



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2926

DATE FILMED 3/13/92 CAMERA NO. 3

CAMERAMAN J.M.H.

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IN CONNECTION WITH MUR 2926, SEE MUR 2822.

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RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE DIVISION

89 JUL -7 PM 2:40

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Plymouth List Company, Inc. )  
and Nina Driscoll )

MUR 2926

89 JUL 10 PM 3:01

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

COMPLAINT

INTRODUCTION

On behalf of the National Republican Congressional Committee ("NRCC"), I hereby file this complaint pursuant to 2 U.S.C. § 437g(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act"), alleging violations of the Act by Plymouth List Company, Inc., and Nina Driscoll.

The NRCC alleges that Plymouth List Company, Inc. and its General Manager, Nina Driscoll, have used names and addresses from Federal Election Commission ("FEC" or "Commission") reports for commercial purposes in violation of 2 U.S.C. § 438(a)(4) of the Act.

FACTS

The National Republican Congressional Committee is a federally registered political committee which, in accordance with the Act, regularly files reports of its contributions and expenditures with the FEC. Pursuant to 2 U.S.C. § 438(a)(4) the NRCC includes several pseudonyms on each of its FEC reports "in order to protect against the illegal uses of names and addresses of [its] contributors". Also, as

required by the Act, the NRCC notifies the FEC of the pseudonyms (or "salted" names) appearing in its reports.

In 1984, the NRCC added five pseudonyms to each of its Third Quarter, Post-General Election, and Year-End Reports. These pseudonyms included:

These names and addresses were supplied to the NRCC by U.S. Monitor, a list monitoring organization.

In January 1989 U.S. Monitor began to receive mail for the "salted" names included in the 1984 NRCC reports identified above. The pseudonym \_\_\_\_\_ received solicitations from the American Federation for the Blind and the United States Historical Society. See Attachments 1 and 2. The pseudonym \_\_\_\_\_ received a solicitation from the Alzheimer's Association. See Attachment 3. And the pseudonym \_\_\_\_\_ received a solicitation from the National Wildlife Federation. See Attachment 4. Each of these solicitations was forwarded by U.S. Monitor to the NRCC for appropriate action.

Upon receipt of these solicitations, the NRCC began an inquiry to determine who was responsible for disseminating a

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list containing "salted" names from NRCC FEC disclosure reports.

To the best of its information and belief, the NRCC has identified Plymouth List Company, Inc. and its general manager, Nina Driscoll, as the source of that list. That identification is based on the following.

1. American Federation for the Blind Mailing

Counsel for The American Federation for the Blind, orally advised the NRCC that the Federation rented its mailing list from CELCO, a New York-based firm owned and operated by Carol Enters. Counsel further stated that CELCO rents its names from Plymouth List Company, Inc., 2066 Jefferson Davis Highway, Arlington, Virginia.

2. United States Historical Society Mailing

Paul J. Warden, President of the United States Historical Society, advised the NRCC that his organization obtained the list from its list broker, Names and Addresses, Inc. See Attachment 5. On March 14, 1989, George T. Tyler of Names and Addresses, Inc. informed the NRCC that the list used for the U.S. Historical Society mailing was obtained from the Plymouth List Company, Inc. of Stafford, Virginia, Nina Driscoll, General Manager. See Attachment 6. Mr. Tyler further stated that "the list in question has been on the 'open rental market' . . . since 1985." Id.

3. Alzheimer's Association Mailing

On March 21, 1989, Edward Truschke, President of the Alzheimer's Association informed the NRCC that the list in question had been rented for his association by the Alan Drey Company, Inc., of Chicago, Illinois. See Attachment 7. Truschke further stated that Mr. Don Hoika of the Alan Drey Company handled the Association's account. Id.

On April 6, 1989, Ms. Deborah Flavin, Administrative Assistant to the NRCC General Counsel, contacted Mr. Donald Hoika who stated that the Alan Drey Company rented the list for the Alzheimer's Association from the Plymouth List Company of Stafford, Virginia. Affidavit of Deborah Flavin at ¶ 11, Attachment 9 (hereinafter "Flavin Aff.").

4. National Wildlife Federation Mailing

On March 9, 1989, Christine L. Egan, Assistant General Counsel of the National Wildlife Federation, informed the NRCC that the Federation had obtained the list in question through its list broker, CELCO of New York City which had rented it from "Plymouth Lists." See Attachment 8. Ms. Egan suggested that the NRCC contact Ms. Judy Jones, Vice President of CELCO, for any additional information on the matter. Id.

On April 6, 1989, Ms. Flavin attempted to contact Ms. Jones of CELCO; instead, on April 7 Ms. Carol Enters, owner of CELCO, returned Ms. Flavin's call. Ms. Enters identified

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the list in question as the "High Dollar Donors" list and verified that CELCO had rented the list from the Plymouth List Company of Stafford, Virginia. Flavin Aff. at ¶ 13.

5. Statements by the Plymouth List Company

On March 14, 1989, Ms. Flavin, on behalf of the NRCC, attempted to contact Ms. Nina Driscoll, General Manager of the Plymouth List Company, Inc., to ask how the list Plymouth had rented to Names and Addresses, Inc. had been compiled. Flavin Aff. at ¶ 9. Ms. Driscoll was unavailable, but her assistant, Ms. Dianne Wildgrube, stated that she had recently spoken to Mr. George Tyler of Names and Addresses about the list in question. Id. Ms. Wildgrube confirmed that Plymouth List Company Inc., was the owner of the list in question. Id. She further stated that Plymouth was attempting to re-trace how they had obtained the names for that particular list; and also said she "felt sure they [Plymouth] never had any names from any of the NRCC's lists." Id.

On March 15, 1989, Ms. Wildgrube contacted Ms. Flavin to reiterate that Plymouth "had never had names on [its] list that originated from the National Republican Congressional (RNCC) reports." See Attachment 10. She further stated that "if a 'fictitious' name was used it was a mistake or accident by one of the computer houses involved." Id. To date, Plymouth Lists has refused to identify the "computer house" it may have used in compiling the lists in question.

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## **DISCUSSION**

Section 438(a)(4) of the Act provides that the Commission shall:

within 48 hours after the time of the receipt by the Commission of reports and statements filed with it, make them available for public inspection, and copying, except that any information copied from such reports or statements may not be sold or used by any person for the purposes of soliciting contributions or for commercial purposes . . . A political committee may submit 10 pseudonyms on each report filed in order to protect against the illegal use of names and addresses of contributors, provided such committee attaches a list of such pseudonyms to the appropriate report.

See also, 11 C.F.R. § 104.15(a).

The NRCC's list has obviously been appropriated for commercial purposes as established by the use of its salted names on mailings by the United States Historical Society, the American Federation for the Blind, the Alzheimer's Association and the National Wildlife Federation.<sup>1</sup> Further, it is Plymouth List Company, Inc. and Ms. Driscoll who appear to be responsible for the distribution, and the use for commercial purposes, of the salted names in this matter.

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<sup>1</sup> At this time, the NRCC does not believe the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association, the National Wildlife Foundation, George Tyler or Names and Addresses, Inc., Donald Hoika or the Alan Drey Company, Inc., or Carol Enters and CELCO should be named as, or are, Respondents in this matter. Rather, they have been identified only for the purposes of factual development and have assisted the NRCC in identifying Plymouth List Company, Inc. as the original source of the lists containing the pseudonyms "salted" on the previously identified NRCC disclosure reports.

**CONCLUSION**

On the basis of the foregoing, the NRCC requests the FEC to conduct a prompt and immediate investigation of this apparent violation of the Act by Plymouth List Company Inc. and its General Manager, Ms. Driscoll, and to impose any and all appropriate penalties available under the Act and its regulations for such violations.

The above allegations and facts set forth in this complaint are true to the best of my knowledge, information and belief.

Respectfully submitted,

  
Edward J. Rollins  
Co-Chairman  
National Republican  
Congressional Committee

Subscribed and sworn to before me on this <sup>7<sup>th</sup></sup> 6 day of July, 1989.

  
Notary Public

My Commission Expires: ~~My Commission Expires~~ June 14, 1991

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VIRGINIUS DABNEY

ROBERT H. KLINE

## UNITED STATES HISTORICAL SOCIETY

Dear Friend,

I invite you to join me in celebrating the beginning of the term of George Bush's Presidency and the 200th Anniversary of the United States Presidency.

We are privileged to be taking part in the observance of an anniversary of an event that changed the course of history ... the 200th Anniversary of George Washington's inauguration as our first American President.

To observe the Bicentenary, the United States Historical Society is issuing the official Presidential Bowl, created by Pickard, makers of fine china service for the U.S. State Department and American embassies around the world.

This is truly a landmark issue in the world of fine porcelains, a bowl destined to make collector history. It is the only bowl commemorating the Bicentenary of the U.S. Presidency. It is created by America's premier producer of fine porcelains. And it is issued in a limited edition of only 5,000. Furthermore, it is authorized by the United States Historical Society, a private, non-governmental organization dedicated to historical research and the sponsorship of projects and issuance of objects that are artistically and historically significant.

The Presidential Bowl is tastefully decorated with pure 24-karat gold --- hand-applied to the rim and the foot. Columns of rich green laurel leaves, universal symbol of honor, flank each of the portraits. And covering the bottom of the bowl is the Bicentenary Seal, created on commission by the Society.

In your home, office or conference room, the Presidential Bowl is certain to draw the attention of anyone who appreciates fine porcelain ... and our great American heritage. To acquire this elegant statement of your pride in America, please enter your reservation by March 31, 1989.

Sincerely,

Robert H. Kline  
Chairman  
Board of Governors

P.S. The Presidential Bowl is a special tribute to George Bush, whose term begins the third century of American Presidents and who has received Presidential Bowl Number One.

FEEL 10' 1989.

THE UNIVERSITY OF CHICAGO

1980-1981

— On the 1st of March 1881  
— On the 1st of March 1881  
— On the 1st of March 1881

2-7-

[illegible]

12

10 115 11 Standard 11 And you

Three years after the riot, from 1968 until March 31, 1971

## The Presidential Bowl

On return to the printer, I received the proofed and corrected galley. The proofed text clearly indicates that for the United States Historical Society.



**United States Fintecrual Society**  
 1000 East Adams Street • Milwaukee, Wisconsin 53204  
 (414) 333-3333 • 24 hrs.

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO. 2973 RICHMOND, VA

POSTAGE WILL BE PAID BY ADDRESSEE

**UNITED STATES HISTORICAL SOCIETY**  
**First and Main Streets**  
**Richmond, Virginia 23286-0405**

**NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES**

1. 2. 3. 4. 5. 6.

# Michael

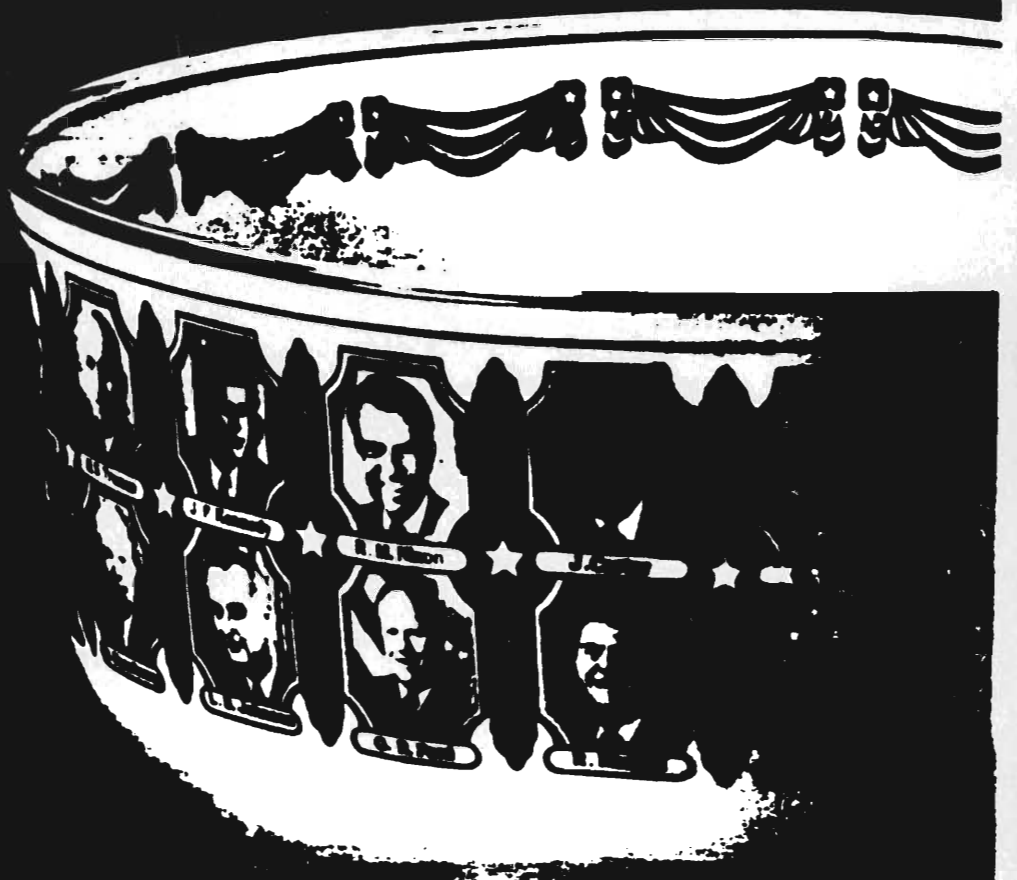
In Observance of the 200th Anniversary of the Presidency,  
the United States Historical Society Announces

# The Presidential Bowl

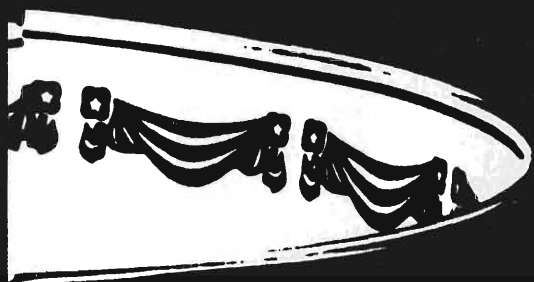


“the preservation of the sacred fire of liberty and the destiny of the  
republican model of government are justly considered, perhaps, as *deeply*  
as *finally*, staked on the experiment entrusted to the hands of the  
American people.”

—GEORGE WASHINGTON  
First Inaugural Address  
April 30, 1789



kara gold





Stephen • Franklin Pierce • Calvin •  
John Adams • James Buchanan • Herbert Hoover

### THE CONCEPT OF THE PRESIDENCY

Debates over ruling concepts of the presidency have divided thinkers since the founding of the Republic. Among the fathers, some preferred a king but others feared monarchy. Some warned of a powerless executive, others of usurpation of Congress powers. Alexander Hamilton called for an energetic executive, if not a constitutional monarch. Thomas Jefferson feared that hereditary power might result if presidents could be reelected. John Adams wrote Jefferson "You are apprehensive of monarchy, I of aristocracy. I would therefore have given more power to the President and less to the Senate. But Abraham Lincoln declared: "I have been selected to fill an important office for a brief period. . . Should my administration prove to be a very wicked one, or what is more probable a very foolish one, if you, the people are true to yourselves and the Constitution, there is but little harm I can do, thank God."

The gulf between theory and practice, words and deeds of the presidency illuminates differences in concept. Jefferson's apprehension of monarchical power did not stand in the way of his initiating the Louisiana Purchase, an act of unrivaled executive energy ratified because of Jefferson's consummate political skills with the Congress. Lincoln raised an army before the Congress had declared war. Woodrow Wilson carried the fight for the League of Nations to the people, bypassing the Senate. Theodore Roosevelt saw in the presidency "a bully pulpit." For him, as for Wilson and FDR, the concept of the presidency included a vision of the president as popular leader, educator, and teacher.

The vision of the president as teacher always has appealed to some Americans while being offensive to others. There are those who believe that if the people are not virtuous, presidential preachments will make them so. The leader single-handedly will purge the public of its sins and move society from selfishness to virtue, from apathy to action, from debauchery to righteousness. We especially revere those presidents who taught by both precept and example: Washington, national independence; Jefferson, benevolence and happiness, and Lincoln, preservation of the union and binding up the wounds.

from *The President and Public Philosophy*  
by Dr. Kenneth W. Thompson, Director  
White Burkett Miller Center of Public Affairs  
The University of Virginia

J. Taylor • Woodrow Wilson • R. B. •  
Millard Fillmore • Wm. Howard Taft • C. B. •



## THE PRESIDENTS OF THE UNITED STATES OF AMERICA

|                                |                                  |
|--------------------------------|----------------------------------|
| George Washington, 1789-1797   | Grover Cleveland, 1885-1889      |
| John Adams, 1797-1801          | Benjamin Harrison, 1889-1893     |
| Thomas Jefferson, 1801-1809    | Grover Cleveland, 1893-1897      |
| James Madison, 1809-1817       | William McKinley, 1897-1901      |
| James Monroe, 1817-1825        | Theodore Roosevelt, 1901-1909    |
| John Quincy Adams, 1825-1829   | William Howard Taft, 1909-1913   |
| Andrew Jackson, 1829-1837      | Woodrow Wilson, 1913-1921        |
| Martin Van Buren, 1837-1841    | Warren G. Harding, 1921-1923     |
| William Henry Harrison, 1841   | Calvin Coolidge, 1923-1929       |
| John Tyler, 1841-1845          | Herbert Hoover, 1929-1933        |
| James K. Polk, 1845-1849       | Franklin D. Roosevelt, 1933-1945 |
| Zachary Taylor, 1849-1850      | Harry Truman, 1945-1953          |
| Millard Fillmore, 1850-1853    | Dwight D. Eisenhower, 1953-1961  |
| Franklin Pierce, 1853-1857     | John F. Kennedy, 1961-1963       |
| James A. Buchanan, 1857-1861   | Lyndon B. Johnson, 1963-1969     |
| Abraham Lincoln, 1861-1865     | Richard Nixon, 1969-1974         |
| Andrew Johnson, 1865-1869      | Gerald R. Ford, 1974-1977        |
| Ulysses S. Grant, 1869-1877    | Jimmy Carter, 1977-1981          |
| Rutherford B. Hayes, 1877-1881 | Ronald Reagan, 1981-1989         |
| James A. Garfield, 1881        | George Bush, 1989-               |
| Chester A. Arthur, 1881-1885   |                                  |

The Presidential Bowl is an official issue of the United States Historical Society, a private non-governmental organization dedicated to historical research and the sponsorship of projects and issuance of objects which are artistically and historically significant.



United States Historical Society

First and Main Streets  
Richmond, Virginia 23219  
(804) 648-4736

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Attachment 2



Continuing  
the Work of  
Helen Keller



"Alone, we can do so little.  
Together, we can do so much."  
Helen Keller



# American Foundation for the Blind

...Helen Keller's Cause in the U.S. ....

1601 Broadway, New York, N.Y. 10019 • Washington, D.C. • Chicago, Ill. • Atlanta, Ga. • Dallas, Texas • San Francisco, Calif.

December 23, 1988

You are probably familiar with the story of Helen Keller, the courageous woman who overcame her handicaps of blindness and deafness to become an inspiration to millions all over the world.

We at the American Foundation for the Blind are proud that Helen Keller was a member of our staff and our leading spokeswoman for 44 years.

Today, AFB is continuing and expanding upon Miss Keller's lifework on behalf of blind persons. But we couldn't do it without the help of our family of contributors. That is why I invite you to make the American Foundation for the Blind your cause.

Your gift will help make a positive impact on the lives of thousands of blind and visually impaired people:

--A blind child who benefits from the guidance given by AFB to her parents and teachers...a young blind adult who, with the help of AFB adaptive devices, can work productively at a meaningful job...an older adult who is able to keep working after the loss of his vision in mid-life...a blind housewife who cares for her home and family with the help of special appliances...an elderly person who can continue an active life despite failing eyesight.

Your help can make a difference in the lives of blind persons. Please, won't you send your check today?

P.S.: To learn more about how your gift benefits blind people nationwide, please see other side--and please, give as generously as you can.

Sincerely,  
*William F. Gallagher*  
William F. Gallagher  
Executive Director

*"Alone, we can do so little. Together, we can do so much."*

Yes, I want to help AFB advance its work improving the quality of life for blind people nationwide. Enclosed is my contribution of:

—Helen Keller

☐ \$500 ☐ \$100 ☐ \$75 ☐ \$50 ☐ \$35 ☐ \$25 ☐ \$\_\_\_\_\_

☐ Check M.O. ☐ Am. Ex. ☐ VISA ☐ MC ☐ Acct. # \_\_\_\_\_

Exp. \_\_\_\_\_ Signature: \_\_\_\_\_

Please make check payable to American Foundation for the Blind

and place this form in the return envelope so that our address shows in the window

American Foundation  
for the Blind, Inc.  
15 West 16th Street  
New York, NY  
10114-0004

1FF8C

CBE



All contributions to AFB are tax-deductible

Please send me ☐ Receipt

☐ Information/Literature About \_\_\_\_\_

☐ Free Booklet: "How to Make a Will"

☐ Free Catalog "Publications of General Interest"

A copy of the latest Annual report filed with the New York Department of State may be obtained by writing to it at the Department of State, Office of Charities Registration, 102 Washington Avenue, Albany, New York 12231

# ***How your gift to AFB benefits blind and visually impaired people throughout the U.S.:***

● **INFORMATION AND REFERRAL HOTLINE:** AFB operates a toll-free national Hotline, 1-800-AFBLIND (232-5463), 8:30 a.m. to 4:30 p.m. Eastern Time, Monday-Friday. Our specially trained staff are on call to assist blind persons, their families and others who need information about visual problems and blindness, special products, publications and technology, and how to obtain needed services.

● **SPECIAL PRODUCTS FOR BLIND PERSONS:** Through AFB, blind and visually impaired people can obtain a wide variety of helpful devices, ranging from braille watches and specially adapted household utensils to the latest in electronic "talking" appliances, health-care devices and unique self-help educational aids. These products are helping hundreds of thousands of blind and visually impaired people at work, home, school and recreation.

● **NATIONAL TECHNOLOGY CENTER:** AFB's research and development team is using modern technology to enhance the lives of blind people. We are developing a wide range of computer-based "talking" devices which will greatly improve prospects for education, employment—and independent living—for blind people of all ages. For example, AFB developed "talking" blood glucose analyzers in cooperation with a major corporation, for use by blind diabetics. Each new device takes years of research and many thousands of dollars to develop.

● **TALKING BOOKS:** Thanks to Talking Books, half a million blind Americans can "read," in recorded form, the same books that you enjoy! Helen Keller helped AFB initiate this program in 1934. Now, under contract with the Library of Congress, we record and produce 1,500,000 records and cassettes a year.

● **SCHOLARSHIPS:** AFB scholarships make it possible for deserving blind and visually impaired students to pursue higher education.

● **PROFESSIONAL EDUCATION AND PUBLICATIONS:** AFB works to increase the skills and knowledge of the dedicated people who work in the rehabilitation, special education and other helping professions. We conduct professional training programs, maintain a comprehensive, specially-equipped research library, and serve as the world's foremost publisher of educational materials pertaining to blindness and impaired vision. We author and publish university textbooks, training manuals, films, public education pamphlets and the *Journal of Visual Impairment and Blindness*.

● **ASSISTANCE TO LOCAL AGENCIES AIDING BLIND PERSONS:** Through AFB's national headquarters and six regional offices around the country, we provide research, information, consultation and assistance to over 1,000 schools, rehabilitation centers and other agencies helping blind persons nationwide.

***Your gift  
to AFB  
will help  
blind and  
visually-impaired  
people  
nationwide.***

*... to learn and  
develop in their  
early years.*



*... to continue to be  
active and independent  
in their later years.*



*... to be productive and  
self-reliant in their  
working years.*





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NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**

First Class      Permit No 5611      New York N Y

POSTAGE WILL BE PAID BY ADDRESSEE

**American Foundation for the Blind, Inc.**



**ALZHEIMER'S**  
Someone to Stand By You

National Headquarters  
70 East Lake Street  
Chicago, Illinois 60601-5997

*You'll be amazed....*



Non-Profit Org  
U.S. Postage  
PAID  
Permit No. 2  
Maywood, IL

0408922350

You'll be amazed at the number of people affected by Alzheimer's. See Chairman Stone's note on reverse side. Please read it. Then support the Association.

Your gift of \$15, \$25, even \$50 or more will help Alzheimer victims and their families. Please send your check and this form in the enclosed envelope today.

TO: Jerome H. Stone

Yes! I'll help the Association in its great campaign against Alzheimer's disease.

I endorse your programs of medical research, family service and public education. Enclosed is my contribution of:

( ) \$50 ( ) \$25 ( ) \$15 ( ) \$\_\_\_\_\_

A475272 358 010



National Headquarters

70 East Lake Street, Chicago, IL 60601-9971

Please detach and enclose this reply form and your check payable to Alzheimer's Association in the enclosed envelope. Your gift to the Association is tax deductible according to law. Please make necessary corrections in your name and address. Thank you, Alzheimer's Disease and Related Disorders Association, Inc.

- ☐ Please send me the Alzheimer's Association information kit.  
☐ Please send me the Alzheimer's Association newsletter.

22083

FROM \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO 13453 CHICAGO, IL

POSTAGE WILL BE PAID BY ADDRESSEE

YOUR FIRST CLASS POSTAGE IN THE UPPER RIGHT HAND CORNER WILL SAVE US NEEDED PROGRAM FUNDS



National Headquarters  
 70 East Lake Street  
 Chicago, Illinois 60601-9971



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FROM

*Jerome H. Stone*

Jerome H. Stone  
Chairman of the Board, Alzheimer's Association

Yes, good friend, Alzheimer's disease strikes adults of all ages and affects 2.5 million Americans today. Each year, nearly 120,000 victims die from it. It is the fourth leading killer of adults in the country.

It is a progressive, irreversible brain disease for which there is currently no known cause or cure.

The Alzheimer's Association is leading the efforts to find the causes and the cures. Your personal contribution will help the Association provide: Medical research to find urgent answers -- counseling for the victims and their families -- education for everyone about the disease itself. Join this great campaign to conquer Alzheimer's disease.

