee so that they would be able to attend?

A Only those that I told you. There was like three or four of them, yeah, that I did that with.

Q And that was a loan?

A Yeah, but it was cash, as--

Q A cash loan?

A Yes.

Q And it was clear to the employee that it was a loan and that you expected repayment?

A I would think so.

Q Did you discuss the terms of the loan?

A No.

Q Set up any repayment schedules?

A Catch as catch can. I said -- you know, basically, there was no commitment. I said, when you can, you know, get the money back to me, whether it be in $10.00 increments or $50.00 increments, get it back to me. That's

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all.

MS. MASTROBATTISTA: Mr. Cook, I'd like to show you a one page document. I'll ask the court reporter to mark this.

(The document referred to was marked for identification as FEC Exhibit No. 4.)

MS. MASTROBATTISTA: This is FEC Exhibit--

REPORTER: Four.

MS. MASTROBATTISTA: --four, a one page document.

THE WITNESS: Um-hum.

BY MS. MASTROBATTISTA:

Q I'll ask you to take a look at this for a minute? Have you seen this before?

A No.

Q And can you describe this document to me, please?

A It's a check.

Q From?

A Dennis Cooke.

Q To?

A Haig For President.

Q And the amount?

A Two hundred and fifty dollars.

Q Was this check from Dennis Cooke to Haig For President in connection with the Fanieul Hall fund raiser?

9504365255 2

A I would say yes.

Q Was this one of the checks that you collected and delivered to Kurt Saracin Associates?

A I would say yes.

Q Did you give Dennis Cooke $250.00 so he could write this check to Haig For President?

A No.

Q Does Dennis Cooke normally have enough money in his bank account to write a check for $250.00?

A I have no idea.

Q Do you recognize the handwriting at the bottom of the page, the Federal Election Commission requires you to -- requires that we obtain the following information? Do you--

THE WITNESS: Where?

BY MS. MASTROBATTISTA:

Q --recognize the handwriting?

THE WITNESS: The Federal Election Commission requires?

MS. MASTROBATTISTA: That we obtain the following information, and then there is a blank--

THE WITNESS: Yeah.

MS. MASTROBATTISTA: --for name, address--

THE WITNESS: Oh, you mean the--

MS. MASTROBATTISTA: --phone number.

THE WITNESS: --just the name and stuff?

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MS. MASTROBATTISTA: Right.

BY MS. MASTROBATTISTA:

Q Do you recognize that handwriting?

A No.

Q Is that Dennis Cooke's handwriting?

A I have no idea whose it is.

Q So it could be Dennis Cooke's handwriting?

A Well, let me put it this way, the one on the check and that one look pretty close, at least to me; but I don't know. I couldn't swear to that.

Q And Dennis Cooke is your son; is that correct?

A Yes.

Q He works for Trade Wind Systems now?

A That's correct.

THE WITNESS: All set with this?

(Pause.)

BY MS. MASTROBATTISTA:

Q Have you had any conversations with Dominic Saraceno or anyone else regarding this matter, within the past two years -- regarding the Federal Election Commission investigation?

A No.

Q Have you discussed the investigation with anyone who works for Trade Winds?

A No.

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Q Have you had any conversations with Dominic Saraceno, over the past two years regarding the Haig campaign?

A No.

Q Contributions to the Haig campaign?

A No.

MS. MASTROBATTISTA: Mr. Cooke, I'm going to go through the list of names that I have, and I would like for each name for you to tell me whether you reimbursed the individual for a contribution to the Haig Committee -- you, personally, or you, as President of Trade Winds Corporation.

BY MS. MASTROBATTISTA:

Q Did you reimburse Maureen Becker?

THE WITNESS: Not to stop you, Mary, but I thought we already -- oh, no, that was employees. Right? Whether or not they were employees?

MS. MASTROBATTISTA: Right.

THE WITNESS: Okay. So you're going to go through this list and I got to do what now?