Please help even more by checking the points below that apply to you:

**Questionnaire:** Please check those boxes that are applicable to you.

- |                                                                         |                                                                              |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <input type="checkbox"/> I am caring for an Alzheimer's disease patient | <input type="checkbox"/> Someone I know has or may have Alzheimer's disease. |
| <input type="checkbox"/> A member of my family has Alzheimer's disease  | <input type="checkbox"/> I want to know more about Alzheimer's disease       |
| <input type="checkbox"/> Someone I know died of Alzheimer's disease     | <input type="checkbox"/> Please send me information on wills and bequests    |

Alzheimer's Disease is a progressive, irreversible brain disease for which there is currently no known cause or cure. It strikes adults of all ages and affects an estimated 2.5 million Americans today.

Alzheimer's Association is non-profit organization that addresses the needs of Alzheimer's victims and their families through family support, education, advocacy, and research.

- ☐ If you would like us to send a memorial or tribute notification, please check here.

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Alzheimer's Disease and Related Disorders Association, Inc.

70 E. Lake St.  
Chicago, IL 60601-5997

**1-800-621-0379**  
in Illinois 1-800-572-6037  
1-312-853-3060

Call or check the box on the enclosed reply card  
to receive the Alzheimer's Disease Information  
Packet and the address and telephone number  
of your local Alzheimer's Association Chapter.

ALZHEIMER'S DISEASE  
"THE DISEASE OF THE CENTURY"

WHAT IT IS.  
WHAT WE'RE DOING  
ABOUT IT.



Alzheimer's Disease and Related Disorders Association, Inc.

## UNDERSTANDING IS THE BEGINNING

The key to finding the cause, and eventually the cure, for Alzheimer's is understanding how this tragic disease works. Researchers are learning more every day. With support through Association-funded grants and increased federal research dollars, scientists are using more sophisticated techniques and exploring a wider range of areas to continue to build the base of knowledge of Alzheimer's Disease. Current research is examining such areas as genetic predisposition, slow viruses, environmental toxins and immunologic changes.

Until a cure is found, medical and social planning can help caregivers better anticipate and manage the care of Alzheimer patients. Through the Alzheimer's Association, for instance, resources ranging from support groups to a broad range of educational materials are available to help families cope with the challenges of caregiving.

Increased awareness and understanding of Alzheimer's Disease and its impact on families has been a vital part of the Alzheimer's Association's role of standing by Alzheimer families around the country. With your support, there is still much that can be done to improve the quality of life for Alzheimer victims and their families, and to ultimately find a cure.

## ALZHEIMER'S DISEASE— UNDERSTANDING THE REALITY

### *Alzheimer's Disease is not*

- A natural part of aging
- Easily diagnosed
- Covered by government or most private health insurance
- Limited to the elderly
- Currently curable

### *Alzheimer's Disease is:*

- A progressive, dementing, irreversible disease that attacks the brain
- The fourth leading cause of death among adults in the United States
- The cause of more than 100,000 deaths annually
- A disease which knows no social or economic boundaries — it is found in all segments of the population
- An emotional and financial nightmare for victims and their families
- An economic time bomb for the decades ahead
- Potentially curable—*with your support*

Ten years ago, relatively few Americans had even heard of Alzheimer's Disease. Today this progressive, irreversible disease that attacks the brain is recognized as one of the most devastating maladies of our time. And, unfortunately, our future.

Running its course over as few as three or four years, to as many as 20, Alzheimer's Disease gradually strips away its victims' mental and physical capacities. Symptoms include gradual memory loss, disorientation, impaired judgment, and finally loss of control over body functions. The victims of Alzheimer's are eventually rendered incapable of caring for themselves. Until a cure is found, death is the inevitable result.

## THE COST OF ALZHEIMER'S: A HUMAN PRICE

Alzheimer's Disease knows no social or economic boundaries. Of the estimated 2.5 million Americans currently suffering from the disease, the incidence among men and women is essentially the same. Alzheimer's does skew heavily toward older people, affecting seven to nine percent of Americans over the age of 65. Yet it strikes those in their 40s and 50s as well.

More than 100,000 now die annually from Alzheimer's, making it the fourth leading cause of death among adults in the United States.

The suffering of the Alzheimer victim is only the beginning of the devastating emotional, physical and financial trauma of Alzheimer's Disease.

Alzheimer victims often require 24-hour care. As the disease progresses, assistance is needed with such routine activities as grooming, eating and toileting. About 70 percent of the care for Alzheimer patients is provided in the home by family members and friends, often with little or no help.

In addition to the tremendous stress of providing care to a loved one who fades from life, families bear most of the financial burdens of the disease as well. The annual cost of caring for an Alzheimer patient in the home can cost up to \$18,000. Average nursing home costs are estimated at \$22,000 per year. Neither Medicare nor most private health insurance programs covers the cost of long-

term care needed by Alzheimer patients. Often, spouses and families are forced to spend themselves into poverty before they are eligible for any financial assistance.

The overall economic impact of Alzheimer's is staggering. The cost of caring for Alzheimer victims this year may reach \$50 billion. This does not include indirect costs such as missed work time and increased medical bills for the family members caring for their loved ones.

With the continued "graying of America," these human and financial costs threaten to increase to colossal proportions.



## SOMEONE TO STAND BY ALZHEIMER FAMILIES

Faced alone, the challenges of caring for a loved one with Alzheimer's Disease might seem insurmountable. But today, through the Alzheimer's Association, the 2.5 million Alzheimer families nationwide have someone to stand by them.

Founded in 1980 as Alzheimer's Disease and Related Disorders Association, the Alzheimer's Association is the leading national not for profit association fighting Alzheimer's on all fronts and a strong voice for Alzheimer families nationwide. The privately-funded Association offers Alzheimer families a national network of more than 180 Chapters and 1,200 support groups.

Led by a prestigious national Board of Directors and with the guidance of its Medical and Scientific Advisory Board, the Association carries out its mission through

- Funding research into the cause, prevention, treatment and cure for Alzheimer's Disease and related disorders;
- Education and increasing public awareness of Alzheimer's Disease;
- Chapter formation for a nationwide family support network and implementation of programs at the local level;
- Advocacy for improved public policy and needed legislation;
- Patient and family services to aid present and future victims and caregivers.

With increased awareness of the disease and through the efforts of the Alzheimer's Association, there is strong and growing hope for Alzheimer victims and their families and friends.

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NATIONAL WILDLIFE FEDERATION  
1401 Wisconsin Avenue, N.W. Washington, D.C. 20005-2266



# Your Wildlife Stamps Enclosed

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Working for the Nation of Tomorrow

G99C

## NATIONAL WILDLIFE FEDERATION

1400 Sixteenth Street, N.W., Washington, D.C. 20036-2266

These Wildlife Stamps are  
one of America's great guarantees.

Dear Friend,

51 years ago the very first Wildlife Stamps were sent to a small group of Americans. There were thirty-six Stamps on that sheet.

The guarantee behind those first Stamps -- our promise -- was that we would work to protect our country's natural resources and wildlife for as long as financial support and public encouragement were available.

Since that small but hopeful start, the support we've received from concerned people all across this country has made the Federation the single most effective citizen's group working for wildlife and the environment in the United States.

And we still stand behind our guarantee today -- using every dollar we receive as wisely as we can.

But as you and I both know, conditions are far different now than they were in 1938. Acid rain, for example, has become a critical, top-priority issue with our scientific staff. Acid rain was almost unheard of a few years ago.

Today, we're fighting for clean air, clean water, a stop to soil erosion - and threats to our rich wildlife heritage. Each fight takes time, research, great staff commitment, and the same kind of help which has kept us so strong through the years.

And, that's why I'm writing to you, now.

You see, only with your support and contributions can we keep at our work for fish, songbirds, big game, endangered species...and we know that the environment we protect for them means a better world for us.

It's a tough job, and we have been able to make great progress only because people from all walks of life have pulled together to help us -- young and old, sportsmen and birdwatchers, people from our giant cities who only dream of wildlife, and those who live at the very foothills of wild country.

And now you can be part of this good work, too, in any one of three easy ways -- each of which will let you say with a good measure of pride, "I'm helping."

1. First, you can make a tax deductible contribution to the Federation, in any amount you prefer. We'll put your gift to use immediately in one

of a variety of ways - even one directed at helping America's wildlife.

2. Or second, you can join as a Contributing Member and receive a number of useful and valuable benefits in return. For only \$10.00 a year you'll get a personalized Membership card, a striking full-color Membership emblem for you to display on your car or window -- plus advance information about our famous Summer Vacation programs for families, singles and children. They're available only to Members. Then you can join us in the historic Green Mountains of Vermont, the scenic Pacific Northwest or along the beaches of Kiawah Island. (And if there are young people in your life, they'll enjoy the news about our great Wildlife Camp that we'll include in your New Member kit.)

3. You can take the ultimate step, however -- full Associate Membership in the National Wildlife Federation! It's the only way you can enjoy all of the benefits that we offer...the most enthralling of which is NATIONAL WILDLIFE magazine. It's a six-times-a-year look at nature, wildlife, and the excitement of the natural world that surrounds us.

And NATIONAL WILDLIFE is no ordinary magazine. It's always filled with spectacular full-color photographs, compelling features, articles, news and surprises, too. Moreover, it will keep you posted on the important work your membership is helping us to accomplish.

....AND THEN THERE'S YOUR BONUS GIFT. You'll get the delightful Window Birdfeeder, a starter packet of seed, and a handy identifier card...right along with all the usual Membership benefits -- discounts on books and videotapes, special mailings through the year, vacation opportunities and more. A truly valuable assortment of useful and interesting benefits I know you'll appreciate.

Let's face it -- we both recognize the threats and problems facing nature today. The Federation has the ability, energy and dedication to continue its work on behalf of wildlife everywhere, and you have the interest to help keep us going. Together we can keep the guarantee. All it takes is your support, now.

Whatever you choose -- a contribution, Contributing Membership, or the Complete Associate Membership -- the Federation will be able to do a better job because of you. Then as our successes grow, you'll be able to share that satisfying feeling of accomplishment.

And let me remind you that all of this work helps the country we both love. So, while the information is in hand, choose the plan that suits your needs best -- knowing that all of them are important to us.

Do it today.

Sincerely,

Jay D. Hair

Jay D. Hair  
President

P.S. If you choose Associate Membership, we'll start your benefits right away, and ship your Window Birdfeeder directly to you. You'll have some fun with it, and you can look ahead to a year of Membership variety.

# America's 19th CONSERVATION STAMPS from the National Wildlife Federation

Use these Stamps to show your personal interest in conservation and a healthy environment. They add wildlife's beauty and wonder to every letter, card and package you send... and help spread the word about conservation in America.

**WILDLIFE STAMPS—AN AMERICAN TRADITION SINCE 1938**



Working for the Nature of Tomorrow,  
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1400 16th Street, N.W., Washington, D.C. 20036-2266

*Note: You are under no obligation to pay for or donate in response to receiving these Stamps—but your contribution is important to us.*

**Keep This Stamp  
For Your Tax Records**

On \_\_\_\_\_  
I donated \$ \_\_\_\_\_

to the  
National Wildlife Federation  
1400 16th Street, N.W.  
Washington, D.C. 20036-2266

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Send to: \_\_\_\_\_  
Name and address (Please print)  
Stamp(s) and a complete  
returning label on these  
stamps.  
I have sent me \_\_\_\_\_  
1989 Conservation Stamp  
Album at \$1.00 each  
Total enclosed \$ \_\_\_\_\_



07880

GREATER FLAMINGO

WILDLIFE HABITAT NEEDS YOUR SUPPORT



CONSERVE OUR WILDLIFE RESOURCES

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RED SPOTTED PURPLE BUTTERFLY

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BLUE WHALE

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CANARY-WINGED PARAKEET

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BLACK-TAILED JACKRABBIT

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BE A CONSERVATIONIST

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DIGGER BEE

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BLUE GROSBEAK

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IN A CONSERVATIONIST'S



STAR-NOSTED MOLE

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NORTHERN ORIOLE

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"WURDE" MAN'S HERON

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RED-BREASTED SUNFISH

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IN A CONSERVATIONIST'S

**YES, I want to support  
the programs of the  
National Wildlife Federation**

with a tax deductible contribution of

\$ \_\_\_\_\_ \$ \_\_\_\_\_

by becoming a Contributing Member for one  
year for \$10.00

as a full Associate Member, which entitles me  
to 6 bi-monthly issues of NATIONAL WILDLIFE  
magazine for only \$15.00

TOTAL ENCLOSED \$ \_\_\_\_\_

National Wildlife Federation  
Contribution and Membership Card

Make checks payable to and send to: **NATIONAL WILDLIFE FEDERATION**  
1401 Sixteenth Street, N.W., Washington, D.C. 20036-2266

## Choose Associate Membership and look what you'll enjoy:

- Discounts on selected books, records and videotapes
- Economical summer vacations for the whole family
- Personalized Membership card • Full-color emblem
- Those 6 great issues of NATIONAL WILDLIFE magazine • and more!

## PLUS, YOUR FREE BONUS GIFT

(A limited time offer which expires May 31, 1989)

There's a new window bird feeder that actually operates directly to a window -  
the window bird feeder, a whole new experience. Your feeder will attract beautiful  
birds, including all the common and rare species depending on where you live. It's fun,  
and it captures birds safely. And, it's beautiful. Plus, a small packet of bird seed, too.  
This new window bird feeder is available only to Associate Members here.



window  
bird  
feeder

National Wildlife Federation  
MEMBER IDENTIFIER

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- For information about these Member Programs
- Summer Summit Vacations
  - Wildlife Camp for Children 9-13
  - Resource Conservation Alliance
  - Backyard Habitat Program

Write to:  
 Membership Services  
 NATIONAL WILDLIFE FEDERATION  
 1400 Westmont Street, N.W.  
 Washington, D.C. 20016-2766  
 To apply for your NWA VISA, contact and call 1-800-847-7378



A copy of the first form of report filed by the Board of Directors of the National Wildlife Federation may be obtained by writing to: National Wildlife Federation, 1400 Westmont Street, N.W., Washington, D.C. 20016-2766. A copy of the official registration and supporting documents may be obtained from the West Virginia Secretary of State, State Capitol Building, West Virginia 26004. Registration documents may be obtained from the West Virginia Secretary of State, State Capitol Building, West Virginia 26004.

From the desk of

WILLIAM W. HOWARD, JR.  
Senior Vice President

*Let me  
share a letter  
with you*

Dear Bill,

You asked me to describe the reasons why I specialize in wildlife art.

Simply put, it's because I care a great deal about the natural world, conservation, and the very critical need (especially today) to work on nature's behalf.

Oh I don't mean to suggest that my paintings and sketches are going to change the world. Far from it. Yet, when they appear in your NATIONAL WILDLIFE magazine, well -- I think we're getting to the right audience.

Your readers are some of the most literate and intelligent people I know. (Since many of them write to me I am a good judge of this!) My belief is that they share the concerns you and I have for the welfare of nature, and that together we're going to continue to do our best for wildlife and conservation.

I love NATIONAL WILDLIFE, and thanks for letting me tell you so!

Sincerely,

*Chuck*  
Chuck

*I urge you to try this  
unique magazine  
WWT*

Chuck Ripper created the pictures on the U.S. Postage Stamp series.  
*Wildlife of the 50 States*. And, his art frequently appears in the  
pages of NATIONAL WILDLIFE, magazine.

Working for the Nature of Tomorrow  
NATIONAL WILDLIFE FEDERATION  
1400 Sixteenth Street, N.W., Washington, D.C. 20036-2266



Chuck Ripper's most recent "Nature Sketchbook" for  
NATIONAL WILDLIFE magazine highlighted the interesting  
ways that animals adapt to winter.



Before sealing this envelope...

**The FREE BONUS GIFT**  
**Window Birdfeeder**

is yours only if you choose  
Associate Membership and return  
the Reply Card by May 5th.

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO. 5823-N WASHINGTON, D.C.

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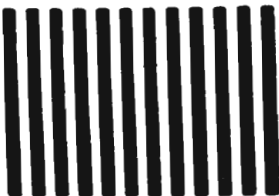
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UNITED STATES HISTORICAL SOCIETY  
March 9, 1989

Mr. Jan W. Baran  
General Counsel  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, DC 20003

Dear Mr. Baran:

I have received your letter of February 24, 1989 regarding the mailing from the United States Historical Society which you recently received on the Presidential Bowl. I can assure you we did not realize there was a problem with the validity of the list. We obtained the list through our list broker, George Tyler, Names and Addresses, Inc., 7400 Metro Blvd., Suite 230, Edina, MN 55434, (612) 893-1546. Should you have any additional questions about the list, I am sure that Mr. Tyler can help you.

We planned to mail additional names from this list at the end of March. However, we have cancelled our order for this list as a result of your letter.

Thank you for bringing this problem to our attention. If I can be of additional assistance, please do not hesitate to contact me.

Sincerely,

*Paul J. Warden*  
Paul J. Warden  
President

PJW:mlg

cc: Mr. George Tyler

040392370

]



**Names  
and  
Addresses,  
Inc.®**

7400 Metro Boulevard Suite 230 Edina, MN. 55435 (612) 893-1546

SA 0011 1-2

cc: W. E. ...  
National ...

Dear Jan Sarah,

Re: Conservative Donor List Mailer by U.S. Historical Society

The list in question has been on the "do not rent" market in some form at least since 1985. We did order 1985 donors for this project. The list distribution is controlled not by us - an independent broker - but by:

Plymouth List Company, Inc.  
2005 Jefferson Davis Highway  
Suite 200  
Sterling, VA 22154  
Wendy Driscoll - General Manager  
703-333-0777

Per your letter to U.S. Historical Society, we will no longer order the list for our clients unless the problem is resolved.

It is not unusual in our business to have a "hoax" go up that is not true, an example of unauthorized use. But for the time being, we will consider the list "Metropolitan Area Donors" compiled allegedly until proven innocent.

If you need any additional information in your pursuit of the facts, please call.

Sincerely,

*George T. Tyler*

George T. Tyler  
Names and Addresses, Inc.

P.S. Enclosed is the copy of the promotional data Plymouth uses to market the list. See also Direct Mail List Rates & Data, published by Standard Rates and Data Service (SRDS) publishing - available in a library. Plymouth is aware of your allegations to date.

GTT/mab

# METROPOLITAN AREA DONORS

(Caution-list is under gov't litigation-unauthorized use)

Metropolitan area DO 03/13/89

L00157780 019 019

254,781 Total List

163,000 1989 Donors, \$100+

\$60.00/M

## SELECTIONS

SCF 5 00/M

Metropolitan 5 00/M

Imilia 5 00/M

Gender 5 00/M

## DESCRIPTION

Direct response contributors in major metropolitan areas who have given unusually large donations to social cause organizations or political campaigns within the last 12 months

## PROCESSING

5,100 3 00/M

## FORMAT

4-Up Chestnuts Labels

Mag Tape/HR 20 00/M

ST. 1000 GPI

P. S. Labels 5 00/M

## MINIMUM ORDER

5,000

|                     |        |
|---------------------|--------|
| Atlanta             | 7,584  |
| Boston              | 20,135 |
| Chicago             | 3,100  |
| Cleveland           | 1,000  |
| Dallas/Ft Worth     | 7,090  |
| Detroit             | 8,403  |
| Houston             | 5,015  |
| Los Angeles         | 31,519 |
| Minneapolis/St Paul | 5,334  |
| New York            | 67,062 |
| Philadelphia        | 9,022  |
| San Diego           | 10,286 |
| San Francisco       | 27,144 |
| Washington D C      | 28,070 |

Especially effective for charities, both national and local; agencies helping the poor, the sick, the homeless

Excellent also for cultural fundraising-public television, museums, historic preservation projects

Cleaned and updated continuously.

## SOURCE:

Direct Mail 100%

## PROFILE:

Male 60%

Female 15%

Family 25%

SUBMIT TWO (2) SAMPLES OF MAILING PIECES FOR APPROVAL.

We believe this information to be accurate, but we cannot guarantee its accuracy or the outcome

## NAMES AND ADDRESSES INC.

Offices: 4096 Commercial Ave, Northbrook, IL 60062 312-272-7935

GEORGE T. TULL

NAME & ADDRESS, INC.

7400 Metro Blvd., Suite 230

Edina, MN 55435

(612) 893-1548

40322373



March 21, 1989

Jan W. Baran  
General Counsel  
National Republican  
Congressional Committee  
320 First Street, S.E.  
Washington, DC 20003

Dear Mr. Baran:

Thank you for your letter of February 24, 1989 in which you informed us of a problem concerning one of the lists we rented for one of our recent direct mail solicitations.

The list in question was called "High Dollar Donors," and it was acquired by our list broker, Alan Drey Company, Inc., 333 N. Michigan Avenue, Chicago, IL 60601. The person we work with is Mr. Don Hoika.

We appreciate your bringing this to our attention, and we are bringing it to the attention of our broker. We assume that you will follow through with Mr. Hoika.

If you have any further questions, please feel free to contact us here at the National Headquarters.

Sincerely,

Edward Truschke  
President

EFT/rfs

cc: Don Hoika  
Alan Drey Company, Inc.

Attachment 7

**Board of Directors**

- Chairman**
- Richard Gehring  
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South Orange, NJ
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0155S

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NATIONAL WILDLIFE FEDERATION, 1400 Sixteenth Street, N.W., Washington, D.C. 20036-2266

Office of the General Counsel

March 9, 1989

Jan W. Baran, General Counsel  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, D.C. 20003

Dear Ms. Baran:

Your letter of February 24, 1989 was forwarded to my attention by Dr. Hair.

As a membership supported organization, the National Wildlife Federation ("NWF") can appreciate the concerns of the National Republican Congressional Committee ("NRCC") regarding possible misuse of a contributors list. I am also familiar with the procedures of the Federal Election Commission (FEC) and the provisions of the Federal Election Campaign Act and can appreciate your need to monitor use of the lists of NRCC contributors through the use of fictitious names.

You are correct that NWF undertook this mailing with no knowledge that the list was in any respect improperly obtained or rented in violation of any law. The list was rented by NWF through legitimate list market channels from Plymouth Lists for a test mailing. Our broker for this list believes that the list was most likely not obtained unlawfully for commercial use from the FEC. The broker is aware of similar situations in which lists were voluntarily made available to other political groups or committees and, in turn, the lists were released for commercial use, erroneously without removal of the fictitious names.

In any event, please accept this letter as confirmation that the National Wildlife Federation will make no further mailings of the list on which the name on the mailing you attached appeared.

For your further investigation, please feel free to contact our broker: Judy Jones, Vice President, CELCO, 322 Eighth Avenue, New York, New York 10001, (212) 243-8090.

Thank you.

Very truly yours,



Christine L. Egan  
Assistant General Counsel

c: Jay D. Hair  
Ken Modzelewski

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## AFFIDAVIT OF DEBORAH FLAVIN

DEBORAH FLAVIN, being first duly sworn, deposes and says:

1. I am Deborah Flavin. I currently hold the position of Administrative Assistant to the General Counsel for the National Republican Congressional Committee ("NRCC"), located at 320 First Street, S.E., Washington, D.C. 20003.

2. I have read and am familiar with the complaint filed by R. Marc Nuttle on behalf of the NRCC against Plymouth List Company, Inc and Nina Driscoll (hereafter the "NRCC Complaint").

3. In my capacity as Administrative Assistant, I am responsible for filing the list of pseudonyms, appearing on the NRCC reports submitted to the Federal Election Commission which are the subject of the NRCC Complaint. These pseudonyms are supplied to the NRCC by U.S. Monitor, a list monitoring organization.

4. In January 1989, U.S. Monitor began forwarding to the NRCC solicitations it had received for three of the pseudonyms listed on the NRCC 1984 Third Quarter, Post-General Election, and Year-End Reports. (Copies of those solicitations are attached to the NRCC Complaint.)

5. In order to ascertain who was responsible for disseminating a list containing pseudonyms from the NRCC's FEC disclosure reports, the NRCC General Counsel sent letters to each of the organizations and corporations from which the various mailings originated. I followed that correspondence with telephone calls to the organizations involved or the list brokers

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those organizations had identified in their responses to the NRCC General Counsel. (Copies of those responses are included as attachments to the NRCC Complaint.)

6. On March 13, 1989 I called George Tyler of Names and Addresses, Inc. in Edina, Minnesota to inquire about the source of the list Names and Addresses, Inc. had used for a mailing for the United States Historical Society.

7. Mr. Tyler informed me that Names and Addresses is an independent broker and does not control any lists. He further stated that he had obtained the list in question from its owner, "Plymouth List Company, Inc.", and his contact at that firm was "Nina Driscoll".

8. Mr. Tyler further stated that he would forward a letter to the NRCC General Counsel stating the details of Names and Addresses rental of that list from the Plymouth List Company. (That letter is included in the NRCC Complaint as Attachment 6.)

9. On March 14, 1989 I attempted to contact Ms. Nina Driscoll of the Plymouth List Company, Inc. to ask how the list Plymouth had rented to Names and Addresses, Inc. had been compiled. Ms. Dianne Wildgrube, Ms. Driscoll's assistant, stated that Ms. Driscoll was out of the office, but added that Mr. George Tyler of Names and Addresses, Inc., had called earlier about the list in question. Ms. Wildgrube confirmed that Plymouth List Company Inc. was the owner of the list in question. She further

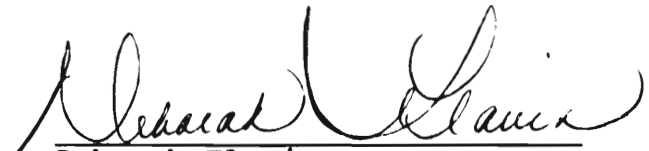
stated that Plymouth was attempting to re-trace how and where they had obtained the names for that particular list. Ms. Wildgrube "felt sure they never had any names from any of the NRCC's lists."

10. On March 15, Ms. Wildgrube faxed information to clarify our telephone conversation of March 14, 1989. That letter is included in the NRCC Complaint at Attachment 10.

11. On April 6, 1989 I contacted Mr. Donald Hoika of the Alan Drey Company, Chicago, Illinois to inquire about the source of the list his company had rented for the Alzheimer's Association. Mr. Hoika confirmed that the Alan Drey Company is, in fact, the list broker for the Alzheimer's Association. He further stated that the list in question had been rented for the Alzheimer's Association from the Plymouth List Company, Inc. of Stafford, Virginia.

12. On April 6, 1989, I also attempted to contact Ms. Judy Jones of CELCO to inquire about the source of the list her organization had rented for the National Wildlife Federation and the American Federation for the Blind. Although Ms. Jones was not in the office, Ms. Carol Enters, owner of CELCO, returned my call on April 7. Ms. Enters confirmed that CELCO was, in fact, list broker for both the National Wildlife Federation and the American Federation for the Blind.

13. Ms. Enters identified the lists in question as "High Dollar Donor" lists that CELCO had rented from the Plymouth List Company, Inc. of Stafford, Virginia.

  
Deborah Flavin

Subscribed and sworn to before me on this 6<sup>th</sup> day of July  
1989.

  
Notary Public

My Commission Expires: My Commission Expires June 14, 1991

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# Plymouth LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

March 15, 1989

Debra Flavin  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington D.C. 20003

Dear Ms. Flavin,

In response to your telephone query of yesterday, March 14, 1989, I am submitting the following clarification:

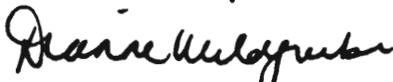
(1) We have never had names on our list that originated from the National Republican Congressional Committee (RNCC) reports.

(2) Our lists have been on the market for many years and this is the first time such a thing has happened.

(3) Obviously, if a "fictitious" name was used it was a mistake or accident by one of the computer houses involved.

I hope this clarifies the problem.

Sincerely,

  
Dianne E. Wildgrube



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

July 17, 1989

Edward Rollins, Co-chairman  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, DC 20003

RE: MUR 2926

Dear Mr. Rollins:

This letter acknowledges receipt on July 10, 1989, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Plymouth List Co., Inc. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2926. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to be "L. G. Lerner", written over a horizontal line.

By: Lois G. Lerner  
Associate General Counsel

Enclosure  
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 17, 1989

Plymouth List Co., Inc.  
2066 Jefferson Davis Highway  
Suite 202  
Stafford, Virginia 22554

RE: MUR 2926

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that Plymouth List Co., Inc. may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2926. Please refer to this number in all future correspondence.

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

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

If you have any questions, please contact Michael Marinelli, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble  
General Counsel



By: Lois G. Lerner  
Associate General Counsel

Enclosures

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

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Plymouth  
LIST CO., INC.

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

89 AUG 16 AM 11:12

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

August 14, 1989

Ms Lois G. Lerner  
Associate General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D. C. 20463

Dear Ms Lerner,

Re: MUR 2926

In response to your letter stating that Plymouth List Company may have violated the Federal Elections Campaign Act of 1971:

Plymouth List Company acts only as a list manager/list broker and does not collect, buy or trade in political names. Plymouth List also does not do their own computer work, hence we have no control of the names that are used by our clients.

Our company has had no other previous legal encounters but we will be getting a lawyer to help us with this matter. He will be supplying you with a more detailed answer to this problem.

We had previously written to you at 1325 K Street NW, the address on the original brown envelope. We are resubmitting this letter to your correct address to be sure that copies are received.

Sincerely,

*Dianne Wildgrube*  
Dianne Wildgrube

cc: Michael Marinelli

DW/kc

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
89 AUG 16 PM 3:23

89 OCT -6 PM 4:20  
**SENSITIVE**

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

**FIRST GENERAL COUNSEL'S REPORT**

MUR 2926  
DATE COMPLAINT RECEIVED  
BY OGC: 7-10-89  
DATE OF NOTIFICATION TO  
RESPONDENTS: 7-17-89  
STAFF MEMBER: Karen Powell

COMPLAINANTS: Edward Rollins, Co-Chairman  
National Republican Congressional Committee

RESPONDENTS: Plymouth List Company, Inc., et al.

RELEVANT STATUTE: 2 U.S.C. 438(a)(4)

INTERNAL REPORTS CHECKED: List of Pseudonyms provided to  
RAD

FEDERAL AGENCIES CHECKED: none

**I. GENERATION OF MATTER**

On July 10, 1989 the Commission received a complaint filed by Edward Rollins, Co-Chairman of the National Republican Congressional Committee (the "NRCC"), alleging that Plymouth List Company, Inc. and its general manager, Nina Driscoll ("Plymouth"), violated 2 U.S.C. § 438(a)(4) by using or selling individual names copied or obtained from NRCC reports filed with the Federal Election Commission. (Attachment I).

The complaint states that when the NRCC prepared its 1984 October, Post-General Election, and Year-End Reports, it included five pseudonyms as permitted by 2 U.S.C. § 438(a)(4). The NRCC provided a list of the pseudonyms to the Commission as required by 11 C.F.R. § 104.3(e)(5). These pseudonyms were

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provided to the NRCC by U.S. Monitor, a list monitoring agency.<sup>1</sup> In January, 1989, U.S. Monitor began to receive solicitations from various charitable organizations addressed to three of the five pseudonyms. The three pseudonyms receiving solicitations were . The NRCC conducted an inquiry into the source of the lists and presented the following facts in its complaint to support its allegations against Plymouth.

The pseudonym received solicitations from the American Federation for the Blind and the United States Historical Society. When contacted by the NRCC, counsel for the American Federation for the Blind stated that they rented the list used for the mailing from CELCO, a New York based firm owned and operated by Carol Enters. Subsequently, CELCO identified Plymouth as the source of the list. The list used by the U.S. Historical Society was obtained from Names and Addresses, Inc. of Edina, Minnesota. When contacted by the NRCC, Names and Addresses, Inc. identified Plymouth as the source of the list.

The pseudonym received a solicitation from the Alzheimer's Association. When contacted by the NRCC, Edward Trushke, President of the Alzheimer's Association, stated that the list in question had been rented for his company by the Alan

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1. In order to develop a complete administrative record in this matter, this Office is recommending that questions be sent to U.S. Monitor for the purpose of verifying the information contained in the NRCC complaint and to determine whether the pseudonyms provided to the NRCC were also provided to any other client of U.S. Monitor.

Drey Company, Inc. of Chicago, Illinois. In turn, the Alan Drey Company identified Plymouth as the source of the list.

The pseudonym received a solicitation from the National Wildlife Federation. Christine L. Egan, Assistant General Counsel of the National Wildlife Federation informed the NRCC that the list in question was obtained through its list broker, CELCO. Ms. Carol Enters of CELCO identified the list to the NRCC as the "High Dollar Donors" list, and stated that CELCO had rented the list from Plymouth.

On March 14, 1989, Ms. Deborah Flavin of the NRCC spoke with Ms. Dianne Wildgrube of Plymouth concerning the list provided to the U.S. Historical Society. In that conversation, Ms. Wildgrube confirmed that Plymouth was the owner of the list supplied to the U.S. Historical Society, but denied that the names had come from NRCC reports. (Attachment 1, p. 5). Ms. Wildgrube also offered the explanation that any NRCC names appearing on the list were a result of a mistake or accident by one of the computer houses involved with the generation of the list. (Attachment II, [Attachment 10 of NRCC Complaint]). On August 16, 1989, this Office received a response to its letter notifying Plymouth of the complaint. In its response, Plymouth states that it "acts only as a list manager/list broker and does not collect, buy or trade in political names." (Attachment III). Ms. Wildgrube repeated the explanation that any illegally copied names were the responsibility of one of the computer houses involved with the generation of the list.

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## II. FACTUAL AND LEGAL ANALYSIS

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The Federal Election Campaign Act of 1971, as amended (the "Act"), requires that all reports and statements filed with the Commission be made available for public inspection within forty-eight hours after the time of receipt by the Commission. Such reports may be copied, "except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes." 2 U.S.C. § 438(a)(4). A 1979 amendment to this provision of the Act provides an exception to the effect that the name and address of any political committee on file at the Commission may be used to solicit contributions from that committee.

This statutory provision also allows committees required to file reports with the Commission to include up to ten pseudonyms in their reports "in order to protect against the illegal use of names and addresses of contributors." 2 U.S.C. § 438(a)(4). A list of pseudonyms included in any report must be attached to such reports. The lists of pseudonyms are excluded from the public record. These "salt" or "seeded names," as they are referred to, provide a means of identifying and proving when names are copied from reports filed with the Commission.

The Commission's Regulations state that the prohibition against copying names for soliciting contributions or commercial purposes applies to "[a]ny information copied or otherwise obtained, from any report or statement, or any copy,

reproduction, or publication thereof, filed with the Commission, Clerk of the House, Secretary of the Senate, or other equivalent State officers..." 11 C.F.R. § 104.15(a). The Commission's Regulations explain that under the Act, "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b).

The Commission has consistently interpreted and applied Section 438(a)(4) to prohibit any person from using or selling illegally copied names through the generation or marketing of contributor or donor lists. See Federal Election Commission v. American International Demographic Services, Inc. 629 F.Supp. 317 (E.D. Va. 1986); Advisory Opinion 1986-25. The Commission has also interpreted this provision to prohibit certain ancillary uses or sales, such as list brokering, undertaken in connection with, or to support, the trade or commerce in unlawfully obtained names. See Advisory Opinion 1985-16.

The NRCC states in its complaint that it does not believe that the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association, the National Wildlife Federation, CELCO, Names and Addresses, Inc, or the Alan Drey Company, Inc. should be named as, or are, respondents in this matter. However, a strict reading of the statute permits the conclusion that any person involved in the commercial use of a name illegally copied from FEC records commits a violation of 2 U.S.C. § 438(a)(4).

A. Plymouth List Company Inc.

The information provided by the NRCC in its complaint indicates that the Plymouth List Company, Inc. copied or otherwise obtained names contained in NRCC reports filed with the Commission and rented these names to others for the purpose of soliciting contributions or for commercial purposes. Plymouth List Company states that it acts only as a list manager/broker. In its response to the Commission's notification of complaint, Plymouth states that it "does not do its own computer work and, hence, [has] no control of the names that are used by [its] clients." However, Plymouth does not deny that it marketed the list used in the solicitations referred to in the NRCC complaint. (Attachment 3). Consequently, this Office recommends that the Commission find reason to believe that the Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4).

B. American Federation for the Blind, The United States Historical Society, the Alzheimer's Association and the National Wildlife Federation

Each of the charities named in the NRCC complaint utilized the services of a list broker who selected the Plymouth list and arranged for its use in the charitable solicitation. The charity or list user acts as a passive consumer in the list creation and marketing business. Generally, the list user has no practical means of adding names to the mailing list or of determining that the list contained illegally obtained names. In the present case, the facts contained in the NRCC complaint give no indication of special circumstances that would indicate

that the charities involved could have known that the particular list contained unlawfully obtained names. Accordingly, this Office makes no recommendation at this time with regard to the charities who used the Plymouth list.

C. CELCO<sup>2</sup>, the Alan Drey Company and Names and Addresses, Inc.

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In previous matters, the Commission has found reason to believe that list brokers have violated 2 U.S.C. § 438(a)(4) in situations where there was a lack of evidence in the initial complaint with regard to the party or parties responsible for the original copying of FEC reports. Commission practice has been to ask these broker/respondents to provide information identifying the list manager/owner. Once they have done so, the Commission has taken no further action against such parties in the absence of information indicating complicity between the list owner and the list broker. See MURs 1541/1542, 1549, 2565, 2571,

In the present case, the complainant has supplied information identifying the list manager/owner, as well as the individuals who brokered the list.

List brokers normally have no direct connection with the individuals compiling a particular list and would rarely have actual knowledge of the source of the names contained in the list. However, in previous matters, the Commission has also

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2. The Commission found reason to believe that CELCO had violated the Act in MURs 1549, 2571. After receiving CELCO's response to the Commission's interrogatories in 1549, the Commission took no further action. MURs 2571 are still pending. Questions were directed to CELCO as a non-respondent witness in MUR 1542.

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directed questions to list brokers not only to identify the persons responsible for the original copying of the list but also to determine whether that particular list broker, had or should have had, actual knowledge of the tainted nature of the list it brokered. (See interrogatories propounded to respondents in connection with MURs 1541/1542, 1549, 2565, 2571). In MUR 2822, although the list owner had been identified in the complaint, the Commission found reason to believe that a list broker had violated Section 438(a)(4) and requested information about its role in the marketing of the list in question because it was unclear what the list broker might have known about the creation and sources of the tainted list.

In its response, Plymouth argues that one of its clients was responsible for the inclusion of names drawn from NRCC reports. (Attachment III). It is unclear if Plymouth is suggesting that CELCO, the Alan Drey Company, or Names and Addresses added names to the Plymouth list before brokering it to the charities named above. The NRCC complaint contains insufficient information from which to conclude that the brokers involved did not add names to the Plymouth list.

Consequently, this Office recommends that the Commission find reason to believe that CELCO, the Alan Drey Company, and Names and Addresses, Inc. violated 2 U.S.C. § 438(a)(4). This Office also recommends approval of interrogatories designed to

verify the information contained in the NRCC complaint and to determine whether these brokers had knowledge that the "High Dollar Donors" list provided by the Plymouth List Company, Inc. contained names illegally copied from FEC records.

### III. RECOMMENDATIONS

1. Find reason to believe that the Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4).
2. Find reason to believe that CELCO, Names and Addresses, Inc. and the Alan Drey Company, Inc. violated 2 U.S.C. § 438(a)(4).
3. Approve the attached letters, questions and Factual and Legal Analyses.

Lawrence M. Noble  
General Counsel

40892396  
10-5-89  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

### Attachments

1. NRCC Complaint
2. Plymouth letter to Debra Flavin of the NRCC dated March 15, 1989
3. Plymouth response to NRCC complaint dated August 14, 1989
4. Proposed letters (4)
5. Factual and Legal Analyses (4)
6. Proposed questions

Staff Assigned: Karen Powell

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2926  
Plymouth List Company, Inc., et al.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 18, 1989, the Commission decided by a vote of 5-0 to take the following actions in MUR 2926:

1. Find reason to believe that the Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4).
2. Find reason to believe that CELCO, Names and Addresses, Inc. and the Alan Drey Company, Inc. violated 2 U.S.C. § 438(a)(4).
3. Approve the letters, questions and Factual and Legal Analyses attached to the General Counsel's Report dated October 5, 1989.

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

Attest:

10-18-89  
Date

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

Received in the Secretariat: Friday, October 6, 1989 4:20  
Circulated to the Commission: Tuesday, October 10, 1989 11:00  
Deadline for vote: Wednesday, October 18, 1989 11:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1989

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Nina Driscoll, General Manager  
Plymouth List Company, Inc.  
2066 Jefferson Davis Highway, Suite 202  
Stafford, VA 22554

RE: MUR 2926  
Plymouth List Company, Inc.

Dear Ms. Driscoll:

On July 17, 1989, the Federal Election Commission notified Plymouth List Company, Inc. of a complaint alleging violations of 2 U.S.C. § 438(a)(4) of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on October 18, 1989, found that there is reason to believe your corporation violated 2 U.S.C. § 438(a)(4). 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 interrogatories must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the interrogatories.

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

Ms. Nina Driscoll  
page 2

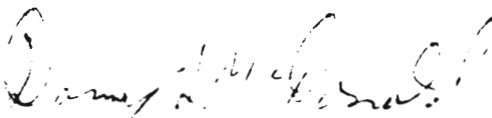
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 CFR § 111.18(d). Upon receipt of the request the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending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

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

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

If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Danny L. McDonald  
Chairman

Enclosures  
Interrogatories  
Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:**      Plymouth List Company, Inc.      **MUR:** 2926

The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that three pseudonyms included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in solicitations mailed by the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association and the National Wildlife Federation. Because the pseudonyms had been obtained from the Commission's reports, there appears to be a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10 pseudonyms on each report filed with the Commission.

2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions" within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Complainant stated that it tracked the source of the list by contacting the list users named above. According to Complainant, the list users identified Carol Enters List Company, the Alan Drey Company, and Names and Addresses, Inc. as the brokers who arranged for their use of a list, subsequently identified as the "High Dollar Donors" list, which contained the pseudonymous names. Complainant further stated that each of the list brokers identified the Plymouth List Company, Inc. of Stafford, VA. as the owner of the list.

In its unsworn response to the complaint, Plymouth List Company states that it acts only as a list manager/broker. Plymouth further states that it "does not do its own computer work and, hence, [has] no control of the names that are used by [its] clients." However, Plymouth does not deny that it marketed the list used in the solicitations referred to in the NRCC complaint. Therefore, based on the available information, there is reason to believe that the Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4) when information obtained from FEC reports was included in a list marketed by Plymouth.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: Nina Driscoll, General Manager  
Plymouth List Company, Inc.  
2066 Jefferson Davis Highway, Suite 202  
Stafford, Virginia 22554

234099240

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions and requests for discovery set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of General Counsel, Federal Election Commission, Room 659, 999 E. St. N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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.

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.

These questions concern the mailing list described as "High Dollar Donors" used by The American Federation for the Blind, The United States Historical Society, the Alzheimer's Association and the National Wildlife Federation to issue the attached mailings (Exhibit A) (hereinafter "the List").

1. State the name of the List described above, if different than the name provided, and state the number of persons whose names are contained on the List.
2. Are you the owner of the List?
3. If you are not the owner of the List, what is your relationship to the List?
4. Describe in detail the method whereby you obtained the names and addresses that appeared on the List. In addition:
  - A. Identify all persons who helped you to compile the List.
  - B. Identify any person who provided names and addresses you used to compile the List. State whether you inquired as to the source of the names you obtained. State what, if any, representations that person made to you as to the source of the names and addresses provided to you.
  - C. If you did not initially compile or create the List, state whether you added any names and addresses to it. State the source of any names and addresses you added to the List.
  - D. If you added names to the List, and the names you added were obtained from another person, state whether you inquired as to the source of the names you obtained. State what, if any, representations were made to you as to the source of the names and addresses you added to the List. Identify the person(s) who made each such representation.
5. State whether any vendor at your direction added names to the List or modified the List in any way prior to its sale or rental by you to third parties, including but not limited to the performance of list cleaning, file maintenance and merge/purge services. If your answer is affirmative, state in detail, the nature of any modifications made to the List at your direction.
6. If a source of the names and addresses on the List was the Federal Election Commission ("FEC"), the Secretary of State's Office or other Offices where election finance reports are filed, list the states and/or localities involved and specify the offices involved (e.g., state board of election).

7. If FEC records, including but not limited to contributor tapes, lists, or other information contained in FEC disclosure reports, were obtained in connection with the compilation of the List, state which records you obtained, who made them available, and how this occurred.

8. Describe in detail your role in marketing the List. In addition:

- A. If you did not provide the List directly to the parties named above, state the method by which you believe they obtained the List. State the names of any intermediaries or brokers to whom you provided the List.
- B. Identify all brokers, list managers, or list users to whom you sold, rented or otherwise made available the List, the date of provision, and the fee paid.
- C. State whether you received any inquiries from list brokers, list managers, or list users regarding the source of the names and addresses on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made and the answer provided to the inquiry.
- D. Describe the negotiations relating to your sale or rental of the List to each person listed in your answer to question 8B., including but not limited to, any warranties or representations regarding sources of the names on the List and whether any of these names had been illegally obtained.

9. Please produce the following documents and materials:

- A. Copies of all documents and materials pertaining to your acquisition, development and marketing of the List including all contracts or other agreements between yourself and parties to whom you marketed or made available the List.
- B. Copies of the original documents, including tapes, electronic files and all other materials, which you used to compile or add to the List.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1989

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Carol Enters, President  
Carol Enters List Company  
322 8th Avenue  
New York, New York 10001

RE: MUR 2926  
Carol Enters List Company

Dear Ms. Enters:

On October 18, 1989, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 438(a)(4) 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 interrogatories must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the interrogatories.

In the absence of any additional information which demonstrates that no further action should be taken against your corporation, 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 CFR § 111.18(d). Upon receipt of the request the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time

so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

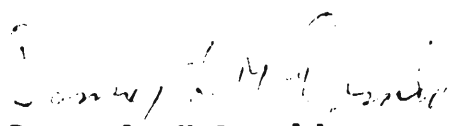
Requests for extension of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Danny L. McDonald  
Chairman

Enclosures

Interrogatories  
Factual and Legal Analysis  
Designation of Counsel Form  
Procedures

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Carol Enters List Company

**MUR:** 2926

The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that pseudonyms included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in solicitations mailed by the American Federation for the Blind and the National Wildlife Federation. Because the pseudonyms had been obtained from the Commission's reports, there appears to be a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10 pseudonyms on each report filed with the Commission. 2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions"

within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Complainant stated that it tracked the source of the list by contacting the list users named above. According to Complainant, list users identified Carol Enters List Company as the broker who arranged for their use of a list, subsequently identified as the "High Dollar Donors" list, which contained the pseudonymous names. Complainant further stated that Carol Enters List Company identified the Plymouth List Company, Inc. of Stafford, Va. as the owner of the list.

Based on the available information, it is unclear what the respondent knew about the creation and sources of the "High Dollar Donors" list. Accordingly, there is reason to believe that Carol Enters List Company violated 2 U.S.C. § 438(a)(4) when it marketed a list containing names drawn from FEC reports.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: Carol Enters, President  
Carol Enters List Company  
322 8th Avenue  
New York, New York 10001

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions and requests for discovery set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of General Counsel, Federal Election Commission, Room 659, 999 E. St. N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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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**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.

These questions concern the mailing list described as "High Dollar Donors" used by The American Federation for the Blind, and the National Wildlife Federation to issue the attached mailings (Exhibit A) (hereinafter "the List").

1. Identify the person(s) from whom you obtained the List or the rights to the List.
2. Did you ever have physical possession or custody of the List or any copies of the List, including but not limited to paper copies, electronic files, tapes, and records of the List or any portion thereof? If the answer to the above question is yes, please state the form of the List you had in your possession and whether you still possess the List or any copies of the List.
3. State whether you added names to the List or modified the List in any way prior to its sale or rental by you to third parties. State whether any person at your direction added names to the List or modified the List in any way prior to its sale or rental by you to third parties. If your answer to either question is affirmative:
  - A. State in detail, the nature of any modifications made to the List by you, or by any person at your direction.
  - B. State the source of any names and addresses you added to the List.
  - C. If the names and addresses you added to the List were provided to you by another person, state whether you inquired as to the source of the names you obtained. State what, if any, representations were made to you as to the source of the names and addresses you added to the List. Identify the person(s) who made each such representation.
4. Identify the person(s) that first informed you about the existence of the List.
5. Describe the negotiations between your organization and the person(s) noted in question 1, including but not limited to:
  - A. the date the negotiations began and ended
  - B. the price paid for the rights to the list.
  - C. representations or warranties made (if any) regarding the sources of the names contained on the List and whether any names had been illegally obtained.
6. Identify the owner of the List.

7. Identify all persons, including yourself if applicable, who managed the List.
8. Identify the person(s) who compiled or created the List.
9. Identify all persons to whom you have provided the List, the dates of provision, and the fees paid by such persons.
10. Describe the negotiations relating to your sale or rental of the List to each person listed in your answer to question 9, including but not limited to, any warranties or representations regarding sources of the names on the List and whether any of these names had been illegally obtained.
11. Please produce the following documents and materials:
  - A. Copies of all documents and materials pertaining to your acquisition, development and marketing of the List including all contracts or other agreements between yourself and the list owner and all contracts or other agreements between yourself and parties to whom you marketed or made available the List.
  - B. Copies of the original documents, including tapes, electronic files and all other materials, which you used to add to the List.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1989

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. George Tyler  
Names and Addresses, Inc.  
7400 Metro Blvd., Suite 230  
Edina, Minnesota 55434

RE: MUR 2926  
Names and Addresses, Inc.

Dear Mr. Tyler:

On October 18, 1989, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 438(a)(4) 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 interrogatories must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the interrogatories.

In the absence of any additional information which demonstrates that no further action should be taken against your corporation, 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 CFR § 111.18(d). Upon receipt of the request the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald  
Chairman

Enclosures

Interrogatories  
Factual and Legal Analysis  
Designation of Counsel Form  
Procedures

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:**      Names and Addresses, Inc.

**MUR:** 2926

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The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that a pseudonym included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in a solicitation mailed by the United States Historical Society. Because the pseudonym had been obtained from the Commission's reports, there appears to be a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10' pseudonyms on each report filed with the Commission. 2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions"

within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Complainant stated that it tracked the source of the list by contacting the list user named above. According to Complainant, the list user identified Names and Addresses, Inc. as the broker who arranged for its use of a list, subsequently identified as the "High Dollar Donors" list, which contained the pseudonymous names. Complainant further stated that Names and Addresses identified the Plymouth List Company, Inc. of Stafford, Va. as the owner of the list.

Based on the available information, it is unclear what the respondent knew about the creation and sources of the "High Dollar Donors" list. Accordingly, there is reason to believe that Names and Addresses, Inc., violated 2 U.S.C. § 438(a)(4) when it marketed a list containing names drawn from FEC reports.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

INTERROGATORIES AND  
REQUESTS FOR PRODUCTION

TO: Mr. George Tyler  
Names and Addresses, Inc.  
7400 Metro Blvd., Suite 230  
Edina, Minnesota 55434

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In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions and requests for discovery set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of General Counsel, Federal Election Commission, Room 659, 999 E. St. N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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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.

INTERROGATORIES

These questions concern the mailing list described as "High Dollar Donors" used by The United States Historical Society to issue the attached mailing (Exhibit A) (hereinafter "the List").