MS. MASTROBATTISTA: I'll ask you to state whether you have reimbursed any of these individuals for their contributions to the Haig campaign.

THE WITNESS: Um-hum.

MS. MASTROBATTISTA: Either reimbursed personally or as President of Trade Winds Corporation.

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BY MS. MASTROBATTISTA:

Q Have you reimbursed Maureen Becker for her contribution?

A No.

Q Richard Clegg?

A No.

Q Mary Cooke?

A No.

Q Dennis Cooke?

A No.

Q Bobby Cowart?

A Ye -- I think so.

Q May have been a loan?

A Yeah.

Q Anthony DiBona?

A No.

Q Arsene Frappier?

A Nope.

Q Gregory Gagnon?

A No.

Q Richard Knowlton?

A No.

Q Dennis Morancy?

A No.

Q Daniel O'Hara?

9504365525 6

A No.

Q Mary O'Hara?

A No.

Q Nancy Stockus?

A No.

Q Kimberly Stockus?

A No.

Q Maureen White?

A No.

Q Is it your testimony today that you did not give $250.00 in cash to Kimberly Stockus so she could write a check for $250.00 to Haig For President Campaign?

A That's correct. I did not.

Q And is it your testimony today that you did not give $250.00 in cash to Nancy Stockus so that she could write a check to the Haig For President Campaign?

A That's correct. I did not.

Q Did anyone at Trade Wind Systems give Nancy Stockus or Kimberly Stockus $250.00 in cash so that they could write checks for the Haig For President Campaign?

A I have no idea.

Q I believe you said earlier when we were talking about correspondence that you may have received from the Haig Committee, that you did receive some correspondence from the Haig Committee?

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A Yeah, but it was, you know, propaganda stuff and that type of thing, I think.

Q Anything other--

A Thank you and stuff like that.

Q Anything other than thank yous or--

A Oh, yeah, at one point in time, I think they were looking for more money to be donated to the campaign, right, and I just said, hey, psst. I done my part in this deal, you know.

Q Anything other than solicitations for contributions or thank yous for past contributions?

THE WITNESS: Say again?

BY MS. MASTROBATTISTA:

Q Anything other than correspondence soliciting contributions or--

A I don't think so.

Q --correspondence--

A I think that was about it.

Q I believe you said earlier that you may have some of these letters in a file?

A Yeah.

Q Would you be willing to provide copies of those letters to the Federal Election Commission?

A If I have them, yes.

Q And can you tell me, again, the substance of the

conversation you had with Dominic Saraceno regarding the Fanieul Hall contributions prior to getting the contributions from the employees at Trade Winds?

(Pause.)

BY MS. MASTROBATTISTA:

Q I believe you said Dominic Saraceno contacted you?

A Whatever I said is the way it was.

Q And do you recall that conversation when he asked you to attend the fund raiser?

A Yeah.

Q And did he ask you spec -- did he ask you to ask employees whether they would be interested in attending?

A No. I think, basically, what he said was, you know, I'd like to see you there. You know, this is a good thing. You know, this guy has a shot at it and all this. He said, you know, if there are other people that want to go -- family, relatives, friends, employees, ba boom, ba boom -- you know, tell them to come along.

Q Did he ask you to find a specific number of people who would be interested in attending?

A No. No, not at all.

Q And why did you ask employees, relatives, family members if they would like to attend the fund raiser?

THE WITNESS: Why wouldn't I?

A I mean, they're obvious choices. They are people

9 5 0 4 3 6 5 2 5 5 9

that I work with. They're family and friends.

Q Were you a supporter of Al Haig, at the time?

THE WITNESS: I don't think that's relevant here.

BY MS. MASTROBATTISTA:

Q I'm sorry?

A I don't think it's relevant -- relative. I mean, that's an unfair question. That's a political preference, and I don't think that's neither here nor there.

Q Did you ask employees if they would like to attend the fund raiser just because you thought it would be a good social event?

A That was one of the reasons.

Q And I believe you said that Billy D. Williams was at the fund raiser, at Fanieul Hall?

A Um-hum.

Q Did any employee at Trade Wind Systems write you a check to attend the fund raiser that you did not accept?

THE WITNESS: That I did not accept?

MS. MASTROBATTISTA: That's correct.

A Not that I remember.

Q Is there anything else you'd like to add to your testimony that you've given here today?

(Pause.)

A No. I want to go home.

Q Mr. Cooke, have you given full and complete

answers to the questions that you have answered today?

A In most cases.

Q In some cases you have not given full and complete answers?

A Yeah, that's possibly correct.

Q What questions have you not given full and complete answers to?

A I don't know, but I'm sure there was some. You asked me the question, and I answered it. It may not have been everything that could be said about the subject, but it answered your question.

Q Are there answers that you intentionally did not give full and complete -- are there questions that you did not intentionally give full and complete answers to today?

A No.

Q So in each instance in which I asked you a question to the best of your knowledge did you give a full and complete answer?

A In response to your question, yes.

MS. MASTROBATTISTA: Mr. Cooke, I'd like to thank you for coming here today, to answer questions in connection with this investigation.

You will be receiving a check for a witness fee, plus milage.

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BY MS. MASTROBATTISTA:

Q How many miles did you travel here today?

A Twelve thousand, five hundred and sixty. No, it's probably about -- somewhere between 18 and 20 miles--

Q Each--

A --each--

Q --way?

A --way.

THE WITNESS: Do I get reimbursed for parking, also?

BY MS. MASTROBATTISTA:

Q How much was parking?

A Right now it's probably about $12.00.

MS. MASTROBATTISTA: It's awful.

THE WITNESS: It's terrible.

MS. MASTROBATTISTA: I'm not sure, but I can assure you that--

THE WITNESS: Can you see if--

MS. MASTROBATTISTA: --will be reimbursed--

THE WITNESS: --you can squeeze that out--

MS. MASTROBATTISTA: --to the full--

THE WITNESS: --of the budget?

MS. MASTROBATTISTA: --amount.

You will be given the right to review the transcript for accuracy--

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THE WITNESS: Um-hum.

MS. MASTROBATTISTA: --and we ask you to sign it before a Notary Public and to--

THE WITNESS: Yeah.

MS. MASTROBATTISTA: --return it to the Commission.

THE WITNESS: Okay.

MS. MASTROBATTISTA: You are reminded that this investigation must remain confidential until the Commission closes its file in this matter.

THE WITNESS: Um-hum.

BY MS. MASTROBATTISTA:

Q Do you understand that this matter must remain confidential?

A Yes.

MS. MASTROBATTISTA: This deposition is not concluded but merely continued.

We do not anticipate having to speak to you again. However, the investigation into this matter is on-going.

This deposition is adjourned. Off the record.

(Whereupon, on December 12th, 1991, at 1:45 pm, the deposition in the above-entitled matter was adjourned.)

9504365252

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF SUFFOLK)

I, Jocelyn Luff, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, do hereby certify that there came before me on this 12th day of December, 1991, the person hereinbefore named, who was by me duly sworn to tell the truth, the whole truth, and nothing but the truth, concerning and touching the matter in controversy in this cause; that he was thereupon examined upon his oath, and his examination reduced to typewriting, under my direction, and that this deposition transcript is a true and accurate record of the testimony given by the witness.

I further certify that I am not related to any of the parties hereto or their counsel, and that I am in no way interested in the outcome of said cause.