1. Identify the person(s) from whom you obtained the List or the rights to the List.
2. Did you ever have physical possession or custody of the List or any copies of the List, including but not limited to paper copies, electronic files, tapes, and records of the List or any portion thereof? If the answer to the above question is yes, please state the form of the List you had in your possession and whether you still possess the List or any copies of the List.
3. State whether you added names to the List or modified the List in any way prior to its sale or rental by you to third parties. State whether any person at your direction added names to the List or modified the List in any way prior to its sale or rental by you to third parties. If your answer to either question is affirmative:
  - A. State in detail, the nature of any modifications made to the List by you, or by any person at your direction.
  - B. State the source of any names and addresses you added to the List.
  - C. If the names and addresses you added to the List were provided to you by another person, state whether you inquired as to the source of the names you obtained. State what, if any, representations were made to you as to the source of the names and addresses you added to the List. Identify the person(s) who made each such representation.
4. Identify the person(s) that first informed you about the existence of the List.
5. Describe the negotiations between your organization and the person(s) noted in question 1, including but not limited to:
  - A. the date the negotiations began and ended
  - B. the price paid for the rights to the list.
  - C. representations or warranties made (if any) regarding the sources of the names contained on the List and whether any names had been illegally obtained.

6. Identify the owner of the List.
7. Identify all persons, including yourself, if applicable, who managed the List.
8. Identify the person(s) who compiled or created the List.
9. Identify all persons to whom you have provided the List, the dates of provision, and the fees paid by such persons.
10. Describe the negotiations relating to your sale or rental of the List to each person listed in your answer to question 9, including but not limited to, any warranties or representations regarding sources of the names on the List and whether any of these names had been illegally obtained.
11. Please produce the following documents and materials:
  - A. Copies of all documents and materials pertaining to your acquisition, development and marketing of the List including all contracts or other agreements between yourself and the list owner and all contracts or other agreements between yourself and parties to whom you marketed or made available the List.
  - B. Copies of the original documents, including tapes, electronic files and all other materials, which you used to add to the List.



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

November 1, 1989

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Alan Drey, President  
Alan Drey Company  
333 North Michigan Avenue  
Chicago, Illinois 60601

RE: MUR 2926  
Alan Drey Company

Dear Mr. Drey:

On October 18, 1989, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 438(a)(4) 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 interrogatories must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the interrogatories.

In the absence of any additional information which demonstrates that no further action should be taken against your corporation, 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 CFR § 111.18(d). Upon receipt of the request the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald  
Chairman

Enclosures

Interrogatories  
Factual and Legal Analysis  
Designation of Counsel Form  
Procedures

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT:     Alan Drey Company

MUR: 2926

The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that a pseudonym included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in a solicitation mailed by the Alzheimer's Association. Because the pseudonym had been obtained from the Commission's reports, there appears to be a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10 pseudonyms on each report filed with the Commission. 2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions"

within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Complainant stated that it tracked the source of the list by contacting the list user named above. According to Complainant, the list user identified the Alan Drey Company as the broker who arranged for its use of a list, subsequently identified as the "High Dollar Donors" list, which contained the pseudonymous names. Complainant further stated that the Alan Drey Company identified the Plymouth List Company, Inc. of Stafford, Va. as the owner of the list.

Based on the available information, it is unclear what the respondent knew about the creation and sources of the "High Dollar Donors" list. Accordingly, there is reason to believe that the Alan Drey Company violated 2 U.S.C. § 438(a)(4) when it marketed a list containing names drawn from FEC reports.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

INTERROGATORIES AND  
REQUESTS FOR PRODUCTION

TO: Mr. Alan Drey  
Alan Drey Company  
333 North Michigan Avenue  
Chicago, Illinois 60601

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions and requests for discovery set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of General Counsel, Federal Election Commission, Room 659, 999 E. St. N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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.

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.

40392430

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

These questions concern the mailing list described as "High Dollar Donors" used by the Alzheimer's Association to issue the attached mailing (Exhibit A) (hereinafter "the List").

1. Identify the person(s) from whom you obtained the List or the rights to the List.
2. Did you ever have physical possession or custody of the List or any copies of the List, including but not limited to paper copies, electronic files, tapes, and records of the List or any portion thereof? If the answer to the above question is yes, please state the form of the List you had in your possession and whether you still possess the List or any copies of the List.
3. State whether you added names to the List or modified the List in any way prior to its sale or rental by you to third parties. State whether any person at your direction added names to the List or modified the List in any way prior to its sale or rental by you to third parties. If your answer to either question is affirmative:
  - A. State in detail, the nature of any modifications made to the List by you, or by any person at your direction.
  - B. State the source of any names and addresses you added to the List.
  - C. If the names and addresses you added to the List were provided to you by another person, state whether you inquired as to the source of the names you obtained. State what, if any, representations were made to you as to the source of the names and addresses you added to the List. Identify the person(s) who made each such representation.
4. Identify the person(s) that first informed you about the existence of the List.
5. Describe the negotiations between your organization and the person(s) noted in question 1, including but not limited to:
  - A. the date the negotiations began and ended
  - B. the price paid for the rights to the list.
  - C. representations or warranties made (if any) regarding the sources of the names contained on the List and whether any names had been illegally obtained.
6. Identify the owner of the List.

7. Identify all persons, including yourself, if applicable, who managed the List.
8. Identify the person(s) who compiled or created the List.
9. Identify all persons to whom you have provided the List, the dates of provision, and the fees paid by such persons.
10. Describe the negotiations relating to your sale or rental of the List to each person listed in your answer to question 9, including but not limited to, any warranties or representations regarding sources of the names on the List and whether any of these names had been illegally obtained.
11. Please produce the following documents and materials:
  - A. Copies of all documents and materials pertaining to your acquisition, development and marketing of the List including all contracts or other agreements between yourself and the list owner and all contracts or other agreements between yourself and parties to whom you marketed or made available the List.
  - B. Copies of the original documents, including tapes, electronic files and all other materials, which you used to add to the List.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 1, 1989

U.S. Monitor Service/Religious Lists  
86 Maple Avenue  
New City, New York 10956

RE: MUR 2926

Dear Sir/Madam:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the attached interrogatories which request that you provide certain information in connection with an investigation it is conducting. The Commission does not consider your company a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to these interrogatories. However, you are required to submit the information with 15 days of your receipt of this request.

If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely yours

Lawrence M. Noble  
General Counsel

  
BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Interrogatories

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)  
)  
)

MUR 2926

INTERROGATORIES

TO: U.S. Monitor Service/Religious Lists  
86 Maple Avenue  
New City, New York 10956

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

### INSTRUCTIONS

In answering these interrogatories, furnish all information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including 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 communications, or other items about which information is requested by any of the following interrogatories, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

The following interrogatories 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 party to whom these interrogatories are addressed, including all officers, employees, agents or attorneys thereof.

"Describe" shall mean provide the date, the names of all persons involved, and a concise description of the steps performed by you or by another person at your request or direction.

"Person(s)" 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.

INTERROGATORIES

1. State whether, in 1984, you provided pseudonyms and addresses to the National Republican Campaign Committee ("NRCC"), to be included on NRCC reports filed with the Federal Election Commission ("Commission"). If so, list the pseudonyms and addresses which you provided to the NRCC at that time.
2. Describe the nature of the services you performed for the NRCC in 1984.
3. State whether you provided the same or similar pseudonyms and addresses, e.g. by combining a first name with a different last name or a pseudonym with a different address, to persons other than the NRCC at any time before or after you provided the pseudonyms and addresses to the NRCC.
4. Describe the series of events which led to your informing the NRCC in 1988 or 1989 that the pseudonyms and addresses listed in your response to interrogatory No. 2 above had been used in charitable mailings by the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association and the National Wildlife Federation.

4096 Commercial Avenue Northbrook, Illinois 60062 (312) 272-7933

November 28, 1989

Danny L. McDonald  
Federal Election Commission  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
WASHINGTON, D.C. 20543  
89 NOV 30 PM 3:19

Dear Danny,

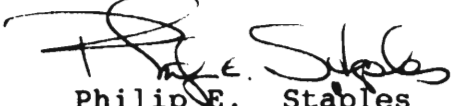
RE: MUR 2926  
Names and Addresses Inc.

Recently George Tyler of our Minneapolis office forwarded to me your request for information regarding a complaint from the National Republican Congressional Committee concerning a list rental NAI processed on behalf of the United States Historical Society. Because the corporate transaction records are maintained at this location I am handling the production of documents for your request and will be answering the interrogatory questions.

Enclosed are the answers to the questions and copies of documents pertaining to this matter.

If you have questions please don't hesitate to call me.

Sincerely yours,

  
Philip E. Staples  
NAMES AND ADDRESSES, INC.  
VICE PRESIDENT

PES/mm

Enclosures

1. Plymouth List Co., Inc.  
114 N. West Street, Suite 203  
Culpeper, Virginia 22701  
1-703-825-8822
2. No
3. No names were added to the list by NAI.
4. Do not know for sure. Information about this list was entered into our lists available database prior to 4/1/86. Most recent rate card received January 1989 from Plymouth List Co., Inc..

See Attachment 1 - NAI's Data Card and List dump.  
See Attachment 2 - Plymouth List Co. Data Card dated 1989 for  
Metropolitan Area Donors list.

5. No special negotiations.
  - A. See Attachment 6 - Documents for transaction No. NA-48536.  
See Attachment 8 - Documents for transaction No. NA-49899.
  - B. See Attachment 6 - Documents for transaction No. NA-48536.  
See Attachment 8 - Documents for transaction No. NA-49899.
  - C. See Attachment 1 - NAI's Data Card and List dump.
6. Don't know.
7. Plymouth List Co.
8. Don't know.

| 9. | NAI #    | DATE     | CLIENT                       | AMOUNT PAID |
|----|----------|----------|------------------------------|-------------|
|    | NA-26179 | 12/21/84 | WTTW-Channel 11              | \$1,017.00  |
|    | NA-28966 | 6/15/85  | WTTW-Channel 11              | \$ 597.00   |
|    | NA-31156 | 11/04/85 | Hull House Association       | \$ 597.50   |
|    | NA-48536 | 12/09/88 | U.S. Historical Society      | \$ 356.00   |
|    | NA-49478 | 1/27/89  | Field Museum of Natural Hsty | \$ 672.25   |
|    | NA-49899 | 2/17/89  | U.S. Historical Society      | \$ Cancel   |
|    | NA-50529 | 3/23/89  | Museum of Science & Industry | \$ 347.50*  |
|    | NA-53877 | 7/31/89  | U.S. Historical Society      | \$ 205.93   |

\* Notes open balance at this time.

10. Standard list availability research to find target markets and recommend to clients and prospects. At clients request NAI processes their rental, exchange, or purchase of list.

11. See Attachments 3 - Documents for transaction No. NA-26179  
See Attachments 4 - Documents for transaction No. NA-28966  
See Attachments 5 - Documents for transaction No. NA-31156  
See Attachments 6 - Documents for transaction No. NA-48536  
See Attachments 7 - Documents for transaction No. NA-49478  
See Attachments 8 - Documents for transaction No. NA-49899  
See Attachments 9 - Documents for transaction No. NA-50529  
See Attachments 10 - Documents for transaction No. NA-53877

40892441

Invalid Company/Div. 00000000  
Program zz0820

## Data Card List

Time 18:17:04 Date 11/27/89  
Page 1

List No. L00157780  
Desc. 1 METROPOLITAN AREA DONORS  
Desc. 2  
Alpha Key .... metropolitan area do  
Owner I.D. ...  
Manager I.D. . 59350002 PLYMOUTH LIST CO., INC.  
Managr Contact

- Unit of Sales -  
Average 0.00  
Range 0.00 to  
Min. Qty 5,000  
Min. Amnt 0.00

Options New List Flag 0  
0 Initial Add . 04/01/86  
0.00 0 Source Data . 01/01/89  
Last Updated. 01/20/89  
Last Ordered. 07/31/89  
Last Printed. 08/14/89  
Printed YTD . 6  
Total Printed 6

Demo Codes 523 CONTRIBUTORS ( 595 REGIONAL LISTS

Rtrn Mag Tapes  
Bottom Msg 1 . Invalid  
Bottom Msg 2 . SUBMIT TWO (2) SAMPLES OF MAILING

## Options

| Options | 17 100M+Last 12 Mth/Act Sub | 21 Direct Mail |   |   |
|---------|-----------------------------|----------------|---|---|
| 0       | 0                           | 0              | 0 | 0 |
| 0       | 0                           | 0              | 0 | 0 |
| 0       | 0                           | 0              | 0 | 0 |
| 0       | 0                           | 0              | 0 | 0 |

| Type Description | Line | Optn | Quantity | Description         | Amount | Bl Cd | Pct | F11 | F10 |
|------------------|------|------|----------|---------------------|--------|-------|-----|-----|-----|
| 10 BASIC         | 1    | 17   | 254,781  | Total List          | 60.00  | /M    |     |     |     |
|                  | 2    |      | 163,000  | 1988 Donors, \$100+ |        |       |     |     |     |

## 15 DESCRIPTION

|    |                                                              |
|----|--------------------------------------------------------------|
| 3  | Direct response contributors in major metropolitan areas who |
| 4  | have given unusually large donations to social cause organ-  |
| 5  | izations or political campaigns within the last 12 months.   |
| 6  |                                                              |
| 7  | Atlanta 7,624                                                |
| 8  | Boston 20,865                                                |
| 9  | Chicago 13,691                                               |
| 10 | Cleveland 11,690                                             |
| 11 | Dallas/Ft Worth 7,090                                        |
| 12 | Detroit 8,466                                                |
| 13 | Houston 5,515                                                |
| 14 | Los Angeles 31,519                                           |
| 15 | Minneapolis/St Paul 5,334                                    |
| 16 | New York 67,962                                              |
| 17 | Philadelphia 8,922                                           |
| 18 | San Diego 10,286                                             |
| 19 | San Francisco 27,747*                                        |
| 20 | Washington D.C. 28,070                                       |
| 21 |                                                              |
| 22 |                                                              |
| 23 | Especially effective for charities, both national and        |
| 24 | local: agencies helping the poor, the sick, the homeless.    |
| 25 |                                                              |
| 26 | Excellent also for cultural fundraising-public television,   |
| 27 | museums, historic preservation projects.                     |

0 4 0 8 9 2 4 4 3

Invalid Company/Div. 00000000  
Program zz0820

Data Card List

Time 18:17:04

Date 11/27/89

Page 2

| Type | Description | Line | Optn | Quantity | Description                       | Amount | B1 | Cd | Pct | F11 | F10 |
|------|-------------|------|------|----------|-----------------------------------|--------|----|----|-----|-----|-----|
|      |             | 28   |      |          |                                   |        |    |    |     |     |     |
|      |             | 29   |      |          | Cleaned and updated continuously. |        |    |    |     |     |     |
| 20   | SOURCE:     |      |      |          |                                   |        |    |    |     |     |     |
|      |             | 30   | 21   |          | Direct Mail                       |        |    |    | 100 |     |     |
| 30   | PROFILE:    |      |      |          |                                   |        |    |    |     |     |     |
|      |             | 31   |      |          | Male                              |        |    |    | 60  |     |     |
|      |             | 32   |      |          | Female                            |        |    |    | 15  |     |     |
|      |             | 33   |      |          | Family                            |        |    |    | 25  |     |     |
| 40   | SELECTIONS: |      |      |          |                                   |        |    |    |     |     |     |
|      |             | 34   |      |          | SCF                               | 3.00   |    | /M |     |     |     |
|      |             | 35   |      |          | Metropolitan                      | 3.00   |    | /M |     |     |     |
|      |             | 36   |      |          | Omits                             | 3.00   |    | /M |     |     |     |
|      |             | 37   |      |          | Gender                            | 3.00   |    | /M |     |     |     |
| 43   | PROCESSING: |      |      |          |                                   |        |    |    |     |     |     |
|      |             | 38   |      |          | Keying                            | 2.00   |    | /M |     |     |     |
| 46   | FORMAT:     |      |      |          |                                   |        |    |    |     |     |     |
|      |             | 39   |      |          | 4-Up Cheshire Labels              |        |    |    |     |     |     |
|      |             | 40   |      |          | Mag Tape/NR                       | 20.00  |    | FC |     |     |     |
|      |             | 41   |      |          | 9T/1600 BPI                       |        |    |    |     |     |     |
|      |             | 42   |      |          | P.S. Labels                       | 6.00   |    | /M |     |     |     |

254,781 Total List  
163,000 1988 Donors, \$100+

\$60.00/M

## DESCRIPTION

Direct response contributors in major metropolitan areas who have given unusually large donations to social cause organizations or political campaigns within the last 12 months.

|                     |         |
|---------------------|---------|
| Atlanta             | 7,624   |
| Boston              | 20,865  |
| Chicago             | 13,691  |
| Cleveland           | 11,590  |
| Dallas/Ft Worth     | 7,090   |
| Detroit             | 8,466   |
| Houston             | 5,515   |
| Los Angeles         | 31,519  |
| Minneapolis/St Paul | 5,334   |
| New York            | 67,962  |
| Philadelphia        | 8,922   |
| San Diego           | 10,286  |
| San Francisco       | 27,747* |
| Washington D.C.     | 28,070  |

## SELECTIONS:

|              |        |
|--------------|--------|
| SCF          | 3.00/M |
| Metropolitan | 3.00/M |
| Omits        | 3.00/M |
| Gender       | 3.00/M |

## PROCESSING:

|        |        |
|--------|--------|
| Keying | 2.00/M |
|--------|--------|

## FORMAT:

|                      |         |
|----------------------|---------|
| 4-Up Cheshire Labels |         |
| Mag Tape/NR          | 20.00FC |
| 9T/1600 BPI          |         |
| P.S. Labels          | 6.00/M  |

## MINIMUM ORDER:

5,000

-Especially effective for charities, both national and local: agencies helping the poor, the sick, the homeless.

Excellent also for cultural fundraising-public television, museums, historic preservation projects.

Cleaned and updated continuously.

## SOURCE:

|             |      |
|-------------|------|
| Direct Mail | 100% |
|-------------|------|

## PROFILE:

|        |     |
|--------|-----|
| Male   | 60% |
| Female | 15% |
| Family | 25% |

SUBMIT TWO (2) SAMPLES OF MAILING PIECES FOR APPROVAL.

We believe this information to be accurate, but we cannot guarantee its accuracy or the outcome of the promotion.

Recommended By:  
Philip E. Staples  
Vice-President  
Brokerage Division



4096 Commercial Avenue  
Northbrook, IL 60062

(312) 272-7877

## \*\*\*\*\* LIST USAGE RECAP \*\*\*\*\*

MAILER

OFFER

MAILER

OFFER

## \*\*\*\*\* CONTINUATIONS \*\*\*\*\*

AMERICAN EXPRESS  
BRADFORD EXCHANGE  
DINERS CLUB  
INTERNATIONAL MALE  
NEIMAN MARCUS  
SPIEGEL  
WILLIAMS SONOMA

BEAUTIFUL VISIONS  
BROOKS BROTHERS  
HAMILTON COLLECTION  
LILLIAN VERNON  
RCA  
U.S. HISTORICAL SOCIETY      Presidentia

## \*\*\*\*\* TEST \*\*\*\*\*

MUSEUM OF SCIENCE & INDUSTRY      MEMBERSHIP D

We believe this information to be accurate, but we cannot guarantee its accuracy or the outcome of the promotion.



2 2 3 4 0 3 2 2 4 4 6

Plymouth   
LIST CO., INC.

157780  
1/20/89 *gh*

1989

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

ATTACHMENT #2

**TOTAL LIST:** 254,781  
**PRICE:** \$60/M\*  
**SOURCE:** Direct Mail  
**MALE/FEM/FAMILY:** 60/15/25.  
**ADDRESSING:** 4-up Cheshire;  
magnetic tape, \$20 flat fee;  
pressure sensitive labels, \$6/M;  
keycode, \$2/M.  
**SELECTIONS:** Metropolitan  
SCFs, omits, gender, \$3/M.  
**TEST:** 5,000 minimum.  
**COMMISSION:** 20% to recog-  
nized brokers.  
**MAINTENANCE:** Cleaned and  
updated continuously.

Sample mailing  
piece required

**Metropolitan Area Donors**

Direct response contributors in major metropolitan areas who  
have given unusually large donations to social cause organiza-  
tions or political campaigns within the last 12 months.

|                   |        |                      |         |
|-------------------|--------|----------------------|---------|
| Atlanta           | 7,624  | Los Angeles          | 31,519  |
| Boston            | 20,865 | Minneapolis/St. Paul | 5,334   |
| Chicago           | 13,691 | New York             | 67,962  |
| Cleveland         | 11,690 | Philadelphia         | 8,922   |
| Dallas/ Ft. Worth | 7,090  | San Diego            | 10,286  |
| Detroit           | 8,466  | San Francisco        | 27,747* |
| Houston           | 5,515  | Washington, D.C.     | 28,070  |

Especially effective for traditional charities, both national and  
local: agencies helping the poor, the sick, the homeless.

Excellent also for cultural fundraising—public television,  
museums, historic preservation projects.

\*Includes Sacramento and San Jose

\*The price per thousand is a rental price for each use.

We believe this data to be correct, but we cannot guarantee its accuracy or the outcome of the mailing.

# Names & Addresses, Inc.

ATTACHMENT #3

MAILING LIST RENTAL

3605 Woodhead Drive, Suite 401, Northbrook, Illinois 60062 (312) 272-7933

|                             |                      |                            |                      |                                             |
|-----------------------------|----------------------|----------------------------|----------------------|---------------------------------------------|
| ORDER DATE<br>12/21/84      | ORDER NO<br>NA-26179 | DELIVERY DATE<br>1/11/85   | MAIL DATE<br>1/28/85 | FOR OFFICE USE ONLY                         |
| MAILER P.O. NO<br>Verbal NR |                      | MAILER OFFER<br>Membership |                      | MAILER TERMS<br>Net 30 Days After Mail Date |

489635

MAILER

WTTW-CHANNEL 11

MS. NANCY RACA  
5400 N. ST. LOUIS ST.  
CHICAGO IL 60625

300395

SHIP TO

DATAMATION  
MR. FRED PIET  
814 EAGLE DR.  
BENSENVILLE IL 60106

QUANTITY 18,000

SHIP VIA FEDERAL EXP-STANDARD AIR

LIST WEALTHY METROPOLITAN AREA HIGH DOLLAR DONORS 157780

## SELECTIONS:

Select Chicago Metro Area Donors 44.00 \$ 55.00 /M \$ 55.00 /M  
Select SCF's 600-606 Only NC

## ADDRESSING:

This is a TEST  
Sample Mail Piece Enclosed  
Keep Record of Names Supplied  
Mag Tape 9 Trk 1600 BPI 15.00 \$ 15.00 FC \$ 15.00 FC  
Provide All Available  
Mark All Packages/Reels Key---Wealth Metro

## SPECIAL INSTRUCTIONS:

- Supply tape layout and dump.
- Supply names in SCF's 600-606 only.
- Select all available, if quantity varies by more than 1000 names - notify before shipping.

YOUR NAMES & ADDRESSES, INC. REPRESENTATIVES ARE:

ACCT MGR  
SERVICE REP

BRUCE DREY  
LINDA ADAMS

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
5827 COLUMBIA PIKE  
SUITE 401  
FALLS CHURCH VA 22041

FILE COPY

# Names & Addresses, Inc.

3805 Woodhead Drive, Suite 101  
Northbrook, Illinois 60062  
312-272-7933

## ORDER REVISION

Mailor

WTTW-Channel 11  
Ms. Nancy Raca  
5400 N. St. Louis St.  
Chicago, IL 60625

List Rental Order No: NA-26179

Date of This Revision: 1/04/85

Client Order No.: Verbal NR

KEY: Wealth Metro

List  
Owner

Plymouth List Co., Inc.  
5827 Columbia Pike  
Suite 401  
Falls Church VA 22041

OFFER: Membership

LIST: Wealthy Metropolitan Area High  
Dollar Donors

QUANTITY: 18,000

WANTED BY DATE: 1/11/85

LIST OWNER ORDER NO.:

Please revise our previous written instructions as indicated below. All other instructions remain as on original list rental order.

Take all Chicago area donors not just SCF 600-606. Please clearly mark shipping carton and tape reel as follows: "Tape contains some names outside SCF 600-606. Do not eliminate in merge perge."

BY Bruce Drey/Linda Adams

PLYMOUTH LIST CO., INC.  
5827 Columbia Falls Rd, Suite 401  
FALLS CHURCH, VIRGINIA 22041

(703)379-8008

# INVOICE

TO

Names & Addresses, Inc.  
3605 Woodhead Drive, Suite 101  
Northbrook, Ill 60062

INVOICE  
NO.