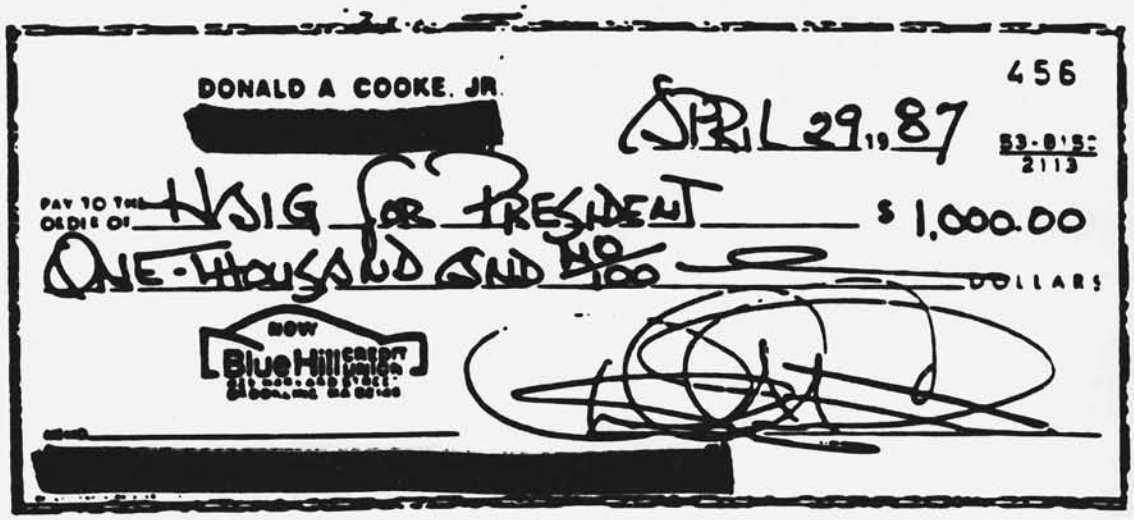
Dated at Boston, Massachusetts, this 30th day of December, 1991.

Jocelyn Luff
NOTARY PUBLIC
My Commission Expires:
July 26, 1996

9504365254

Exhibit 3
Page 7 of 18
5/4/87 #2

EXHIBIT
pages Cooke
1 12/12/91 JL



CORRECTION SHEET

DEPOSITION OF DONALD A. COOKE

PAGE NO.	LINE NO.	SUGGESTED CORRECTION

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JAN -3 PM 3:24

9504305525 6

SIGNATURE OF WITNESS:

I have read the foregoing transcript and the same contains a true and accurate recording of my answers to the questions therein set forth, subject to the change and/or correction sheet(s) attached.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JAN -3 PM 3:24

_____
Deponent

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____DAY OF

_____, 1991

_____
Notary Public

My Commission Expires: _____

9504365525 7

Exhibit 3
Page 8 of 18
9-30-87 #1

ANTHONY P. DI BONA
CONNIE MARIE DI BONA
[redacted]

1150
[redacted]

Sept. 27 19 87

Pay to the order of Haig for President $ 250-

Two Hundred Fifty Dollars

BayBank
BayBank Norfolk County Trust Company
Massachusetts

For campaign contr. Anthony DiBona

[redacted]

Enclosed is my personal contribution of:

___ $1,000 ___ X ___ $250 ___ Other

___ $500 ___ $100

Name Anthony P. DiBona

Address 22 Twilight Drive

Foxboro, MA 02035

Telephone Number

Occupation Project Engineer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

EXHIBIT
pages 1 Cooke 12/12/91 BL

Exhibit 3
Page 9 of 18
9-30-87 #1

ARSENE E. FRAPPIER, JR. 140

[redacted]

Sept. 24, 1987 53-7124/2113

AY TO THE ORDER OF Haig for President $ 250.xx

Two Hundred and Fifty xx/100 DOLLARS

FOR RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

Arsene E. Frappier Jr.

[redacted]

SEP 30 1987

#1

Enclosed is my personal contribution of:

___ $1,000 ___ X ___ $250 ___ Other

___ $500 ___ $100

Name Arsene E. Frappier, Jr.

Address 243 Everett Street

Middleboro, MA 02346

Telephone Number

Occupation Sheet Metal Worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

ICC

Exhibit 5
Page 10 of 18
9-30-87 #1

GREGORY G. GAG[illegible]
[redacted]

Sept 24 1987

53-215/113

THE OF Alexander Haig $ 250.00

Two Hundred Fifty DOLLARS

South Shore Bank
QUINCY, MASSACHUSETTS
multibank

Haig for President Gregory G. Gagnon

[redacted]

SEP 30 1987
#2

Enclosed is my personal contribution of:

_____ $1,000 _____X_____ $250 _____ Other

_____ $500 _____ $100

Name Gregory G. Gagnon

Address 102 Revere Street

Hull, MA 02045

Telephone Number

Occupation Sheet Metal Worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 11 of 18
9.30.87 #1

RICHARD KNOWLTON
SANDRA R. KNOWLTON
[redacted]

9-24 19 87 121

Pay to the order of HAIG FOR PRESIDENT $ 250.00

Two Hundred & Fifty & 00/100 Dollars

Fleet National Bank

Memo [redacted] R. Knowlton

Enclosed is my personal contribution of:

_____ $1,000 _ X $250 _____ Other

_____ $500 _____ $100

Name Richard Knowlton

Address 80 Chalapa Avenue

Woonsocket, RI 02895

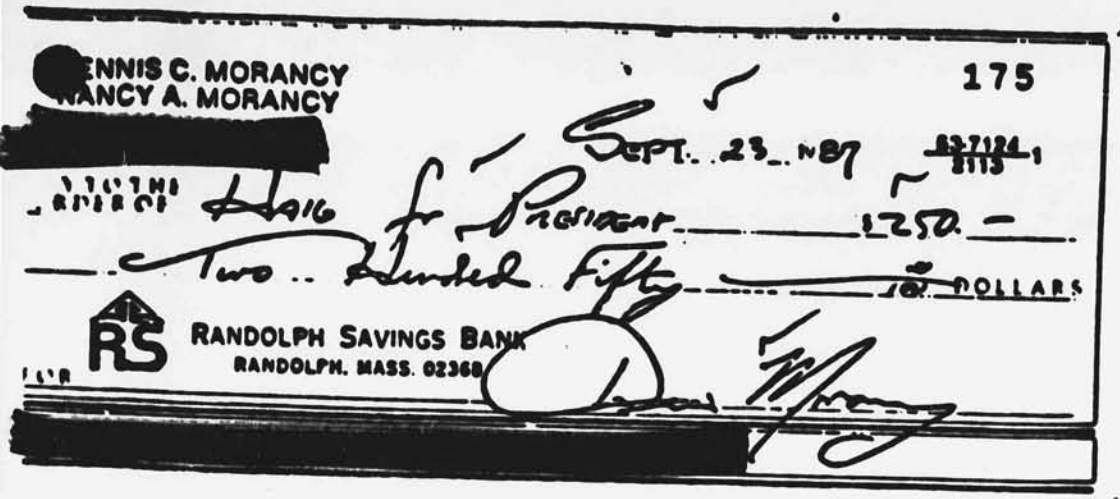
Telephone Number

Occupation Designer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 12 of 18



T. ok
L.C.

ENNIS C. MORANCY
NANCY A. MORANCY
[redacted]

175

Sept. 23 1987

63-7124
2113

TO THE ORDER OF Haig for President $250.-

Two Hundred Fifty 00/100 DOLLARS

RS RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR [redacted]

9/30/87 #1

Enclosed is my personal contribution of:

$1,000 X $250 Other

$500 $100

Name Dennis C. Morancy

Address 643 Liberty Street

Braintree, MA 02184

Telephone Number

Occupation Engineer

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

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Exhibit 3
Page 13 of 18
9/30/87 #1

DANIEL F. O'HARA, JR.
[redacted]

111

4/24 87

83-7124
2113

PAY TO THE ORDER OF Alexander Haig for President $ 250.00

Two hundred fifty dollars + DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR

Daniel F. O'Hara Jr

[redacted]

Enclosed is my personal contribution of:

$1,000 X $250 Other

$500 $100

Name Daniel F. O'Hara, Jr.