00359

INVOICE  
DATE

01/21/85

SHIPPED  
TO

Datamation  
814 Eagle Drive  
Bensenville, Ill 60106

|                        |                                                                                   |          |       |             |                |
|------------------------|-----------------------------------------------------------------------------------|----------|-------|-------------|----------------|
| OUR ORDER NO.          | YOUR ORDER NO.                                                                    | SALESMAN | TERMS | SHIPPED VIA | PPD. OR COLL.  |
| 8412374                | NA-26179                                                                          |          |       | UPS         |                |
| QUANTITY               | DESCRIPTION                                                                       |          |       | PRICE       | AMOUNT         |
| 18,000                 | Mailer: WTTW-Channel 11<br>Mail date: 1/28/85<br>Due date: 1/11/85                |          |       |             |                |
|                        | Wealthy Metro High Dollar Donors                                                  |          |       | \$55/M      | \$644.05       |
|                        | Less commission: 20%                                                              |          |       |             | -128.81        |
|                        | Subtotal                                                                          |          |       |             | 515.24         |
|                        | Selections: SCF: no charge<br>Keying<br>Non ret. tape fee<br>Postage and handling |          |       |             | 15.00<br>10.00 |
| Please pay this amount |                                                                                   |          |       | \$540.24    |                |

Item # F430 © Wheeler Group Inc. 1982

ORIGINAL

# NAMES & ADDRESSES, INC.

8605 Woodhead Drive, Suite 101, Northbrook, Illinois 60062 (312) 272-7933

## INVOICE

CUST. ORDER #: Verbal NR  
 MAIL DATE: 1/28/85  
 OFFER: Membership  
 TERMS: Net 30 Days After Mail Date  
 SALESMAN: BRUCE GREY

ORIGINAL INVOICE #: 25179-01  
 DATE: JANUARY 31, 1985

SOLD TO: 489635

SHIP TO: 300895

WTTW-CHANNEL 11  
 MS. NANCY RACA  
 5400 N. ST. LOUIS ST.  
 CHICAGO IL 60625

DATAMATION  
 MR. FRED PIET  
 814 EAGLE DR.  
 BENSVILLE IL 60106

| QUANTITY                             | DESCRIPTION                      | UNIT COST   | AMOUNT |
|--------------------------------------|----------------------------------|-------------|--------|
| METROPOLITAN AREA HIGH DOLLAR DONORS |                                  |             |        |
| 18,000                               | Select Chicago Metro Area Donors | 55.00 /M \$ | 990.00 |
| 18,000                               | Mag Tape 9 Trk 1600 EPI          | \$          | 15.00  |
|                                      | Shipping & Handling              | \$          | 12.00  |

INVOICE TOTAL: \$ 1,017.00

BALANCE DUE: \$ 1,017.00

3/25  
 30843

CHICAGO EDUCATIONAL TELEVISION ASSOCIATION - WTTW CHANNEL 11  
CHICAGO, ILLINOIS

| VENDOR NUMBER    | VENDOR NAME           | SUB - COMPANY NAME     |              | CHECK DATE     | CHECK NO       |
|------------------|-----------------------|------------------------|--------------|----------------|----------------|
| 022330           | NAMES & ADDRESSES INC |                        |              | 03/15/85       | 30893          |
| MEMO INFORMATION |                       | INVOICE IDENTIFICATION | INVOICE DATE | INVOICE AMOUNT | TERMS DISCOUNT |
|                  |                       | 26169-01               | 01/31/85     | 776.42         |                |
|                  |                       | 26170-01               | 01/31/85     | 650.00         |                |
|                  |                       | 26176-01               | 02/08/85     | 797.74         |                |
|                  |                       | 26177-01               | 02/08/85     | 750.00         |                |
|                  |                       | 26179-01               | 01/31/85     | 1017.00        |                |
|                  |                       |                        |              | <b>TOTAL</b>   | <b>.00</b>     |
|                  |                       |                        |              |                | <b>3991.16</b> |
|                  |                       |                        |              | MAR 25 1985    |                |

CHICAGO EDUCATIONAL TELEVISION ASSOCIATION  
WTTW CHANNEL 11  
CHICAGO, ILLINOIS

PAY

THREE THOUSAND NINE HUNDRED NINETY ONE AND 16/100 . . . . .

| DATE     | CHECK NO |
|----------|----------|
| 03/15/85 | 30893    |

TO THE  
ORDER OF

NAMES & ADDRESSES INC  
SUITE 101  
3605 WOODHEAD DR  
NORTHBROOK IL 60062

HARRIS TRUST  
AND SAVINGS BANK  
CHICAGO, ILLINOIS

|                |
|----------------|
| PAY EXACTLY    |
| \$ ****3991.16 |

*David J. Buehler*  
AUTHORIZED SIGNATURE  
*John C. Kahn*  
AUTHORIZED SIGNATURE

⑈030893⑈ ⑈071000288⑈ 04⑈213⑈024⑈3⑈

# NAMES & ADDRESSES, INC.

CHECK

№ 17614

| DATE                  | INVOICE NO.             | DESCRIPTION              | AMOUNT | DEDUCTION | NET AMOUNT |
|-----------------------|-------------------------|--------------------------|--------|-----------|------------|
| 1/21/85               | 00353                   | LIST RENTAL NO. NR-26173 | 817.00 |           | 817.00     |
| CHECK DATE<br>4/22/85 | CONTROL NUMBER<br>17614 | TOTALS >                 | 817.00 | 0.00      | 817.00     |

## NAMES & ADDRESSES, INC.

3605 WOODHEAD DRIVE, SUITE 101  
NORTHBROOK, ILLINOIS 60062

FIRSTBANK EVANSTON  
FIRST NATIONAL BANK AND TRUST COMPANY OF EVANSTON  
800 DAVIS STREET EVANSTON, ILLINOIS 60204

CHECK

№ 17614

70-114  
719

4/22/85

17614

\$817.00

PAY  
TO THE  
ORDER OF

EIGHT HUNDRED SEVENTEEN 00/100-\*\*\*\*\*

DATE

CONTROL NO.

AMOUNT

PLYMOUTH LIST CO.  
5927 COLUMBIA PIKE  
SUITE 401  
FALLS CHURCH

VA 22041

*Mark Benz*  
**NOT NEGOTIABLE**

AUTHORIZED SIGNATURE

⑈017614⑈ ⑆071901141⑆10001420⑈9⑈

**3605 Woodhead Drive, Suite 101  
Northbrook, Illinois 60062  
312-272-7933**

LIST: 1. Add. Transport New 10/1/2016

NAI RENTAL # NA 10000 MAILER 1 10000 10000

LIST OWNER Smith, John LIST OWNER INVOICE # 1000

ADJUSTMENT EXPLANATION: Transferred to Mrs. Evelyn Smith

AMOUNT DEDUCTED/ADDED

**GROSS NAMES RECEIVED**

|       |                             |       |
|-------|-----------------------------|-------|
| Less: | Edit Drops                  | _____ |
|       | Invalid city, state and zip | _____ |
|       | Intra duplicates            | _____ |
|       | Pandering Names             | _____ |
|       | Prior mail suppress         | _____ |

QUANTITY INTO MERGE/PURGE

Less: Inter duplicates \_\_\_\_\_  
Customer suppress \_\_\_\_\_

NET NAMES MAILED

| MINIMUM GUARANTEE | % of Qty. into M/P |
|-------------------|--------------------|
| 100               | 100                |
| 90                | 90                 |
| 80                | 80                 |
| 70                | 70                 |
| 60                | 60                 |
| 50                | 50                 |
| 40                | 40                 |
| 30                | 30                 |
| 20                | 20                 |
| 10                | 10                 |
| 0                 | 0                  |

\*\*\*\*\*

BILLABLE QUANTITY (Net names mailed or minimum guarantee  
whichever is highest) \_\_\_\_\_ @ \$ \_\_\_\_\_ /M \_\_\_\_\_  
Less % Commission ( )

| SELECTION CHARGES |  | QUANTITY |        |
|-------------------|--|----------|--------|
| ITEM:             |  |          | /M, FC |
|                   |  |          | /M, FC |
|                   |  |          | /M, FC |
|                   |  |          | /M, FC |
|                   |  |          | /M, FC |

SHIPPING &amp; HANDLING

TOTAL PAYABLE 100.00

DATE 1-15 NAI CHECK # 100 ENCLOSED

Bill and Deliver To:

5/30 North St. Louis Avenue  
Chicago, Illinois 60625  
312-583-9000

Attention: Accounting Department

ATTACHMENT #4

WTTW  
CHICAGO

## PURCHASE ORDER

P.O. Number 41216

To:

Date: June 17, 1985

Names & Addresses Inc.  
3605 Woodhead Drive  
Suite 101  
Northbrook, Illinois 60062

Delivery Required By:

Account Number: 6969-9325

Important:

Ship as Directed. P.O. Number must appear on  
all invoices and Packages.

Non-Profit Organization, exempt from I.R.O.T.

ATTN: Bruce Drey

Quantity Description Price

Exchanges and Rentals

Total Gross Names 574,002 Total Dollars \$31,226

SEE ATTACHED LIST FOR BREAKDOWN

Authorized Signature:

Trisha Long

Jack Wilson

Exchanges and Rentals

| Quantity | Description                                             | Price    |
|----------|---------------------------------------------------------|----------|
| 80,000   | *D.A.V. NA-28958 \$ 8/M                                 | \$ 640.  |
| 15,000   | *St. Labre School NA-28959 8/M                          | 120.     |
| 7,000    | Hammacher Schlemmer NA-28960 8/M                        | 56.      |
| 29,131   | Bus. Week Home & Business NA-28961 73/M + \$20.         | 2147.    |
| 18,585   | Board Room Master File NA-28962 68/M                    | 1264.    |
| 18,000   | Harriet Carter 12 months NA-28963 60/M                  | 1080.    |
| 13,539   | Medics Physicians NA-28964 52/M + \$25 52.50            | 736.     |
| 14,087   | ABA - American Bar Assoc. NA-28965 43/M                 | 606.     |
| 10,000   | Wealthy Metro Donors NA-28966 57/M                      | 570.     |
| 16,190   | Architectural Digest NA-28967 88/M                      | 1425.    |
| 23,000   | Barnes & Noble 82-85 buyers NA-28968 53/M               | 1219.    |
| 10,452   | Atlantic Monthly Actives NA-28968 65/M + 2.0            | 679.     |
| 20,100   | Horchow NA-28970 65/M                                   | 1307.    |
| 47,000   | Money Mag. Actives NA-28971 85/M                        | 3995.    |
| 45,431   | Popular Science NA-28972 50/M - net -                   | 2272.    |
| 16,561   | Dunns Bus. Review/Monthly NA-28973 45/M + \$ 5          | 750.     |
| 14,997   | Flower & Garden Actives NA-28974 53/M                   | 795.     |
| 71,521   | Time Mag. (no students) NA-28975 72/M 67.50             | 5185.    |
| 18,000   | McMillan Book Master Actives:hm NA-28976 68.50/M + \$20 | 1253.    |
| 66,108   | Newsweek(no students) NA-28977 62.50/M + \$15           | 4147     |
| 19,300   | Wisconsin Cheeseman NA-28978 50/M + \$15                | 980.     |
| 574,002  |                                                         | \$31,226 |

\* Must be included in August 2nd Drop!!!

**YOUR NAMES & ADDRESSES, INC.**

3605 Woodhead Drive, Suite 101, Northbrook, Illinois 60062

(312) 272-7933

|                         |                      |                            |                                |                                             |
|-------------------------|----------------------|----------------------------|--------------------------------|---------------------------------------------|
| ORDER DATE<br>6/18/85   | ORDER NO<br>NA-28966 | DELIVERY DATE<br>7/08/85   | MAIL DATE<br>8/02/85 - 8/26/85 | FOR YOUR USE ONLY                           |
| MAILER P.O. NO<br>41216 |                      | MAILER OFFER<br>Membership |                                | MAILER TERMS<br>Net 30 Days After Mail Date |

489635

300395

MAILER

WTTW-CHANNEL 11

SHIP TO

DATAMATION  
MR. FRED PIET  
814 EAGLE DR.  
BENSENVILLE

IL 60106

MS. TRISHA LONG  
5400 N. ST. LOUIS ST.  
CHICAGO IL 60625

QUANTITY 10,000

SHIP VIA FEDERAL EXP-STANDARD AIR

LIST METROPOLITAN AREA HIGH DOLLAR DONORS

157780

## SELECTIONS:

Select Chicago Metro Area Donors  
Select SCF's 600-606 Only

45.60 \$ 57.00 /M \$ 57.00 /M

## ADDRESSING:

- Do Not Exceed Quantity Shown
- See Special Instructions
- Sample Mail Piece Enclosed
- Keep Record of Names Supplied
- Mag Tape 9 Trk 1600 BPI
- Mark All Packages/Reels Key---AN-40
- Provide All Available
- This is a CONTINUATION

## SPECIAL INSTRUCTIONS:

- Supply tape layout & dump.
- Supply names in SCF's 600-606 only.

YOUR NAMES &amp; ADDRESSES, INC. REPRESENTATIVES ARE:

ACCT. MGR  
SERVICE REPBRUCE DREY  
LINDA ADAMSLIST  
OWNERPLYMOUTH LIST CO., INC.  
5827 COLUMBIA PIKE  
SUITE 401  
FALLS CHURCH VA 22041

FILE COPY

PLYMOUTH LIST CO., INC.  
5827 Columbia Pike, Suite 401  
FALLS CHURCH, VIRGINIA 22041

# INVOICE

TO

Names & Addresses, Inc.  
3605 Woodhead Drive  
Suite 101  
Northbrook, IL 60062

INVOICE  
NO.

00457

INVOICE  
DATE

7/08/85

SHIPPED  
TO

Datamation  
814 Eagle Drive  
Bensenville, IL

60106

| OUR ORDER NO. | YOUR ORDER NO.                                                                                                                                                                                                                                                                       | SALESMAN | TERMS | SHIPPED VIA | PPD. OR COLL.                                                                  |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|-------------|--------------------------------------------------------------------------------|
| 8506563       | 489635                                                                                                                                                                                                                                                                               |          |       | 7/3/85 UPS  |                                                                                |
| QUANTITY      | DESCRIPTION                                                                                                                                                                                                                                                                          |          |       | PRICE       | AMOUNT                                                                         |
| 10,000        | Mailer: WTTW-Channel 11<br>Mail date: 8/2/85 - 8/26/85<br>Due date: 7/8/85<br><br>Metropolitan Area High Dollar Donors<br>Less commission: 20%<br>Subtotal<br><br>Selections: No Charge<br>Non ret. tape fee<br>Postage and handling<br><br>Please pay this amount<br><br>NA - 23966 |          |       | \$57/M      | \$570.00<br>114.00<br><hr/> 456.00<br><br><br>15.00<br>10.00<br><hr/> \$481.00 |

Item # F430 © Wheeler Group Inc. 1982

ORIGINAL

# NAMES & ADDRESSES, INC.

3605 Woodhead Drive, S 101, Northbrook, Illinois 60062 (312) 272-7933

## INVOICE

CUST. ORDER #: 41216  
 MAIL DATE: 8/02/85 - 8/26/85  
 OFFER: Membership  
 TERMS: Net 30 Days From Mail Date  
 SALESMAN: BRUCE DREY

ORIGINAL INVOICE #: 28966-01  
 DATE: JULY 19, 1985

SOLD TO: 489635

SHIP TO: 300395

WTTW-CHANNEL 11  
 MS. TRISHA LONG  
 5400 N. ST. LOUIS ST.  
 CHICAGO IL 60625

DATAMATION  
 MR. FRED PIET  
 814 EAGLE DR.  
 BENSENVILLE IL 60105

| QUANTITY | DESCRIPTION | UNIT COST | AMOUNT |
|----------|-------------|-----------|--------|
|----------|-------------|-----------|--------|

|                                      |                                  |             |        |
|--------------------------------------|----------------------------------|-------------|--------|
| METROPOLITAN AREA HIGH DOLLAR DONORS |                                  |             |        |
| 10,000                               | Select Chicago Metro Area Donors | 57.00 /M \$ | 570.00 |
| 1                                    | Mag Tape 9 Trk 1600 BPI          | \$          | 15.00  |
|                                      | Shipping & Handling              | \$          | 12.00  |

INVOICE TOTAL: \$ 597.00

BALANCE DUE: \$ 597.00

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half (1 1/2%) per month.

FILE

| VENDOR NAME                   |                        | CHECK DATE   | CHECK NUMBER   |                |                |
|-------------------------------|------------------------|--------------|----------------|----------------|----------------|
| 022320 NAMES & ADDRESSES INC  |                        | 09/27/85     | 035873         |                |                |
| MEMO INFORMATION              | INVOICE IDENTIFICATION | INVOICE DATE | INVOICE AMOUNT | TERMS DISCOUNT | AMOUNT PAID    |
| <b>RECEIVED</b><br>OCT 7 1985 | 2896401                | 07/19/85     | 780.98         |                | 780.98         |
|                               | 2896501                | 07/19/85     | 597.00         |                | 597.00         |
|                               | 2896701                | 07/19/85     | 1433.16        |                | 1433.16        |
|                               | 2896801                | 07/19/85     | 508.24         |                | 508.24         |
|                               | 2896901                | 07/19/85     | 1244.00        |                | 1244.00        |
|                               | 2897301                | 07/19/85     | 851.96         |                | 851.96         |
|                               | 2897601                | 07/19/85     | 1291.03        |                | 1291.03        |
|                               |                        |              | <b>TOTAL</b>   | <b>.00</b>     | <b>6706.37</b> |

CHICAGO EDUCATIONAL TELEVISION ASSOCIATION  
WTTW CHANNEL 11  
CHICAGO, ILLINOIS

035873

2-28  
710

PAY

SIX THOUSAND SEVEN HUNDRED SIX AND 37/100 . . . . .

DATE  
09/27/85TO THE  
ORDER OFNAMES & ADDRESSES INC  
SUITE 101  
3605 WOODHEAD DR  
NORTHBROOK IL 60062HARRIS TRUST  
AND SAVINGS BANK  
CHICAGO, ILLINOISPAY EXACTLY  
\$\*\*\*\*6706.37*David J. [Signature]*  
AUTHORIZED SIGNATURE  
*John C. [Signature]*  
AUTHORIZED SIGNATURE

⑈035873⑈ ⑆071000288⑆ 04⑈213⑈024⑈3⑈

2966  
959700

# NAMES & ADDRESSES, INC.

CHECK

No 19291

| DATE                   | DESCRIPTION                    | DEDUCTION | NET AMOUNT         |
|------------------------|--------------------------------|-----------|--------------------|
| 7/08/85                | 00457 LIST RENTAL NO. NA-28965 | 481.00    | 481.00             |
| CHECK DATE<br>10/28/85 | CONTROL NUMBER<br>19291        | TOTALS ▶  | 481.00 0.00 481.00 |

## NAMES & ADDRESSES, INC.

3605 WOODHEAD DRIVE, SUITE 101  
NORTHBROOK, ILLINOIS 60062

FIRSTBANK EVANSTON  
FIRST NATIONAL BANK AND TRUST COMPANY OF EVANSTON  
800 DAVIS STREET EVANSTON, ILLINOIS 60204

70-114  
719

CHECK

No 19291

10/28/85

19291

\$481.00

PAY  
TO THE  
ORDER OF

DATE

CONTROL NO.

AMOUNT

FOUR HUNDRED EIGHTY ONE 00/100\*\*\*\*\*

PLYMOUTH LIST CO.  
5827 COLUMBIA PIKE  
SUITE 401  
FALLS CHURCH

VA 22041

**NOT NEGOTIABLE**

AUTHORIZED SIGNATURE

⑈019291⑈ ⑆071901141⑆10⑈001⑈420⑈9⑈

# Names & Addresses, Inc.

3605 Woodhead Drive, Suite 101, Northbrook, Illinois 60062

(312) 272-7933

MAILING LIST RENTAL

|                             |                      |                              |                       |                                             |
|-----------------------------|----------------------|------------------------------|-----------------------|---------------------------------------------|
| ORDER DATE<br>11/04/85      | ORDER NO<br>NA-31156 | DELIVERY DATE<br>11/21/85    | MAIL DATE<br>12/06/85 | ATTACHMENT #5                               |
| MAILER P.O. NO<br>Verbal FK |                      | MAILER OFFER<br>Fund Raising |                       | MAILER TERMS<br>Net 30 Days After Mail Date |

428810

641001

MAILER

HULL HOUSE ASSOCIATION

SHIP TO

MIDWEST COMPUSERVICE

MS. PAM KINSEY

SAM SATO

118 N. CLINTON STREET

415 A. BELDEN AVENUE

CHICAGO

IL 60606

ADDISON

IL 60101

QUANTITY

10,000

SHIP VIA

FEDERAL EXP-STANDARD AIR

LIST

METROPOLITAN AREA HIGH DOLLAR DONORS

157780

## SELECTIONS:

Select High Dollar Donors

45.60 \$ 57.00 /M \$ 57.00 /M

Select SCF's 600-606 Only

NC

## ADDRESSING:

Nth Name Selection

See Special Instructions

This is a TEST

Keep Record of Names Supplied

Mag Tape 9 Trk 1600 BPI

15.00 \$ 15.00 FC \$ 15.00 FC

Mark All Packages/Reels Key---High Dollar Donors

## SPECIAL INSTRUCTIONS:

- Supply tape layout & dump.

YOUR NAMES & ADDRESSES, INC. REPRESENTATIVES ARE:

ACCT MGR

BRUCE DREY

SERVICE REP

NANCY BAIO

LIST

OWNER

PLYMOUTH LIST CO., INC.

5827 COLUMBIA PIKE

SUITE 401

FALLS CHURCH

VA 22041

FILE COPY

PLYMOUTH LIST CO., INC.  
5827 Columbia Pike, Suite 401  
FALLS CHURCH, VIRGINIA 22041

# INVOICE

TO

Names & Addresses, Inc  
3605 Woodhead Drive, Suite 101  
Northbrook, Ill. 60062

INVOICE  
NO.

00559

INVOICE  
DATE 11/20/85

SHIPPED  
TO

Midwest Compuservice  
Sam Sato  
415A Belden Avenue  
Addison, Ill. 60101

| OUR ORDER NO. | YOUR ORDER NO.                                                              | SALESMAN | TERMS | SHIPPED VIA       | PPD. OR COLL.                 |
|---------------|-----------------------------------------------------------------------------|----------|-------|-------------------|-------------------------------|
| 8511799       | NA31156                                                                     |          |       | UPS Blue 11/18/85 |                               |
| QUANTITY      | DESCRIPTION                                                                 |          |       | PRICE             | AMOUNT                        |
| 10,000        | Mailer: Hull House Association<br>Mail Date: 12/06/85<br>Due Date: 11/21/85 |          |       | \$57/M            |                               |
|               | Metropolitan Area High Dollar Donors<br>Less Commission: 20%                |          |       |                   | \$570.00<br>-114.00<br>456.00 |
|               | Nonreturnable tape                                                          |          |       |                   | 15.00                         |
|               | Postage & Handling                                                          |          |       |                   | 10.00                         |
|               | Please pay this amount                                                      |          |       |                   | \$481.00                      |

Item # F430 © Wheeler Group Inc. 1982

ORIGINAL

# NAMES & ADDRESSES, INC.

3605 Woodhead Drive, Suite 101, Northbrook, Illinois 60062 (312) 272-7933

## INVOICE

CUST. ORDER #: Verbal PK  
 MAIL DATE: 12/06/85  
 OFFER: Fund Raising  
 TERMS: Net 30 Days From Mail Date  
 SALESMAN: BRUCE DREY

ORIGINAL INVOICE #: 31155-01  
 DATE: DECEMBER 09, 1985

SOLD TO: 428810

SHIP TO: 641001

HULL HOUSE ASSOCIATION  
 MS. PAM KINSEY  
 118 N. CLINTON STREET  
 CHICAGO IL 60606

MIDWEST COMPUSERVICE  
 SAM SATO  
 415 A. BELDEN AVENUE  
 ADDISON IL 60101

| QUANTITY | DESCRIPTION | UNIT COST | AMOUNT |
|----------|-------------|-----------|--------|
|----------|-------------|-----------|--------|

### METROPOLITAN AREA HIGH DOLLAR DONORS

|        |                           |             |        |
|--------|---------------------------|-------------|--------|
| 10,000 | Select High Dollar Donors | 57.00 /M \$ | 570.00 |
| 10,000 | Select SCF's 600-605 Only |             |        |
| 10,000 | Mag Tape 9 Trk 1600 BPI   | \$          | 15.00  |
| 0      | SHIPPING & HANDLING       | \$          | 12.50  |

INVOICE TOTAL: \$ 597.50

BALANCE DUE: \$ 597.50

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half (1 1/2%) per month.

FILE

# HULL HOUSE ASSOCIATION

|                                                                  |                                      |                                    |                                           |
|------------------------------------------------------------------|--------------------------------------|------------------------------------|-------------------------------------------|
| VENDOR NUMBER<br>000154                                          | VENDOR NAME<br>NAMES & ADDRESSES INC | CHECK DATE<br>12-17-85             | CHECK NUMBER<br>005384                    |
| MEMO INFORMATION<br>INVOICES<br>31156-01<br>31159-01<br>31157-01 | INVOICE IDENTIFICATION<br>101023100  | INVOICE DATE<br>DEC 19 1985<br>REG | INVOICE AMOUNT<br>2176.34<br>DISTRIBUTION |
|                                                                  |                                      | TERMS<br>DISCOUNT                  | AMOUNT PAID<br>2-15<br>710                |
|                                                                  |                                      | DISTRIBUTION NET: 2176.34          |                                           |

## HULL HOUSE ASSOCIATION

118 NORTH CLINTON • CHICAGO, ILLINOIS 60606 • PHONE (312) 726-1526

005384



PAY

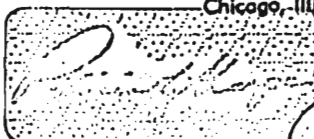
**PAYED 2176.34**

|                  |
|------------------|
| DATE<br>12-17-85 |
|------------------|

TO THE  
ORDER OF

NAMES & ADDRESSES INC  
3605 WOODHEAD DR  
SUITE 101  
NORTHBROOK  
IL 60062

THE NORTHERN TRUST COMPANY  
Chicago, Illinois



|                               |
|-------------------------------|
| PAY EXACTLY<br>\$ ****2176.34 |
|-------------------------------|

HULL HOUSE ASSOCIATION  
Please Cash Within 30 Days

*James Heahel*  
*Bill D. R...*

⑈005384⑈ ⑆071000152⑆ 0030199422⑈

428810

31156  
59750

# NAMES & ADDRESSES, INC.

CHECK

No 19921

| DATE                  | INVOICE NO.             | DESCRIPTION              | AMOUNT | DEDUCTION | NET AMOUNT |
|-----------------------|-------------------------|--------------------------|--------|-----------|------------|
| 11/20/85              | 559                     | LIST RENTAL NO. NA-31156 | 481.00 |           | 481.00     |
| CHECK DATE<br>1/09/86 | CONTROL NUMBER<br>19921 | TOTALS                   | 481.00 | 0.00      | 481.00     |

## NAMES & ADDRESSES, INC.

3605 WOODHEAD DRIVE, SUITE 101  
NORTHBROOK, ILLINOIS 60062

FIRSTBANK EVANSTON  
FIRST NATIONAL BANK  
& TRUST CO. OF EVANSTON  
800 DAVIS ST. EVANSTON, IL 60204

70-114  
719

CHECK No 19921

1/09/86

19921

\$481.00

DATE

CONTROL NO.

AMOUNT

PAY TO THE ORDER OF FOUR HUNDRED EIGHTY ONE 00/100\*\*\*\*\*

PLYMOUTH LIST CO.  
5827 COLUMBIA PIKE  
SUITE 401  
FALLS CHURCH

VA 22041

**NOT NEGOTIABLE**

AUTHORIZED SIGNATURE

⑈019921⑈ ⑆071901141⑆ 10⑈001⑈420⑈91⑈





Names

LIST RENTAL

and

Address, 7400 Hennepin Avenue, Suite 230, Edina, Minnesota 55435 (612) 893-1546

|                                   |                          |                            |                            |                                      |
|-----------------------------------|--------------------------|----------------------------|----------------------------|--------------------------------------|
| DATE<br>12/09/88                  | ORDER NUMBER<br>NA-48536 | MUST ARRIVE BY<br>12/31/88 | MAIL DATE<br>01/23/89      | TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          |                            | OFFER<br>Presidential Bowl | Net 45 Days After Mail Date          |

CLIENT

71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
18T AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO

71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
18T AND MAIN STREETS  
RICHMOND VA 23219

SHIP VIA

UPS - BLUE LABEL

|                                  |        |
|----------------------------------|--------|
| LIST: METROPOLITAN AREA DONORS - | 157700 |
|----------------------------------|--------|

1. RENTAL QTY: 5,000

CLIENT PO:

1988 DONORS

\$ 60.00 /M \$ 60.00 /

6100+ DONORS ONLY

\$ 3.00 /M \$ 3.00 /

REGENCY

\$ 3.00 /M \$ 3.00 /

## ADDRESSING:

Mark All Packages/Reels Key--- METRO DONORS - PRES. BOWL

Mag Tape 9 Trk 1600 BPI

\$ 20.00 FC \$ 20.00 F

Nth Name Selection

This is a TEST

Do Not Exceed Quantity Shown

Sample Mail Piece Enclosed

Keep Record of Names Supplied

See Special Instructions

## SPECIAL INSTRUCTIONS:

Mag tape layout and sample dump must accompany the tape!!  
Assure mail date clearance 2 weeks before and after  
scheduled mail date.

\*\* IMPORTANT: Use Names and Addresses shipping label.  
Call if count varies +/- 10% of requested  
quantity.

Address 48 contiguous states only.

PLEASE CALL IMMEDIATELY IF DELIVERY DATE CANNOT BE MET.

NOTE: This is a Minneapolis order. Please direct all  
inquiries or correspondence to Maureen or George.

612-893-1546.

\*\* CONTINUED ON NEXT PAGE \*\*

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY



Names

And

Addresses

Inc.

LIST RENTAL

7400 Main

Boulevard, Suite 230, Edina,

Minnesota 55425

(612) 893-1546

|                                   |                          |                            |                       |                                      |
|-----------------------------------|--------------------------|----------------------------|-----------------------|--------------------------------------|
| DATE<br>12/09/88                  | ORDER NUMBER<br>NA-48536 | MUST ARRIVE BY<br>12/31/88 | MAIL DATE<br>01/23/89 | TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Presidential Bowl |                       | Net 45 Days After Mail Date          |

CLIENT

71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
18T AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO

71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
18T AND MAIN STREETS  
RICHMOND VA 23219

SHIP VIA

UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS -

157700

U.S. Historical will not pay for internal duplicates, nixies  
pander file drops, or matches to the U.S. Historical active  
customer file.

92040892460

Your NAI Service Rep. is MAUREEN LAVALLE

(612) 893-1546

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY

**Plymouth**  
**LIST CO., INC.**

2066 Jefferson Davis Hwy., Suite 202  
Stafford, Virginia 22554  
(703) 659-0700

**INVOICE**

TO

Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, Minnesota 55435

INVOICE NO. 1220

INVOICE DATE 12/28/88

SHIPPED TO U.S. Historical Society  
1st and Main Street  
Richmond, VA 23219

| OUR ORDER NO | YOUR ORDER NO.                                          | SALESMAN | TERMS | SHIPPED VIA | PPD OR COLL. |
|--------------|---------------------------------------------------------|----------|-------|-------------|--------------|
| 8812538      | NA-48536                                                |          |       | UPS         |              |
| QUANTITY     | DESCRIPTION                                             |          |       | PRICE       | AMOUNT       |
|              | Mailer : U.S. Historical Society<br>Mail Date : 1/23/89 |          |       |             |              |
| 5,000        | Metropolitan Area High Dollar Donors                    |          |       | 60.00/M     | \$300.00     |
|              | Less Commission (20%)                                   |          |       |             | \$60.00      |
|              | Subtotal                                                |          |       |             | \$240.00     |
| 5,000        | Special Selections                                      |          |       | 3.00/M      | \$15.00      |
|              | Nonreturnable Mag Tape Fee                              |          |       |             | \$20.00      |
|              | Shipping and Handling                                   |          |       |             | \$10.00      |
|              | Please Pay This Amount                                  |          |       |             | \$285.00     |
|              | THANK YOU                                               |          |       |             |              |



Names and Address, 7400 M... ullevard, Suite 230, Edina, Minnesota 55435 (612) 893-1546

|                                   |                          |                            |                       |                                      |
|-----------------------------------|--------------------------|----------------------------|-----------------------|--------------------------------------|
| DATE<br>01/03/88                  | ORDER NUMBER<br>NA-48536 | MUST ARRIVE BY<br>12/31/88 | MAIL DATE<br>01/23/89 | TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Presidential Bowl |                       | Net 45 Days After Mail Date          |

CLIENT  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP VIA UPS

LIST: METROPOLITAN AREA DONORS -

157780

1. RENTAL QTY: 5,044

CLIENT PO:

1988 DONORS  
\$100+ DONORS ONLY  
RECENCY

Mag Tape 9 Trk 1600 BPI

|    |          |    |          |
|----|----------|----|----------|
| \$ | 60.00 /M | \$ | 60.00 /M |
| \$ | 3.00 /M  | \$ | 3.00 /M  |
| \$ | 20.00 FC | \$ | 20.00 FC |

\*\*\*\*\* REVISE AS FOLLOWS \*\*\*\*\*

PLEASE NOTE: PRICE CHANGES.

\* All other Instructions remain as on order.

\* Direct any questions to: MAUREEN LAVALLE at (612) 893-1546

\*\*\*\*\*

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY



Names  
and  
Addresses,  
Inc.

4095 Commercial Avenue  
Northbrook, IL 60062-9990  
(312) 272-7933

# INVOICE

MAIL DATE: 01/23/89  
OFFER: Presidential Bowl  
TERMS: Net 30 Days After Mail Date  
SALESMAN: GEORGE TYLER

ORIGINAL INVOICE #: 42584

DATE: 01/10/89

PAGE 1

CLIENT: 71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

\*\*\*\*\*  
\*\*\*\*\*  
\*\*  
\*\* Payment Due: 02/22/89 \*\*  
\*\*  
\*\*\*\*\*  
\*\*\*\*\*

RENTAL : METROPOLITAN AREA DONORS -

Client P.O.#:

| QUANTITY | DESCRIPTION             | UNIT COST   | AMOUNT    |
|----------|-------------------------|-------------|-----------|
| 5,000    | 1988 DONORS             | \$ 60.00 /M | \$ 300.00 |
| 5,000    | \$100+ DONORS ONLY      | \$ 3.00 /M  | \$ 15.00  |
| 1        | Mag Tape 9 Trk 1600 BPI | \$ 20.00 FC | \$ 20.00  |
|          | Shipping and Handling   | \$ 21.00 FC | \$ 21.00  |
|          |                         |             | \$ 356.00 |

Invoice Total: \$ 356.00

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half percent (1 1/2) per month. There will be a \$50.00 FC in addition to running charges on all cancelled orders prior to or after mail date.

| INVOICE NUMBER | INVOICE DATE | AMOUNT | DISCOUNT | NET AMOUNT | CHECK TOTAL |
|----------------|--------------|--------|----------|------------|-------------|
| 47905          | 12/30/88     | 601.00 |          | 601.00     |             |
| 47891          | 12/30/88     | 17.00  |          | 157.00     |             |
| 47865          | 01/16/89     | 120.35 |          | 20.35      |             |
| 47920          | 12/28/88     | 338.86 |          | 338.86     |             |
| 47913          | 12/30/88     | 634.50 |          | 634.50     |             |
| 47889          | 12/30/88     | 541.10 |          | 541.10     |             |
| 47363          | 01/16/89     | 433.15 |          | 433.15     |             |
| 43533          | 01/23/89     | 328.41 |          | 328.41     |             |
| 43536          | 01/23/89     | 356.00 |          | 356.00     |             |
| 43538          | 01/16/89     | 439.00 |          | 439.00     |             |
| 43539          | 01/16/89     | 675.75 |          | 675.75     |             |
| 43537          | 01/16/89     | 395.00 |          | 395.00     |             |
| 49075          | 12/26/88     | 30.00  |          | 30.00      |             |
| 47888          | 12/30/88     | 68.50  |          | 68.50      |             |
| 45800          | 01/06/89     | 130.91 |          | 130.91     |             |
| 45804          | 01/06/89     | 53.00  |          | 53.00      |             |

DETACHED CHECK IS PAYMENT IN FULL OF ACCOUNT SHOWN ABOVE IF INCORRECT, RETURN WITHOUT ALTERATIONS

United States Historical Society

FIRST AND MAIN STREETS  
RICHMOND VIRGINIA 23219

CHECK NO

22905

ADVISE NO

022905

| INVOICE NUMBER | INVOICE DATE | AMOUNT   | DISCOUNT | NET AMOUNT | CHECK TOTAL |
|----------------|--------------|----------|----------|------------|-------------|
| 45803          | 01/06/89     | 53.50    |          | 53.50      |             |
| 45801          | 01/06/89     | 111.85   |          | 111.85     |             |
| 47861          | 01/16/89     | 50.00    |          | 50.00      |             |
| 47864          | 01/16/89     | 44.00    |          | 44.00      |             |
| 47848          | 12/30/88     | 1,586.60 |          | 1,586.60   |             |

DETACHED CHECK IS PAYMENT IN FULL OF ACCOUNT SHOWN ABOVE IF INCORRECT, RETURN WITHOUT ALTERATIONS

9,158.43



United States Historical Society®

FIRST AND MAIN STREETS  
RICHMOND VIRGINIA 23219

No. 022905 <sup>68-1</sup> 4115 <sub>510</sub>

NINE THOUSAND ONE HUNDRED FIFTY EIGHT AND 43/100  
DOLLARS

NOT VALID AFTER 90 DAYS

DATE  
02/15/89

AMOUNT OF CHECK  
\$9,158.43

PAY  
TO THE  
ORDER OF

NAMES & ADDRESSES, INC.  
4396 COMMERCIAL AVENUE  
NORTHBROOK IL

60362-9990

SOVRAN BANK, N.A.  
RICHMOND, VIRGINIA

*Paul F. Ward*  
*Frank H. Zick*  
AUTHORIZED SIGNATURE

⑈022905⑈ ⑈051000017⑈ 0203 5248⑈



# AIRBILL

USE THIS AIRBILL FOR DOMESTIC SHIPMENTS WITHIN THE CONTINENTAL U.S.A., ALASKA AND HAWAII.  
USE THE INTERNATIONAL AIRWAYBILL FOR SHIPMENTS TO PUERTO RICO.  
QUESTIONS? CALL 800-230-6300 TOLL FREE.

PACKAGE  
TRACKING NUMBER

2006322872

307M

2006322872

|                                                        |                 |
|--------------------------------------------------------|-----------------|
| Sender's Federal Express Account Number<br>1005-0348-8 | Date<br>1/27/89 |
|--------------------------------------------------------|-----------------|

|                                            |             |                                           |  |
|--------------------------------------------|-------------|-------------------------------------------|--|
| From (Your Name) Please Print<br>1 Barbara |             | Your Phone Number (Very Important)<br>( ) |  |
| Company<br>NAMES & ADDRESSES INC           |             | Department/Floor No.                      |  |
| Street Address<br>4096 COMMERCIAL AVE      |             |                                           |  |
| City<br>NORTHBROOK                         | State<br>IL | ZIP Required<br>60062                     |  |

## SENDER'S COPY

|                                                                                                   |             |                                                  |  |
|---------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------|--|
| To (Recipient's Name) Please Print<br>2 List Manager                                              |             | Recipient's Phone Number (Very Important)<br>( ) |  |
| Company<br>Plymouth List Co                                                                       |             | Department/Floor No.                             |  |
| Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes.)<br>2066 Jefferson Davis |             |                                                  |  |
| City<br>Stafford                                                                                  | State<br>VA | ZIP Required<br>22554                            |  |

3 YOUR BILLING REFERENCE INFORMATION (FIRST 24 CHARACTERS WILL APPEAR ON INVOICE.)  
NA-49478

IF HOLD FOR PICK-UP, Print FEDEX Address Here

PAYMENT ☒ Bill Sender ☐ Bill Recipient's FedEx Acct No. ☐ Bill 3rd Party FedEx Acct No. ☐ Bill Credit Card  
☐ Cash

|      |       |              |
|------|-------|--------------|
| City | State | ZIP Required |
|------|-------|--------------|

| SERVICES                                                                            |                                                         | DELIVERY AND SPECIAL HANDLING                                                                                       |  | PACKAGES | WEIGHT | YOUR DECLARED VALUE (See right) | OVER SIZE |
|-------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|--|----------|--------|---------------------------------|-----------|
| 1 <input type="checkbox"/> PRIORITY 1 Overnight Delivery                            | 6 <input checked="" type="checkbox"/> OVERNIGHT LETTER* | 1 <input type="checkbox"/> HOLD FOR PICK-UP (No Box #)                                                              |  |          |        |                                 |           |
| 2 <input type="checkbox"/> COURIER-PAK OVERNIGHT ENVELOPE*                          | 7 <input type="checkbox"/>                              | 2 <input checked="" type="checkbox"/> DELIVER WEEKDAY                                                               |  |          |        |                                 |           |
| 3 <input type="checkbox"/> OVERNIGHT BOX                                            | 8 <input type="checkbox"/>                              | 3 DELIVER SATURDAY (Extra charge)                                                                                   |  |          |        |                                 |           |
| 4 <input type="checkbox"/> OVERNIGHT TUBE                                           | 9 <input type="checkbox"/>                              | 4 <input type="checkbox"/> DANGEROUS GOODS (Extra charge)                                                           |  |          |        |                                 |           |
| 5 <input type="checkbox"/> STANDARD AIR Delivery not later than second business day | 10 <input type="checkbox"/>                             | 5 <input type="checkbox"/> CONSTANT SURVEILLANCE SERVICE (CSS) (Extra charge) (Protective Signature Not Applicable) |  |          |        |                                 |           |
|                                                                                     |                                                         | 6 <input type="checkbox"/> DRY ICE (See back)                                                                       |  |          |        |                                 |           |
|                                                                                     |                                                         | 7 <input type="checkbox"/> OTHER SPECIAL SERVICE                                                                    |  |          |        |                                 |           |
|                                                                                     |                                                         | 8 <input type="checkbox"/>                                                                                          |  |          |        |                                 |           |
|                                                                                     |                                                         | 9 <input type="checkbox"/> SATURDAY PICK-UP (Extra charge)                                                          |  |          |        |                                 |           |
|                                                                                     |                                                         | 10 <input type="checkbox"/>                                                                                         |  |          |        |                                 |           |
|                                                                                     |                                                         | 11 <input type="checkbox"/>                                                                                         |  |          |        |                                 |           |
|                                                                                     |                                                         | 12 <input type="checkbox"/> HOLIDAY DELIVERY (if offered) (Extra charge)                                            |  |          |        |                                 |           |

**SERVICE CONDITIONS, DECLARED VALUE AND LIMIT OF LIABILITY**

Use of this airbill constitutes your agreement to the service conditions in our current Service Guide which is available upon request. See back of sender's copy of this airbill for further information.

We will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay or non delivery, unless you specify a higher amount in the space to the left, pay 40¢ per additional \$100 specified and document your actual loss in the event of a claim. Maximum amount limitations found in the current Federal Express Service Guide apply. Your rights to recover from Federal Express for loss of the intrinsic value of the package, as well as for loss of sales income, interest, profit, attorney's fees, costs and any other form of damage, whether direct, incidental, consequential or special, is limited to its greater of \$100 or the declared value specified to the left. In no event shall your recovery exceed your actual loss.

In the event of untimely delivery, Federal Express will at your request and with some limitations, refund all transportation charges paid. See Service Guide for further information.

Sender authorizes Federal Express to deliver this shipment without obtaining a delivery signature and shall indemnify and hold harmless Federal Express from any claims resulting therefrom.

Release Signature

|                                                           |  |
|-----------------------------------------------------------|--|
| Federal Express Use                                       |  |
| Base Charges                                              |  |
| Declared Value Charge                                     |  |
| Other 1                                                   |  |
| Other 2                                                   |  |
| Total Charges                                             |  |
| PART #111800<br>REVISION DATE 7/88<br>PRINTED IN USA FXEM |  |
| 009                                                       |  |
| © 1988 F.E.C.                                             |  |

ATTACHMENT #7

SENDER'S COPY

2006322872



Names  
and  
Addresses,  
Inc.

LIST RENTAL

4096 Co

Avenue, Northbrook, Ill

60062-9990

(312) 272-7933

|                                        |                          |                            |                       |                                      |
|----------------------------------------|--------------------------|----------------------------|-----------------------|--------------------------------------|
| DATE<br>01/27/89                       | ORDER NUMBER<br>NA-49478 | MUST ARRIVE BY<br>03/05/89 | MAIL DATE<br>03/27/89 | TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>FIELD MUSEUM OF NATURAL HSTY |                          | OFFER<br>Membership        |                       | Net 45 Days After Mail Date          |

CLIENT  
33571002

FIELD MUSEUM OF NATURAL HSTY  
MS. MARILYN CAHILL  
ROOSEVELT RD. AT LAKE S. DRIVE  
CHICAGO IL 60605

SHIP TO  
27990002

DATAMATION  
MR. FRED PIET  
814 EAGLE DR.  
BENSENVILLE IL 60106

312/922-9410

SHIP VIA FEDERAL EXP-PRIORITY 1

LIST: METROPOLITAN AREA DONORS 157780

1. EXCHANGE QTY: 10,000

CLIENT PO: Verbal Verbal

Donors  
from SCFs listed in special instructions

\$ 60.00 /M \$ 60.00 /M  
\$ 3.00 /M \$ 3.00 /M

ADDRESSING:

This is a TEST  
Nth Name Selection  
Mag Tape 9 Trk 1600 BPI  
Sample Mail Piece Enclosed  
Keep Record of Names Supplied  
See Special Instructions  
This is an EXCHANGE

\$ 20.00 FC \$ 20.00 FC

SPECIAL INSTRUCTIONS:

Please provide a tape dump and layout with the tape.  
Return date is actual cut-off.  
Call immediately if prices vary from order.  
call immediately if return date cannot be met.  
Call if shipping quantity varies by more than 10%.  
Mailer requests an EXCHANGE.  
Select: 1,000 names from SCFs 531,532,534  
1,000 names from SCFs 463,464  
8,000 names from SCFs 600-606

Your NAI Service Rep. is BARBARA ROBERTSON

(312) 272-7933

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY



Names  
and  
Addresses,  
Inc.

4095 COM

AVENUE, Northbrook, Ill.

60062-9990

(312) 272-7993

|                                        |                          |                            |                       |                             |
|----------------------------------------|--------------------------|----------------------------|-----------------------|-----------------------------|
| DATE<br>01/27/89                       | ORDER NUMBER<br>NA-42478 | MUST ARRIVE BY<br>03/05/89 | MAIL DATE<br>03/27/89 | TERMS                       |
| MAILER<br>FIELD MUSEUM OF NATURAL HSTY |                          | OFFER<br>Membership        |                       | Net 45 Days After Mail Date |

CLIENT FIELD MUSEUM OF NATURAL HSTY  
2252-002 MR. MATHYV CARILL

SHIP TO  
27000002

DATAMATION  
MR. FRED PIET  
814 EAGLE DR.  
BENSENVILLE IL 60106

SHIP VIA FEDERAL EXP-PRIORITY 1

LIST: METROPOLITAN AREA DONORS 157780

*RENTAL*  
1. EXCHANGE QTY: 10,000 CLIENT PO: Verbal

Donors \$ 60.00 /M  
from SCFs listed in special instructions \$ 3.00 /M

ADDRESSING:  
This is a TEST  
Nth Name Selection  
Mag Tape 9 Trk 1600 BPI \$ 20.00 FC  
Sample Mail Piece Enclosed  
Keep Record of Names Supplied  
See Special Instructions  
This is an EXCHANGE

SPECIAL INSTRUCTIONS:  
Please provide a tape dump and layout with the tape.  
Return date is actual cut-off 0  
Call immediately if prices vary from order.  
Call immediately if return date cannot be met.  
Call if shipping quantity varies by more than 10%.  
Mailer requests an EXCHANGE.  
Select: 1,000 names from SCFs 531,532,534  
1,000 names from SCFs 463,464  
8,000 names from SCFs 600-605

*1-30-Diana*  
*RENTAL ONLY*  
*UPS B*  
*3/1*  
*10020*

Your NAL Service Rep. is BARBARA ROBERTSON

(312) 272-7993

LIST  
OWNER

703-659-0700  
PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

PLEASE CHECK & SIGN APPROPRIATE REPLY

☐ APPROVED FOR RENTAL ☐ APPROVED FOR EXCHANGE ☐ NOT APPROVED

COMMENTS & CORRECTIONS

CLEARANCE REPLY COPY

SIGNED

DATE

AS SOON AS ORDER IS SHIPPED

|                           |                   |
|---------------------------|-------------------|
| NAI NO                    |                   |
| NA 49478                  | Item No. 1 10,000 |
| MAILER                    |                   |
| FIELD MUSEUM OF NATURAL H | Verbal            |
| (15)                      |                   |
| METROPOLITAN AREA DONORS  |                   |

NUMBER NAMES SHIPPED 15,218 DATE SHIPPED 3/1/89  
METHOD OF SHIPMENT UPS Blue YOUR REFERENCE # 8902563

\* SHIPPING COST: 10.00

\* IF SHIPPING COST IS NOT KNOWN AT TIME OF SHIPPING, PLEASE RETURN THIS FORM WITHOUT THE SHIPPING COST INFORMATION

By: Dianne 3/1/89  
NAME (PLEASE PRINT) DATE

**Plymouth**  
**LIST CO., INC.**

2066 Jefferson Davis Hwy., Suite 202  
Stafford, Virginia 22554  
(703) 659-0700

**INVOICE**

Names and Addresses, Inc.  
4096 Commercial Avenue  
Northbrook, IL 60062-9990

INVOICE NO. 1238  
INVOICE DATE 3/3/89  
SHIPPED TO Datamation  
814 Eagle Drive  
Bensenville, IL 60106

| ORDER NO. | YOUR ORDER NO.                                                  | SALESMAN | TERMS | SHIPPED VIA | PPD. OR COLL. |
|-----------|-----------------------------------------------------------------|----------|-------|-------------|---------------|
| 901559    | NA-49478                                                        |          |       | UPS BLUE    |               |
| QUANTITY  | DESCRIPTION                                                     |          |       | PRICE       | AMOUNT        |
|           | Mailer : Field Museum of Natural History<br>Mail Date : 3/27/89 |          |       |             |               |
| 10,000    | Metropolitan Area High Dollar Donors                            |          |       | 60.00/M     | \$600.00      |
|           | Less Commission (20%)                                           |          |       |             | \$120.00      |
|           | Subtotal                                                        |          |       |             | \$480.00      |
| 10,000    | Special Selections                                              |          |       | 3.00/M      | \$30.00       |
|           | Nonreturnable Mag Tape Fee                                      |          |       |             | \$20.00       |
|           | Shipping and Handling                                           |          |       |             | \$10.00       |
|           | Please Pay This Amount                                          |          |       |             | \$540.00      |
|           | THANK YOU                                                       |          |       |             |               |



Names  
and  
Addresses,  
Inc.

4095 Commercial Avenue  
Northbrook, IL 60062-9990  
(312) 272-7933

INVOICE

MAIL DATE: 03/27/89  
OFFER: Membership  
TERMS: Net 30 Days After Mail Date  
SALESMAN: LYNNE HARTNETT

ORIGINAL INVOICE #: 49479

DATE: 03/07/89

PAGE 1

CLIENT: 33571002

FIELD MUSEUM OF NATURAL HSTY  
MS. MARILYN CAHILL  
ROOSEVELT RD. AT LAKE S. DRIVE  
CHICAGO IL 60605

\*\*\*\*\*  
\*\*\*\*\*  
\*\*  
\*\* Payment Due: 04/26/89 \*\*  
\*\*  
\*\*\*\*\*  
\*\*\*\*\*

RENTAL : METROPOLITAN AREA DONORS - (Caution-list is unde

Client P.O.#: Verbal

| QUANTITY | DESCRIPTION                              | UNIT COST   | AMOUNT    |
|----------|------------------------------------------|-------------|-----------|
| 10,000   | Donors                                   | \$ 60.00 /M | \$ 600.00 |
| 10,000   | from SCFs listed in special instructions | \$ 3.00 /M  | \$ 30.00  |
| 1        | Mag Tape 9 Trk 1600 BPI                  | \$ 20.00 FC | \$ 20.00  |
|          | Shipping and Handling                    | \$ 22 25 FC | \$ 22.25  |
|          |                                          |             | \$ 672.25 |

Invoice Total: \$ 672.25

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half percent (1 1/2) per month. There will be a \$50.00 FC in addition to running charges on all cancelled orders prior to or after mail date.