Address P.O. Box 7514

Cumberland, RI 02864

Telephone Number

Occupation Sheet metal worker

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 14 of 18

9/24 19 87 .260

MARY B. O'HARA

PAY TO THE ORDER OF Alexander Haig for President $ 250.00

Two hundred fifty 00/100 DOLLARS

Fleet National Bank

MEMO [redacted] Mary B. O'Hara

930.87 #1

Enclosed is my personal contribution of:

_	$1,000	X $250	Other
_	$500	$100	

Name Mary B. O'Hara

Address P.O. Box 7514

Cumberland, RI 02864

Telephone Number

Occupation

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 15 of 18
9-30-87

FREDERICK H. SHEA, III 104

[redacted]

Sept. 24 19 87 63-7124/2113

PAY TO THE ORDER OF Alexander Haig for president $250 00/100

Two Hundred fifty — 00/100 DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

Frederick H. Shea III

[redacted]

OK
VC

Enclosed is my personal contribution of:

$1,000 X $250 Other

$500 $100

Name Frederick H. Shea, III

Address 1439 Central Street

Stoughton, MA 02072

Telephone Number

Occupation Truck Driver

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

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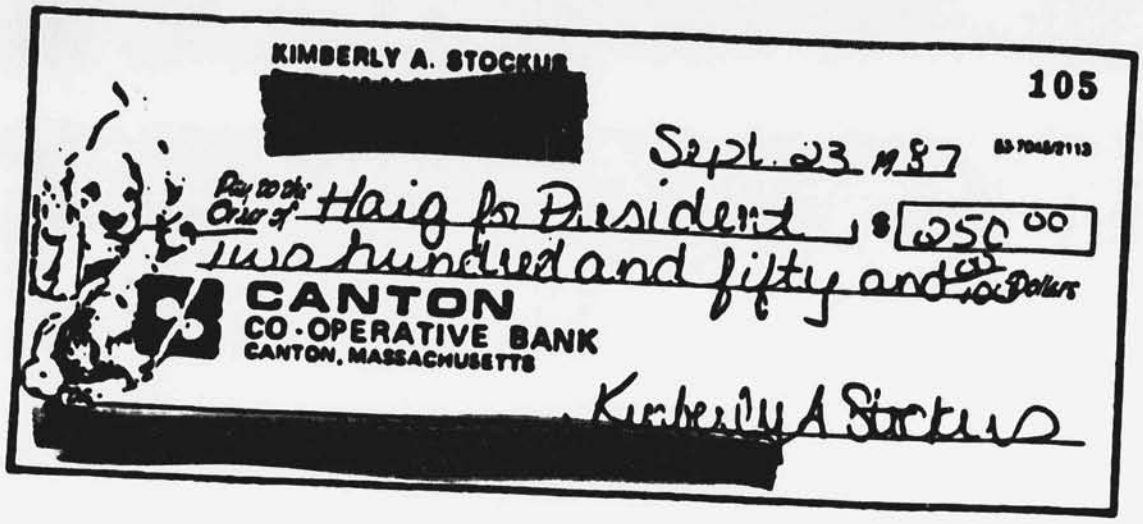
106

Exhibit 3
Page 16 of 18
9-30-87 #1


KIMBERLY A. STOCKUS
[redacted]
105
Sept. 23 1987
Pay to the Order of Haig for President, $ 250 00
two hundred and fifty and 00/100 Dollars
CANTON
CO-OPERATIVE BANK
CANTON, MASSACHUSETTS
Kimberly A Stockus

Enclosed is my personal contribution of:

$1,000 ... X $250 ... Other

$500 ... $100

Name Kimberly A. Stockus

Address 297 Mechanic Street

Canton, MA 02021

Telephone Number

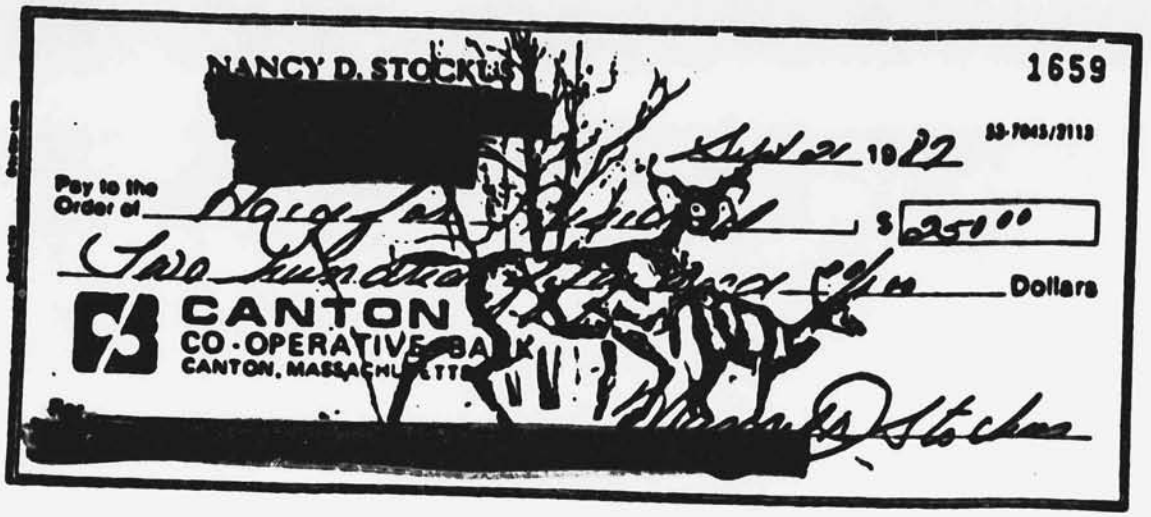
Occupation Student

Name of Employer (if any)

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 17 of 18

9-30-87*



Enclosed is my personal contribution of:

$1,000 - X - $250 Other

$500 - $100

Name Nancy D. Stockus

Address 297 Mechanic Street, P.O. Box 82

Canton, MA 02021

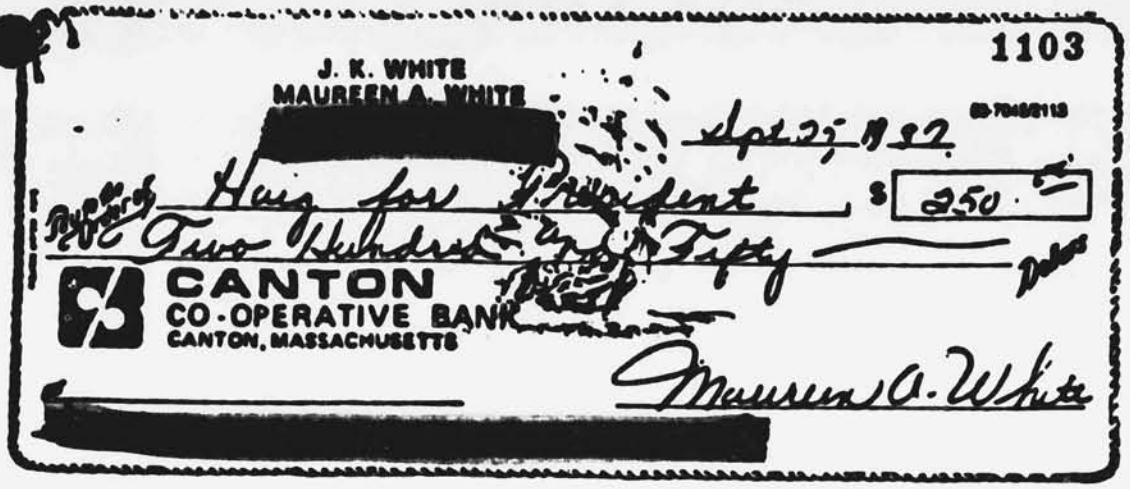
Telephone Number

Occupation Secretary

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

Exhibit 3
Page 18 of 18
9-30-87 #1



Enclosed is my personal contribution of:

	$1,000		X $250		Other
	$500		$100		

Name Maureen A. White

Address 20 Beal Street

Canton, MA 02021

Telephone Number

Occupation Secretary

Name of Employer (if any) Tradewind Systems

HAIG FOR PRESIDENT
1154 15th Street, N.W. - Washington, D.C. 20005 - (703) 684-1988

HAIG
LEADERSHIP FOR AMERICA

EXHIBIT
Pages Cooke
1 12/12/91 JL

ATTENTION: MS. MCCALL

Dear

The purpose of my letter is to invite you to become a sponsor for the special salute to Al Haig Reception being held Saturday, September 26th, from 7:00 to 9:00 p.m. in the Parish Meeting Room of Faneuil Hall. Prior to this, a private reception with Al Haig and his family will be held exclusively for sponsors and their spouses from 5:00 p.m. to 6:30 p.m. in the Captain's Room at Faneuil Hall. You will be greeted by Billy Dee Williams, a distinguished actor and member of the Haig National Advisory Committee.

Needless to say, your sponsorship of $1,000 will be deeply appreciated by Al Haig and all others who are working tirelessly to insure the continued success of the Haig Campaign. Your past contributions and support have played an important role in Al Haig's phenomenal surge since his announcement on March 23rd. This is evidenced by his solid third-place standing in the recent Boston Globe and Time Magazine polls. It is noteworthy that Al Haig was rated the highest among all candidates of both parties in the Leadership category. This, of course, should not be surprising to anyone and certainly speaks well for the judgement of the electorate.

As you may know, I have been appointed National Campaign Treasurer. This position has been both an honor and a privilege and has provided me with an opportunity to view the grassroots support for his candidacy firsthand. As I am sure you know, enormous financial resources are required to maintain and build this support. Capital formation for any new venture is, at best, difficult. For a non-politician, it is a particularly difficult task.

Please continue to invest in Al Haig. Consider it a long-term investment in the future of our nation.

I extend my deepest gratitude and that of the Haig Family for your valued support.

Cordially,

Dom Saraceno
Treasurer
Haig for President

REC'D. UST
O.K.'D. JOO-
DIST.
PUR. JR. DIRECT
CK. DATE 10/20/87
CK. NO. 1320

1154 15th Street, N.W. ★ Washington, D.C. 20005 ★ (703) 684-1988 ★ (202) 223-7590

10-29-87
#1

OK

DENNIS M. COOKE
[redacted]

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10-24 19 87 53-7124/2113

PAY TO THE ORDER OF Haig for President $ 250.00

Two Hundred and Fifty DOLLARS

RANDOLPH SAVINGS BANK
RANDOLPH, MASS. 02368

FOR Dennis M. Cooke

[redacted]

The Federal Election Commission requires that we obtain the following information:

√ (Please Print)

Name Dennis M. Cooke

Address 222 Bailey Street
Canton, Ma 02021

Telephone Number [redacted] (home) (office)

Name of Employer (if any) Tradewind Systems - service technician

HAIG FOR PRESIDENT

1154 15th Street, N.W. • Washington, D.C. 20005 • (703) 684-1988

Paid for by Haig for President

EXHIBIT

pages 12/12/91
1 Cooke JL

EXHIBIT

FEC Enl 11/20/89

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 277

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