**FIELD MUSEUM**  
OF NATURAL HISTORY

ROOSEVELT ROAD AT LAKE SHORE DRIVE  
CHICAGO, ILLINOIS 60605  
(312) 922-9410

REMITTANCE ADVICE attached is our check in full settlement  
of items hereon, if not correct, please return with explanation  
DETACH BEFORE DEPOSITING

063958

| INVOICE NUMBER | INVOICE DATE | GROSS AMOUNT | DISCOUNT | NET AMOUNT | VOUCHER NO. |
|----------------|--------------|--------------|----------|------------|-------------|
| 49473          | 02/28/89     | 654.61       | 0.00     | 654.61     | 03-007166   |
| 49478          | 03/07/89     | 672.25       | 0.00     | 672.25     | 03-007165   |

MAR 29 1989

|        |          |          |      |          |        |
|--------|----------|----------|------|----------|--------|
| CHI333 | 03/23/89 | 1,326.86 | 0.00 | 1,326.86 | 063958 |
|--------|----------|----------|------|----------|--------|

063958

**FIELD MUSEUM**  
OF NATURAL HISTORY

ROOSEVELT ROAD AT LAKE SHORE DRIVE  
CHICAGO, ILLINOIS 60605  
(312) 922-9410

DATE  
03/23/89

CHECK NO.  
063958

2.15  
710

PAY

\*\*\*ONE THOUSAND, THREE HUNDRED TWENTY-SIX AND 86/100

AMOUNT

\$1326.86

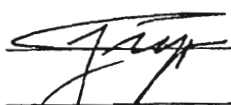
TO THE  
ORDER  
OF

NAMES AND ADDRESSES, INC.  
4096 COMMERCIAL AVE.  
ATTN: LYNN HARTNETT  
NORTHBROOK IL 600629990

FIELD MUSEUM OF NATURAL HISTORY

The Northern Trust Co.  
Chicago, Illinois

VOID AFTER 6 MONTHS

BY   
BY   
Two Signatures Required for Payment Over \$5,000.00

⑈063958⑈ ⑆071000152⑆ 30187629⑈

2 2 0 4 0 8 2 2 4 8 0

**FEDERAL EXPRESS**

QUESTIONS? CALL 800-238-5355 TOLL FREE.

AIRBILL NUMBER

**4579554965**

713 184

DATE **02-17-89**

1 2MKT

2401111100

Sender's Federal Express Account Number  
**1286-5120-9**

AIRBILL NUMBER  
**4579554965**

BY-charge this airbill to the addressee of the invoice. If the addressee is not the same as the addressee of the invoice, the addressee of the invoice must be notified by the addressee of this airbill.

From (Your Name)

**MAUREEN LAYLIE**

A SMITH

Your Phone Number (Very Important)

**(612) 893-1546**

To (Recipient's Name)

**LIST MANAGEMENT**

Recipient's Phone Number (Very Important)

Company

**NAMES & ADDRESSES INC**

Department/Floor No.

Department/Floor No.

Street Address

**7400 METRO BLVD STE 230**

City

**EDINA**

State

**MN**

ZIP Required For Correct Invoicing

**55433**

City

**2066 JEFFERSON DAVIS HIGHWAY**

**STAFFORD**

State

**VA**

ZIP Required

**22554**

YOUR BILLING REFERENCE INFORMATION (FIRST 24 CHARACTERS WILL APPEAR ON INVOICE)

**NA-48099**

PAYMENT ☐ Bill Sender ☐ Bill Recipient's FedEx Acct No. ☐ Bill 3rd Party FedEx Acct No. ☐ Bill Credit Card

☐ Cash

**1005-0346-8**

**SERVICES CHECK ONLY ONE BOX**

1 ☐ **PRIORITY 1** Overnight Delivery Using Your Packaging  
2 ☐ **OVERNIGHT DELIVERY USING OUR PACKAGING** 12" x 15" 12" x 17" x 3" 36" x 6" x 6" \*Declared Value Limit \$100

3 ☐ **OVERNIGHT LETTER** 12" x 15" 12" x 17" x 3" 36" x 6" x 6" \*Declared Value Limit \$100

4 ☐ **STANDARD AIR** Delivery not later than second business day

5 ☒ **SERVICE COMMITMENT** PRIORITY 1 - Delivery is scheduled daily next business morning in most locations. It may take two or more business days if the destination is outside our primary service area. STANDARD AIR - Delivery is generally next business day or not later than second business day. It may take three or more business days if the destination is outside our primary service area.

6 ☐ **DELIVER SATURDAY** (Extra charge)

7 ☐ **SAFEGUARD GOODS** (P-1 and Standard Air Packaging only) (Extra charge)

8 ☐ **CONSTANT SURVEILLANCE SERVICE (CSS)** (Extra charge) (See last Complete Section 5)

9 ☐ **DRY ICE** (Extra charge)

10 ☐ **OTHER SPECIAL SERVICE**

**DELIVERY AND SPECIAL HANDLING CHECK SERVICES REQUIRED**

1 ☐ **HOLD FOR PICK-UP** (P-1 and Standard Air Packaging only) (Extra charge)

2 ☐ **DELIVER WEEKDAY** (Extra charge)

3 ☐ **DELIVER SATURDAY** (Extra charge)

4 ☐ **SAFEGUARD GOODS** (P-1 and Standard Air Packaging only) (Extra charge)

5 ☐ **CONSTANT SURVEILLANCE SERVICE (CSS)** (Extra charge) (See last Complete Section 5)

6 ☐ **DRY ICE** (Extra charge)

7 ☐ **OTHER SPECIAL SERVICE**

8 ☐ **SATURDAY PICK-UP** (Extra charge)

9 ☐ **SAFEGUARD GOODS** (P-1 and Standard Air Packaging only) (Extra charge)

10 ☐ **OTHER SPECIAL SERVICE**

**PACKAGES**

**QUANTITY**

**YOUR DECLARED VALUE (See right)**

**ORIGIN**

**ZIP CODE**

**RECEIVED AT**

**1 Regular Stop 2 On-Call Stop 3 Drop Box 4 B.S.C. 5 Station**

**Federal Express Corp. Employee No.**

**Date/Time For Federal Express Use**

**HOLD FOR PICK-UP AT THIS FEDERAL EXPRESS LOCATION:** Street Address (See Service Guide or Call 800-238-5355)

**City** **State**

**ZIP \* Zip Code of Street Address Required**

**YOUR DECLARED VALUE:** We are liable for no more than \$100 per package in the event of physical loss or damage, unless you file a higher Declared Value to the left and document higher actual loss in the event of a claim. We charge 30¢ for each additional \$100 of declared value up to the maximum shown in our Service Guide. Declared value restrictions shown on the back of the Sender's Copy of this airbill. We make no expressed or implied warranties.

**DELAY:** There is always a risk of late delivery or non-delivery in the event of a late delivery Federal Express will, at your request, interest, profits, attorney fees and other costs, but is not limited to these items. Such damages are called consequential damages.

**CONSEQUENTIAL DAMAGES:** We will not be responsible or liable for any loss or damage resulting from delay, non-delivery or damage to a package, except as noted above. This includes loss of sales, income, interest, profits, attorney fees and other costs, but is not limited to these items. Such damages are called consequential damages.

**DO NOT SHIP CASH OR CURRENCY**

**RECEIVED AT**

**1 Regular Stop 2 On-Call Stop 3 Drop Box 4 B.S.C. 5 Station**

**Federal Express Corp. Employee No.**

**Date/Time For Federal Express Use**

**DO NOT SHIP CASH OR CURRENCY**

ATTACHMENT #8

SENDER'S COPY/RECEIPT FOR TRACE PU

DATE  
#128653  
FED-5-751-1000  
REVISION DATE  
11-80  
PRINTED U.S.A. SRC

|                                          |                                 |                                   |                              |                                                    |
|------------------------------------------|---------------------------------|-----------------------------------|------------------------------|----------------------------------------------------|
| <b>DATE</b><br>02/17/89                  | <b>ORDER NUMBER</b><br>NA-49899 | <b>MUST ARRIVE BY</b><br>03/03/89 | <b>MAIL DATE</b><br>03/17/89 | <b>CLIENT TERMS</b><br>Net 30 Days After Mail Date |
| <b>MAILER</b><br>U.S. HISTORICAL SOCIETY |                                 | <b>OFFER</b><br>Presidential Bowl |                              | <b>NAI TERMS</b><br>Net 45 Days After Mail Date    |

**CLIENT**  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

**SHIP TO**  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

**SHIP VIA** UPS - BLUE LABEL

**LIST:** METROPOLITAN AREA DONORS 157780

1. RENTAL QTY: 15,000

**CLIENT PO:**

1988 DONORS ONLY  
ONLY \$100+ CONTRIBUTORS  
NTH OF UNUSED  
OMIT NA-48536 5M 12/88

\$ 60.00 /M \$ 60.00 /M  
\$ 3.00 /M \$ 3.00 /M

**ADDRESSING:**

Mark All Packages/Reels Key--- METRO DONORS - PRES, BOWL  
Mag Tape 9 Trk 1600 BPI  
NTH NAME SELECTION  
THIS IS A RETEST  
DO NOT EXCEED QUANTITY SHOWN  
SAMPLE MAIL PIECE ENCLOSED  
KEEP RECORD OF NAMES SUPPLIED  
See Special Instructions

\$ 20.00 FC \$ 20.00 FC

**SPECIAL INSTRUCTIONS:**

Mag tape layout and sample dump must accompany the tape!!  
Assure mail date clearance 2 weeks before and after  
scheduled mail date.  
\*\* IMPORTANT: Use Names and Addresses shipping label.  
Call if count varies +/- 10% of requested  
quantity.  
Address 48 contiguous states only.  
PLEASE CALL IMMEDIATELY IF DELIVERY DATE CANNOT BE MET.  
inquiries or correspondence to Maureen or George.  
612-893-1546.

**\*\* CONTINUED ON NEXT PAGE \*\***

**LIST  
OWNER**

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554



Name  
and  
Address  
No.

LIST RENTAL  
7400 Main Boulevard, Suite 230, Edina, Minnesota 55435 (612) 893-1546

|                                   |                          |                            |                       |                                             |
|-----------------------------------|--------------------------|----------------------------|-----------------------|---------------------------------------------|
| DATE<br>02/17/89                  | ORDER NUMBER<br>NA-49899 | MUST ARRIVE BY<br>03/03/89 | MAIL DATE<br>03/17/89 | CLIENT TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Presidential Bowl |                       | NAI TERMS<br>Net 45 Days After Mail Date    |

CLIENT  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP VIA UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS -

157780

U.S. Historical will not pay for internal duplicates, nixies  
pander file drops, or matches to the U.S. Historical active  
customer file.

22040092482

Your NAI Service Rep. is MAUREEN LAVALLE

(612) 893-1546

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY

**Plymouth  
LIST CO., INC.**

2066 Jefferson Davis Hwy., Suite 202  
Stafford, Virginia 22554  
(703) 659-0700

# INVOICE

TO

Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, Minnesota 55435

INVOICE NO. 1245

INVOICE DATE 3/3/89

SHIPPED TO U.S. Historical Society  
1st and Main Street  
Richmond, VA 23219

| OUR ORDER NO | YOUR ORDER NO                                           | SALESMAN | TERMS | SHIPPED VIA | PPD. OR COLL |
|--------------|---------------------------------------------------------|----------|-------|-------------|--------------|
| 8902566      | NA-49899                                                |          |       | UPS BLUE    |              |
| QUANTITY     | DESCRIPTION                                             |          |       | PRICE       | AMOUNT       |
|              | Mailer : U.S. Historical Society<br>Mail Date : 3/17/89 |          |       |             |              |
| 15,000       | Metropolitan Area High Dollar Donors                    |          |       | 60.00/M     | \$900.00     |
|              | Less Commission (20%)                                   |          |       |             | \$180.00     |
|              | Subtotal                                                |          |       |             | \$720.00     |
| 15,000       | Special Selections                                      |          |       | 3.00/M      | \$45.00      |
|              | Nonreturnable Mag Tape Fee                              |          |       |             | \$20.00      |
|              | Shipping and Handling                                   |          |       |             | \$10.00      |
|              | Please Pay This Amount                                  |          |       |             | \$795.00     |
|              | THANK YOU                                               |          |       |             |              |

VIRGINIUS DABNEY  
Chairman,  
Advisory Committee



ROBERT H. KLINE  
Chairman,  
Board of Governors

UNITED STATES HISTORICAL SOCIETY

March 6, 1989

Mr. George Tyler  
Names and Addresses, Inc.  
7400 Metro Blvd., Suite 230  
Edina, MN 55435

Dear George:

Enclosed is a copy of the letter we received from Jan Baran of the National Republican Congressional Committee. The list in question is Metropolitan Donors. Please cancel our continuation order on this mailing.

Very truly yours,

Paul J. Warden  
President

PJW:mlg

Enclosure

GUY VANDER JAGT, M.C.  
CHAIRMAN

JOSEPH R. GAYLORD  
EXECUTIVE DIRECTOR

NATIONAL REPUBLICAN  
CONGRESSIONAL COMMITTEE

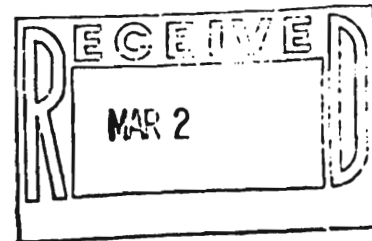
320 FIRST STREET, S.E.  
WASHINGTON, D.C. 20003

202-479-7000

*Important*

February 24, 1989

Robert H. Kline  
Chairman  
Board of Governors  
United States Historical Society  
First and Main Streets  
Richmond, VA 23219



Dear Mr. Kline:

I am the General Counsel of the National Republican Congressional Committee ("NRCC"). My client recently received a mailing by the United States Historical Society, a copy of which is enclosed. The name and address on this mailing is fictitious and appears solely on the reports of NRCC Contributors which are filed with the Federal Election Commission ("FEC"). These fictitious names appear as permitted by the Federal Election Campaign Act. 2 U.S.C. 438(a)(4).

The Act prohibits any person from using the names and addresses of contributors on file with the FEC for any solicitation or commercial purposes. Id. It has recently come to the attention of my client that a list unlawfully containing these names is being actively marketed to organizations and, apparently, to yours as well. The NRCC has already filed a complaint with the FEC against an owner/manager of such a list.

While you may have unwittingly rented a list of this sort, which appears to violate the Act, we will not at this time file a complaint with the FEC against your organization, provided that you confirm to us in writing that you will cease and desist from any further mailings to individuals appearing on the list involved in the enclosed mailing. Of course, further mailings of this sort, if brought to our attention, would lead to the possibility of my client filing a formal complaint with the FEC. In addition, any information you could provide us regarding the name of your list broker, the source of your list, or from whom you rented the list would be welcome.

- 2 -

Your cooperation in this matter will be appreciated. If you have any questions, please feel free to call me or my assistant, Deb Flavin, at (202) 479-7025.

Sincerely,



Jan W. Baran  
General Counsel

Enclosure

920408922466

92040892467

UNITED STATES HISTORICAL SOCIETY  
First and Main Streets, Richmond, VA 23219

FEB 02 1989



|||||  
FEB 10 1989

|                                   |                          |                            |                       |                                             |
|-----------------------------------|--------------------------|----------------------------|-----------------------|---------------------------------------------|
| DATE<br>03/09/89                  | ORDER NUMBER<br>NA-49899 | MUST ARRIVE BY<br>03/03/89 | MAIL DATE<br>03/31/89 | CLIENT TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Presidential Bowl |                       | NAI TERMS<br>Net 45 Days After Mail Date    |

CLIENT  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

(312)000-0000

SHIP VIA

UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS (Caution-list is under govt litigation-unauthori 157780

1. RENTAL QTY: 15,698

CLIENT PO:

1988 DONORS ONLY  
ONLY \$100+ CONTRIBUTORS  
NTH OF UNUSED  
OMIT NA-48536 5M 12/88  
Mag Tape 9 Trk 1600 BPI

\$ 60.00 /M \$ 60.00 /M  
\$ 3.00 /M \$ 3.00 /M  
\$ 20.00 FC \$ 20.00 FC

\*\*\*\*\* REVISE AS FOLLOWS \*\*\*\*\*

PLEASE NOTE: MAIL DATE HAS BEEN CHANGED FROM 03/17/89 TO  
03/31/89. PLEASE ADJUST YOUR RECORDS  
ACCORDINGLY.

\* All other Instructions remain as on order.  
\* Direct any questions to: MAUREEN LAVALLE at (612) 893-1546

\*\*\*\*\*

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554



VIRGINIUS DABNEY  
*Chairman,  
Advisory Committee*

ROBERT H. KLINE  
*Chairman,  
Board of Governors*

UNITED STATES HISTORICAL SOCIETY

March 9, 1989

Mr. Jan W. Baran  
General Counsel  
National Republican Congressional Committee  
320 First Street, S.E.  
Washington, DC 20003

Dear Mr. Baran:

I have received your letter of February 24, 1989 regarding the mailing from the United States Historical Society which you recently received on the Presidential Bowl. I can assure you we did not realize there was a problem with the validity of the list. We obtained the list through our list broker, George Tyler, Names and Addresses, Inc., 7400 Metro Blvd., Suite 230, Edina, MN 55434, (612) 893-1546. Should you have any additional questions about the list, I am sure that Mr. Tyler can help you.

We planned to mail additional names from this list at the end of March. However, we have cancelled our order for this list as a result of your letter.

Thank you for bringing this problem to our attention. If I can be of additional assistance, please do not hesitate to contact me.

Sincerely,

  
Paul J. Warden  
President

PJW:mlg

cc: Mr. George Tyler



George Tyler

Letter to Plymouth Dated  
March 8, 1989 - not on file.  
Gist: request for Plymouth to  
explain allegations to-date.

George T. Tyler

11/14/89



Names  
and  
Addresses  
Inc.

7400 Metro Boulevard Suite 230 Edina, MN. 55435 (612) 893-1546

228-C

March 14, 1989

Jan W. Baran  
National Republican Congressional Committee

Dear Jan Baran,

Re: Conservative Donor List Mailed by U.S. Historical Society

The list in question has been on the "open rental market", in some form, at least since 1985. We did order 1988 donors for this project. The list distribution is controlled not by us - an independent broker - but by:

Plymouth List Company, Inc.  
2086 Jefferson Davis Highway  
Suite 202  
Stafford, VA 22554  
Nina Driscoll - General Manager  
703-659-0700

Per your letter to U.S. Historical Society we will no longer order the list for our clients unless the problem is resolved.

It is not unusual in our business, to have a "oscoy" pop up that is not truly an example of unauthorized use. But for the time being, we will consider the list "Metropolitan Area Donors" compiled illegally until proven innocent.

If you need any additional information in your pursuit of the facts, please call

Sincerely,

George T. Tyler  
Names and Addresses, Inc.

P.S. Enclosed is the copy of the promotional data Plymouth uses to market the list. See also Direct Mail List Rates & Data, published by Standard Rates and Data Service (SRD), publishing - available in a library. Plymouth is aware of your allegations to date.

BTB:ell

Plymouth  
LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

March 14, 1989

George T. Tyler  
Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, MN 55435

RE: U.S. Historical Society order for  
Metropolitan Area Donor List  
NA-48536 5M 11/88 Presidential Bowl  
NA-49899 15M 2/89 Presidential Bowl

Dear Mr. Tyler,

In response to your letter of March 8, 1989, I am submitting the following clarification:

(1) We have never had names on our list that originated from the National Republican Congressional Committee (RNCC) reports.

(2) Our lists have been on the market for many years and this is the first time such a thing has happened.

(3) Obviously if their "fictitious" name was used it was a mistake or accident by one of the computer houses involved.

I hope this clarifies the problem. Invoices # 1220 and 1245 for the above orders have been cancelled

Sincerely,

*Dianne Wildgrube*

Dianne E. Wildgrube

cc: Paul S. Warden



VIRGINIUS DAHNEY  
Chairman,  
Advisory Committee

ROBERT H. KLINE  
Chairman,  
Board of Trustees

UNITED STATES HISTORICAL SOCIETY

March 16, 1989

Ms. Dianne E. Wildgrube  
Plymouth List Co., Inc.  
2066 Jefferson Davis Highway, Suite 202  
Stafford, VA 22554

Dear Ms. Wildgrube:

I received the copy of your letter dated March 14, 1989 addressed to George Tyler regarding the name which appeared on the National Republican Congressional Committee report. This is a seed name from the U. S. Monitor Service. The name in question is as follows:

We are double-checking the merge-purge to verify that each tape was properly coded. Is it possible for you to check your file to see if this name is on your file? If it is on your file, can you determine the source of the name?

I would also be interested to learn the source of your file. Do you have an agreement with any Republican group to market your list? We would very much like to continue using the list if we can assure ourselves that the list is not being rented in violation of the Federal Election Commission rules.

I look forward to hearing from you shortly.

Sincerely,

Paul J. Warden  
President

PJW:mlg

Plymouth  
LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

March 21, 1989

George T. Tyler  
Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, MN 55435

Dear Mr. Tyler,

We have thoroughly investigated our files and do not have any names on our list originating from the National Republican Congressional Committee.

Futhermore, to our knowledge, we have never inserted any names on our lists that originated from FEC files.

All our names are collected from state and local offices, and with their authorization.

Sincerely,

  
Dianne E. Wildgrube

92040892494

|                                   |                          |                            |                       |                          |
|-----------------------------------|--------------------------|----------------------------|-----------------------|--------------------------|
| DATE<br>03/21/89                  | ORDER NUMBER<br>NA-49899 | MUST ARRIVE<br>03/03/89    | MAIL DATE<br>03/31/89 | NET TERMS<br>Net 30 Days |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Presidential Bowl |                       | NET TERMS<br>Net 45 Days |

CLIENT

71300003

U.S. HISTORICAL SOCIETY  
 PAUL J. WARDEN  
 1ST AND MAIN STREETS  
 RICHMOND VA 23219

SHIP TO

71300003

U.S. HISTORICAL SOCIETY  
 PAUL J. WARDEN  
 1ST AND MAIN STREETS  
 RICHMOND VA

(312)000-0000

SHIP VIA

UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS - (Caution-list is under gov. litigation-unsub)

1. CANCEL QTY: 15,698

CLIENT PO:

1988 DONORS ONLY  
 ONLY \$100+ CONTRIBUTORS  
 NTH OF UNUSED  
 OMIT NA-48536 5M 12/88

\*\*\*\*\* REVISE AS FOLLOWS \*\*\*\*\*

PLEASE NOTE: ORDER HAS BEEN CANCELLED. PLEASE ADJUST YOUR  
 RECORDS ACCORDINGLY. NO CHARGES INCURRED.

\* All other Instructions remain as on order.

\* Direct any questions to: MAUREEN LAVALLE at (612) 893-1546

\*\*\*\*\*

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
 LIST MANAGER  
 2066 JEFFERSON DAVIS HIGHWAY  
 SUITE 202  
 STAFFORD VA 22554

# Plymouth LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

*NBK - update RSC per*

September 11, 1989

*THG*

List Registrar  
Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, MN 55435

*5935 0002*

Dear List Registrar,

Our new office is finally ready, after a much longer wait than we had anticipated. By the time you receive this letter, we will have moved into our more spacious and comfortable surroundings.

Please make a note of our new address and telephone numbers, and ensure that all your staff are informed:

PLYMOUTH LIST COMPANY, INC.  
114 N. WEST STREET, SUITE 203  
CULPEPER, VIRGINIA 22701

TELEPHONE # : (703)825-8822  
FAX # : (703)825-4658

We will be sending you new list cards as soon as we receive them from the printer. Please call us at our new number if you have any questions.

Sincerely,

*Dianne*

Dianne E. Wildgrube,

22040392496



George Tyler

5/24/85

Telephone call to Jan Baran, RNC,  
asking for status of FEC/RNC  
allegation.

He stated that a complaint  
was filed with the FEC  
against Plymouth Lists

George Tyler

*faxed  
3/2/83*

**NAMES AND ADDRESSES, INC.**  
**4096 COMMERCIAL AVENUE NORTHBROOK, IL 60062**

**(312) 272-7933 BUSINESS TELEPHONE**  
**(312) 272-6986 FAX TELEPHONE**

\*\*\*\*\* FAX COVER LETTER \*\*\*\*\*

DATE: 3-23 TIME: 2 P.M.

**PLEASE DELIVER THE FOLLOWING PAGE(S) TO:**

FIRM NAME: Plymouth List Co

INDIVIDUAL: List Management

FROM: Lynne H / Barb

TOTAL NUMBER OF PAGES INCLUDING COVER PAGE: 2

SPECIAL INSTRUCTIONS: Order

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

|                                        |                          |                            |                       |                                             |
|----------------------------------------|--------------------------|----------------------------|-----------------------|---------------------------------------------|
| DATE<br>03/23/89                       | ORDER NUMBER<br>NA-50529 | MUST ARRIVE BY<br>04/19/89 | MAIL DATE<br>05/08/89 | CLIENT TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>MUSEUM OF SCIENCE & INDUSTRY |                          | OFFER<br>MEMBERSHIP DRIVE  |                       | NAI TERMS<br>Net 45 Days After Mail Date    |

CLIENT  
53080005

MUSEUM OF SCIENCE & INDUSTRY  
BARBARA CARNEY  
57TH. ST. & LAKE SHORE DR.  
CHICAGO IL 60637

SHIP TO  
46430002

LETTERS, LABELS, LISTS, LTD.  
DON MC ARTHUR  
115 E. UNIVERSITY DRIVE  
ARLINGTON HEIGHTS IL 60004

(312)684-1414

SHIP VIA UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS - Caution - list is under govt. litigation-unauthor! 357780

1. RENTAL QTY: 5,000

CLIENT PO: VERBAL VERBAL

Active Donors  
from SCFs 600-606

\$ 60.00 /M \$ 60.00 /M  
\$ 3.00 /M \$ 3.00 /M

ADDRESSING:

Nth Name Selection  
Mag Tape 9 Trk 1600 BPI  
This is a TEST  
Sample Mail Piece to Follow  
Keep Record of Names Supplied  
See Special Instructions

\$ 20.00 /M \$ 20.00 /M

SPECIAL INSTRUCTIONS:

Please provide a tape dump & layout with tape.  
Please notify immediately if prices differ from order.  
Please notify immediately if due date cannot be met.  
Museum of Science and Industry mails NON-PROFIT rates.  
Museum is mailing to Chicagoland area only to solicit new  
memberships and generate visitors to the new Frank Lloyd  
Wright exhibit. Mail piece is still in approval stages and  
will be forwarded A.S.A.P.  
Please notify if quantity varies by 10%.  
Identify package with list name & for Museum of Science &  
Industry.

Your NAI Service Rep. is BARBARA ROBERTSON

(312) 272-7933

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY

**Plymouth**  
**LIST CO., INC.**

2066 Jefferson Davis Hwy., Suite 202  
Stafford, Virginia 22554  
(703) 659-0700

**INVOICE**

APR 21 1989

TO

Names and Addresses, Inc.  
4096 Commercial Avenue  
Northbrook, IL 60062

INVOICE NO. 1259

INVOICE DATE 4/17/89

SHIPPED TO Letters, Labels, Lists, Lt  
115 E. University Drive  
Arlington Heights, IL 60004

| OUR ORDER NO. | YOUR ORDER NO.                                                | SALESMAN | TERMS | SHIPPED VIA     | PPD OR COLL. |
|---------------|---------------------------------------------------------------|----------|-------|-----------------|--------------|
| 8903578       | NA-50529                                                      |          |       | FEDERAL EXPRESS |              |
| QUANTITY      | DESCRIPTION                                                   |          |       | PRICE           | AMOUNT       |
|               | Mailer : Museum of Science and Industry<br>Mail Date : 5/8/89 |          |       |                 |              |
| 5,000         | Metropolitan Area Donors                                      |          |       | \$60.00/M       | \$300.00     |
|               | Less Commission (20%)                                         |          |       |                 | \$60.00      |
|               | Subtotal                                                      |          |       |                 | \$240.00     |
| 5,000         | Special Selections                                            |          |       | \$3.00/M        | \$15.00      |
|               | Nonreturnable Mag Tape Fee                                    |          |       |                 | \$20.00      |
|               | Shipping and Handling                                         |          |       |                 | \$10.00      |
|               | Please Pay This Amount                                        |          |       |                 | \$285.00     |
|               | THANK YOU                                                     |          |       |                 |              |



Names  
and  
Addresses,  
Inc.

4096 Commercial Avenue  
Northbrook, IL 60062-1990  
(312) 272-7933

----- INVOICE -----

MAIL DATE: 05/08/89  
OFFER: MEMBERSHIP DRIVE  
TERMS: Net 30 Days After Mail Date  
SALESMAN: LYNNE HARTNETT

ORIGINAL INVOICE #: 50529

DATE: 05/01/89

PAGE 1

CLIENT: 53080005

MUSEUM OF SCIENCE & INDUSTRY  
BARBARA CARNEY  
57TH. ST. & LAKE SHORE DR.  
CHICAGO IL 60637

\*\*\*\*\*  
\*\*\*\*\*  
\*\*  
\*\* Payment Due: 06/07/89 \*\*  
\*\*  
\*\*\*\*\*  
\*\*\*\*\*

RENTAL : METROPOLITAN AREA DONORS -

Client P.O.#: VERBAL

| QUANTITY | DESCRIPTION             | UNIT | CCST     | AMOUNT    |
|----------|-------------------------|------|----------|-----------|
| 5,000    | Active Donors           | \$   | 60.00 /M | \$ 300.00 |
| 5,000    | from SCFs 600-606       | \$   | 3.00 /M  | \$ 15.00  |
| 1        | Mag Tape 9 Trk 1600 BPI | \$   | 20.00 FC | \$ 20.00  |
|          | Shipping and Handling   | \$   | 12.50 FC | \$ 12.50  |
|          |                         |      |          | -----     |
|          |                         |      |          | \$ 347.50 |

Invoice Total: \$ 347.50

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half percent (1 1/2) per month. There will be a \$50.00 FC in addition to running charges on all cancelled orders prior to or after mail date.

MUSEUM OF SCIENCE AND IND

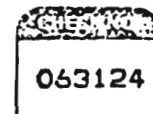
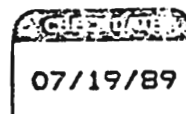
063124

| INVOICE NO    | INVOICE DATE | GROSS AMOUNT | DISCOUNT AMOUNT | NET AMOUNT   |           |
|---------------|--------------|--------------|-----------------|--------------|-----------|
| 50524, 538    | 05/22/89     | 1,386.00     | 0.00            | 1,386.00     | 07-00576  |
| 51315         | 05/16/89     | 336.11       | 0.00            | 336.11       | 07-00568  |
| PD#9050335    | 05/01/89     | 2,468.58     | 0.00            | 2,468.58     | 07-00579  |
| PD#9050355    | 06/01/89     | 1,209.60     | 0.00            | 1,209.60     | 07-00579  |
| PAID 2 4 1989 |              |              |                 |              |           |
| VENDOR        | CHECK DATE   | TOTAL GROSS  | TOTAL DISCOUNT  | CHECK AMOUNT | CHECK NO. |
| 001464-1      | 07/19/89     | 5,400.29     | 0.00            | 5,400.29     | 063124    |



MUSEUM OF SCIENCE AND INDUSTRY  
57TH STREET AND LAKE SHORE DRIVE  
CHICAGO, ILLINOIS 60637

THE NORTHERN TRUST CO.  
CHICAGO, ILLINOIS



2:15  
7:10

50529  
250.23  
347.50

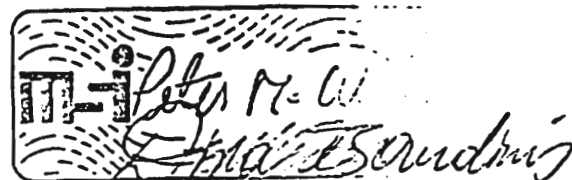
PAY EXACTLY

\*\*\*FIVE THOUSAND, FOUR HUNDRED 29/100

\$5400.29

PAY  
TO THE  
ORDER  
OF

NAMES AND ADDRESSES INC  
4096 COMMERCIAL AVE  
NORTHBROOK IL 60062



063124 0710001520380024

|                                   |                          |                                    |                       |                                             |
|-----------------------------------|--------------------------|------------------------------------|-----------------------|---------------------------------------------|
| DATE<br>07/31/89                  | ORDER NUMBER<br>NA-53677 | MUST ARRIVE BY<br>08/14/89         | MAIL DATE<br>09/15/89 | CLIENT TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Lone Sailor Bronze Statue |                       | NAI TERMS<br>Net 45 Days After Mail Date    |

ATTACHMENT #10

CLIENT  
71300003

U.S. HISTORICAL SOCIETY  
 PAUL J. WARDEN  
 18T AND MAIN STREETS  
 RICHMOND VA 23219

SHIP TO  
71300003

U.S. HISTORICAL SOCIETY  
 PAUL J. WARDEN  
 18T AND MAIN STREETS  
 RICHMOND VA 23219

(804)648-4736

SHIP VIA UPS

LIST: METROPOLITAN AREA DONORS -

157780

1. RENTAL QTY: 7,500

3059

CLIENT PO:

NTH OF SAN DIEGO AREA DONORS ONLY  
 (SCF 920, 921)

\$ 60.00 /M \$ 60.00 /M  
 \$ 3.00 /M \$ 3.00 /M

ADDRESSING:

ON EACH LABEL PRINT KEY CODE-- MD1  
 MARK ALL PACKAGES - METRO DONORS - BBP  
 FURNISH 4-UP CHESHIRE LABELS  
 THIS IS A TEST  
 NTH NAME SELECTION  
 DO NOT EXCEED QUANTITY SHOWN  
 SAMPLE MAIL PIECE ENCLOSED  
 KEEP RECORD OF NAMES SUPPLIED  
 SEE SPECIAL INSTRUCTIONS

\$ 2.00 /M \$ 2.00 /M

SPECIAL INSTRUCTIONS:

Assure mail date clearance 2 weeks before and after  
 scheduled mail date.  
 \*\* IMPORTANT: Use Names and Addresses shipping label.  
 Call if count varies +/- 10% of requested  
 quantity.  
 Address 50 states and APO/FPO if present-ONLY IF NO CHARGE

\*\* CONTINUED ON NEXT PAGE \*\*

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
 LIST MANAGER  
 2066 JEFFERSON DAVIS HIGHWAY  
 SUITE 202  
 STAFFORD VA 22554

Waive min.  
 Diane

|                                   |                          |                                    |                       |                                             |
|-----------------------------------|--------------------------|------------------------------------|-----------------------|---------------------------------------------|
| DATE<br>07/31/89                  | ORDER NUMBER<br>NA-53877 | MUST ARRIVE BY<br>08/14/89         | MAIL DATE<br>09/15/89 | CLIENT TERMS<br>Net 30 Days After Mail Date |
| MAILER<br>U.S. HISTORICAL SOCIETY |                          | OFFER<br>Lone Sailor Bronze Statue |                       | NAI TERMS<br>Net 45 Days After Mail Date    |

CLIENT  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP TO  
71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

(804)648-4736

SHIP VIA UPS

LIST: METROPOLITAN AREA DONORS

157780

PLEASE CALL IMMEDIATELY IF DELIVERY DATE CANNOT BE MET.  
Mag tape layout and sample dump must accompany the tape!!  
NOTE: This is a Minneapolis order. Please direct all inquiries or correspondence to Maureen or George.  
612-893-1546.  
RUSH. Expedite, please.  
A/B FORMAT TEST - NOTE: ABOUT HALF OF THE NAMES WILL RECEIVE ONLY THE LONE SAILOR STATUE, THE OTHER HALF WILL RECEIVE A CHOICE OF "LONE SAILOR" OR "THE HOMECOMING".

Your NAI Service Rep. is MAUREEN LAVALLE

LIST  
OWNER

PLYMOUTH LIST CO., INC.  
LIST MANAGER  
2066 JEFFERSON DAVIS HIGHWAY  
SUITE 202  
STAFFORD VA 22554

FILE COPY



7400 Metro Boulevard Suite 230 Edina, MN. 55435 (612) 893-1546

August 10, 1989

Diane  
Plymouth List Company

Dear Diane,

Re: Metropolitan Area Donors

Our recent order NA-53877 - U.S. Historical Society

Your datacard of January 1989 listed 10,286 San Diego donors - which should correspond with our request for SCF's 920, and 921 - resulted in 3,059 names per your phone call. This is of course, a mystery and a surprise to us considering the aforementioned information on your datacard.

So that we can continue to use the Metropolitan Area Donors file effectively. I now request one or both of the following:

- 1) Your computer printout of counts by SCF.
- 2) And/or counts for CA, by SCF.  
(i.e. 900 - 961)

We can't live with quantity surprises for this mailer.  
Thanks in advance for your help.  
We hope the RNC problem will never raise it's head again.

Regards,

George T. Tyler  
Names and Addresses, Inc.

cc: file

**Plymouth**  
**LIST CO., INC.**

2066 Jefferson Davis Hwy., Suite 202  
Stafford, Virginia 22554  
(703) 659-0700

# INVOICE

TO

Names and Addresses, Inc.  
7400 Metro Boulevard, Suite 230  
Edina, MN 55435

INVOICE NO. 1302

INVOICE DATE 8/14/89

SHIPPED TO U.S. Historical Society  
1st and Main Streets  
Richmond, VA 23219

| OUR ORDER NO. | YOUR ORDER NO.                                          | SALESMAN | TERMS | SHIPPED VIA     | PPD OR COLL. |
|---------------|---------------------------------------------------------|----------|-------|-----------------|--------------|
| 8908633       | NA-53877                                                |          |       | FEDERAL EXPRESS |              |
| QUANTITY      | DESCRIPTION                                             |          |       | PRICE           | AMOUNT       |
|               | Mailer : U.S. Historical Society<br>Mail Date : 9/15/89 |          |       |                 |              |
| 2,976         | Metropolitan Area High Dollar Donors                    |          |       | \$60.00/M       | \$178.56     |
|               | Less Commission (20%)                                   |          |       |                 | \$35.71      |
|               | Subtotal                                                |          |       |                 | \$142.85     |
| 2,976         | Special Selections                                      |          |       | \$3.00/M        | \$8.93       |
| 2,976         | Keycoding                                               |          |       | \$2.00/M        | \$5.95       |
|               | Shipping and Handling                                   |          |       |                 | \$10.00      |
|               | Please Pay This Amount                                  |          |       |                 | \$167.73     |
|               | THANK YOU                                               |          |       |                 |              |



Names  
and  
Addresses,  
Inc.

4095 Commercial Avenue  
Rindbrook, IL 60062-9990  
(312) 272-7933

----- I N V O I C E -----

MAIL DATE: 09/15/89  
OFFER: Lone Sailor Bronze Statue  
TERMS: Net 30 Days After Mail Date  
SALESMAN: GEORGE TYLER

ORIGINAL INVOICE #: 53877

DATE: 08/23/89

PAGE 1

CLIENT: 71300003

U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

\*\*\*\*\*  
\*\*\*\*\*  
\*\*  
\*\* Payment Due: 10/15/89 \*\*  
\*\*  
\*\*\*\*\*  
\*\*\*\*\*

RENTAL : METROPOLITAN AREA DONORS -

Client P.O.#:

| QUANTITY | DESCRIPTION                        | UNIT COST   | AMOUNT    |
|----------|------------------------------------|-------------|-----------|
| 2,976    | NTH OF SAN DIEGO AREA DONORS ONLY  | \$ 60.00 /M | \$ 178.56 |
| 2,976    | (SCF 920, 921)                     | \$ 3.00 /M  | \$ 8.92   |
| 2,976    | ON EACH LABEL PRINT KEY CODE-- MD1 | \$ 2.00 /M  | \$ 5.95   |
| 0        | Shipping and Handling              | \$ 12.50 FC | \$ 12.50  |
|          |                                    |             | \$ 205.93 |

Invoice Total: \$ 205.93

All amounts are due per the terms of the invoice. In the event of default or late payment, Buyer shall pay Seller's reasonable attorneys' fees and court costs, plus interest on the unpaid balance at a rate equal to the maximum rate permitted under applicable law but in no event more than one and one half percent (1 1/2) per month. There will be a \$50.00 FC in addition to running charges on all cancelled orders prior to or after mail date.

United States Historical Society

FIRST AND MAIN STREETS  
RICHMOND, VIRGINIA 23219

CHECK NO

ADVISE NO

28680

| INVOICE NUMBER | INVOICE DATE | AMOUNT   | DISCOUNT | NET AMOUNT | CHECK TOTAL |
|----------------|--------------|----------|----------|------------|-------------|
| 54062          | 09/20/89     | 522.50   |          | 522.50     |             |
| 53622          | 09/15/89     | 655.50   |          | 655.50     |             |
| 53877          | 09/15/89     | 205.93   |          | 205.93     |             |
| 53613          | 09/15/89     | 844.00   |          | 844.00     |             |
| 54064          | 09/20/89     | 416.00   |          | 416.00     |             |
| 53064          | 09/01/89     | 2,260.50 |          | 2,260.50   |             |
| 53612          | 09/15/89     | 1,036.25 |          | 1,036.25   |             |
| 53618          | 09/15/89     | 428.50   |          | 428.50     |             |
| 54059          | 09/20/89     | 592.31   |          | 592.31     |             |
| 54063          | 09/20/89     | 684.18   |          | 684.18     |             |
| 54058          | 09/12/89     | 483.50   |          | 483.50     |             |
| 54066          | 09/12/89     | 608.50   |          | 608.50     |             |
| 54061          | 09/20/89     | 617.50   |          | 617.50     |             |
| 53611          | 09/15/89     | 503.25   |          | 503.25     |             |
| 54065          | 09/20/89     | 591.00   |          | 591.00     |             |
| 54934          | 10/21/89     | 1,108.90 |          | 1,108.90   |             |



United States Historical Society

FIRST AND MAIN STREETS  
RICHMOND, VIRGINIA 23219  
(804) 648-4736

No. 28681

88-25  
510

28681

NOT VALID AFTER 90 DAYS

TWELVE THOUSAND SEVEN HUNDRED FIFTY AND 93/100 DOLLARS

PAY  
TO THE  
ORDER OF

NAMES & ADDRESSES, INC.  
4096 COMMERCIAL AVENUE  
NORTHBROOK IL

CENTRAL FIDELITY BANK  
RICHMOND, VIRGINIA 23219

60062-9990

DATE

11/14/89

AMOUNT OF CHECK

\$12,750.98

*Paul West*  
*Joan H. Zich*  
AUTHORIZED SIGNATURE

⑈028681⑈ ⑆051000253⑆ ⑈7911389503⑈

OGC 4757

Plymouth  
LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

December 4, 1989

Danny L. McDonald  
Office of the General Council  
Federal Election Commission  
999 E. Street, N. W.  
Room 659  
Washington D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
09 DEC -4 PM 12:43

V I A H A N D D E L I V E R Y

RE : MUR 2926

Dear Mr. McDonald,

In response to your letter we would like to make this request to pursue "pre-probable cause conciliation" as mentioned on page two of your letter.

Answer to "Interrogatories and Requests for Production of Documents" :

1. The name of the list is: "High Dollar Direct Mail Donors" and contains approximately two hundred twenty five thousand (225,000) names. This number varies slightly as names are removed due to bad addresses, changes of zip code, etc.
  2. Plymouth List Company, Inc. is the owner of "High Dollar Direct Mail Donors".
  3. Plymouth List Company, Inc. is the owner of "High Dollar Direct Mail Donors", but all of the data processing, list maintenance and fulfillment of list rental orders is performed by Hiner and Associates, Inc.
  4. The list was originally created by Hiner and Associates, Inc. All names and addresses that appear on the list were obtained by the list creator.
- 4A. Same answer as above.
- 4B. Same answer as above. We assumed that all names came from filings from state level offices. Representations to that effect were made to Plymouth List Company, Inc.

4C. Plymouth List Company, Inc. has not, through their own efforts, collected or added names to this list.

4D. Same answer as 4C. These names were obtained from Hiner and Associates, Inc. and representation was made that such additional names were obtained from sources not in violation of any FEC restrictions.

5. We have not directed the List to be modified on our behalf. The list users (list brokers) may have directed the List to be modified during the merge/purge phase. These instructions are beyond our knowledge.

6. Plymouth List Company, Inc. did not collect, compile or receive names from the Federal Election Commission, or state offices where election reports are generally filed. All names were obtained from Hiner and Associates, Inc.

7. No FEC records were obtained in connection with the compilation of this list.

8. Plymouth List Company, Inc. markets the list via the mailing of our standard list (data) card to recognized list brokers, and by advertising in the publication "Standard Rate and Data Services, Inc." (SRDS).

8A. Plymouth List Company, Inc. shipped a computer tape containing the names in question directly to the computer house responsible for the merge/purge and final mailing.

8B. The following list brokers were involved in the transactions (rentals) in question:

Carol Enters List Company (CELCO)  
Alan Drey Company  
Names and Addresses, Inc.

The following list users were involved in the transactions (rentals) in question:

US Historical Society was rented through Names and Addresses, Inc., their order # 48536, service representative was Maureen Lavalley. Correspondence was with George T. Tyler. PLC # 8812538. Total amount billed was two hundred eighty five dollars (\$285.00).

American Foundation for the Blind was rented through Carol Enters List Company, their order # 52566-3, service representative was Sarah Patt, the contact person familiar with this order was Judy Jones. No correspondence was involved. PLC # 8810508. Total amount billed was seven hundred fifty dollars (\$750.00).

0403925

National Wildlife Federation was rented through Carol Enters List Company, their order # 53326-3, service representative was Sarah Patt, the contact person familiar with this order was Judy Jones. No correspondence was involved. PLC # 8811524. Total amount billed was five hundred forty one dollars seventy nine cents (\$541.79).

Alzheimers Disease and Related Disorders was rented through Alan Drey Company, Inc., their order # 100210, service representative was Cathleen Crilley, the contact person familiar with this order was Donald Hoika. No correspondence was involved. PLC # 8811527. The total amount billed was two thousand five hundred sixty seven dollars forty four cents (\$2,567.44).

8C. We received calls or correspondence from the following people:  
Carol Enters List Company - Judy Jones  
Alan Drey Company - Donald Hoika  
Names and Addresses, Inc. - George T. Tyler

The answers given by Plymouth List Company were basically similar, namely "Plymouth List Company acts as a list manager/list broker and does not collect, buy or trade in political names".

8D. There were no negotiations involved in the rental of the names in question. The list brokers merely mailed their standard purchase order to us and we responded by ordering computer tapes from Hiner and Associates, Inc. and upon their receipt sent the tapes to the list brokers' designated computer houses.

9A. Enclosed are copies of the original purchase orders from and concerning the above orders that are under discussion (investigation). We have no contracts between ourselves and the list brokers except their purchase orders.

9B. We do not have in our possession any original documents, computer tapes or electronic files or any other materials that were used to create the list.

Sincerely,

*Dianne E. Wildgrube*

Dianne E. Wildgrube

cc: Karen Powell

DEW/

CHICAGO/NEW YORK

adc

## ALAN DREY COMPANY INC.

333 N. MICHIGAN AVENUE/CHICAGO, ILLINOIS 60601  
(312) 346 7453

## LIST USE ORDER

LIST USE ORDER REFERENCE NO

ORDER DATE

100210

11/15/89

THIS NUMBER SHOULD BE SHOWN ON YOUR INVOICE

FOR INFORMATION CONCERNING THIS ORDER  
PLEASE CONTACT ORDER SERVICES DEPT. ATTNCathleen Crilley  
(312) 346 7453LIST  
OWNERPlymouth List Co., Inc.  
2060 Jefferson Davis Hwy  
List Manager  
Suite 202  
Stafford VA 22554PLC # 8811527  
Inv # 1215  
UPS Blue 12/13  
2440 7296 035PLEASE  
ADDRESS  
FOR  
LIST  
USER

ALZHEIMER'S DISEASE AND

## PLEASE READ CAREFULLY

1. Please submit statement of charges to ALAN DREY COMPANY, INC. as soon as job is completed. We will promptly remit net amount due upon receipt of payment.
2. Acceptance of this order by the list owner gives list user the option to make a continuation mailing of the same offer within one year of this order date.
3. Kindly protect list user by allowing at least one week before and after another mailing to the same names.
4. **SEE ADDITIONAL TERMS ON BACK**

LIST USER KEY NUMBER

LIST USER'S ORDER NO

LIST USER'S OFFER

Fundraising

LIST USER'S MAIL DATE

1/27/89

QUANTITY

LIST

SELECTIONS

ONE TIME USE  
MATERIAL

HIGH DOLLAR DIRECT MAIL DONORS

50,000

Current Donors  
OMIT PREVIOUS USAGE AND WEST  
VIRGINIA NAMES!

|                |       |
|----------------|-------|
| OMIT WV        | 60.00 |
| Mag. Tape      | 3.00  |
| Running Charge | 20.00 |
|                | 5.00  |

DC# C4852

THIS IS A TEST. UNLESS SPECIAL INSTRUCTIONS APPEAR, PLEASE ADDRESS A  
FAIR CROSS SECTION OF LISTTHIS IS A CONTINUATION. PLEASE OMIT NAMES USED PREVIOUSLY FOR THIS  
LIST USER'S OFFERADDRESS  
MEN ONLYADDRESS  
WOMEN ONLYUNLESS SPECIFIED IN SPECIAL INSTRUCTIONS, OMIT CANADIAN, FOREIGN, APO  
AND FPO ADDRESSESKEEP A CAREFUL RECORD OF NAMES YOU ADDRESS TO AVOID DUPLICATION IN  
FUTURE ORDERSFILL OUT AND RETURN ENCLOSED ACKNOWLEDGMENT AND SHIPPING INFOR-  
MATION SHEET IMMEDIATELYPLEASE BE SURE TO MARK KEY NUMBER AND/OR NAME OF LIST ON EACH  
BOX OR PACKAGE. SPECIAL RETURN SHIPPING LABEL ENCLOSED FOR YOUR  
CONVENIENCE AND ACCURACYRETURN ADDRESSED MATERIAL IN SAME ORDER IN WHICH LIST IS MAINTAINED  
AND NUMBER BOXES CONSECUTIVELY

MATERIAL TO BE ADDRESSED

9T 1600 BPI MAG TAPE  
SUPPLY TAPE JUMP AND LAYOUT.ADDRESSED MATERIALS MUST BE  
RECEIVED BY LIST USER BEFORE

12/19/89

SHIP VIA

UPS BLUE OR BEST WAY

ADDRESSED MATERIAL TO BE RETURNED TO:

MAY & SPEN  
15 UPUS DRIVE  
DOWNERS GROVE, IL 60515  
ATTN: MR. BOB DRAKS  
FJR: ALZHEIMERS/CHICAGO

SPECIAL INSTRUCTIONS:

This order is placed on an 85% net  
name basis with a run charge of \$ .50  
per thousand names not used. If these  
terms are not acceptable please advise  
prior to addressing this order.  
DELIVER IN ZIP SEQUENCE. CONTACT DON  
HOIKA OR CATHY CRILLEY WITH QUESTIONS:  
OMIT WEST VIRGINIA NAMES.

Rec'd 1/18/89

CELCO

NOV-14-'88 12:55

ID:

ENTERS LIST CO

TEL NO: 212-6

#041 P01

RN: 16031

LIST OWNER



carol enters list co., inc.

322 EIGHTH AVENUE

NEW YORK, N.Y. 10001 (212) 243-8090

## LIST RENTAL INSTRUCTION

JUDY JONES

MEMBER  
ML/USA

PLC # 8811524

11/12/88

DATE:

MAILER #: 0

NATIONAL WILDLIFE FEDERATION

THRU:

LIST OWNER

NINA DRISCOLL  
PLYMOUTH LIST COMPANY

2066 JEFFERSON DAVIS HWY.

STAFFORD, VA. 22554

CELCO ORDER #:

OFFER:

AM UPGRADE

792

UPS Blue

11/17/88 2440 7296 473

Invoice # 1209

GUARANTEE The names ordered are for the offer specified and are to be used one time only. No copy of this list will be made.

BILLING/PAYMENT. Upon completion of this order, send invoice to CELCO with our order number, exact quantity of names shipped and other charges as specified on this order. We will bill client on your behalf and, upon receipt of payment, remit less standard commission. We act only as an agent for the List Owner and do not guarantee payment under this order.

NOTE TO MAILER: PAYMENT IS DUE 30 DAYS AFTER MAIL DATE LIST OWNER

PLEASE CHECK THIS ORDER CAREFULLY AND ADVISE AT ONCE IF ANY CORRECTIONS ARE NECESSARY. MAILER WILL NOT ACCEPT ANY CHANGES WITHOUT PRIOR APPROVAL.

KEEP A RECORD OF NAMES SUPPLIED TO AVOID DUPLICATION ON FUTURE ORDERS

Address USA names only. Omit Military, Puerto Rico, Virgin IS, Canada and Foreign.

PLEASE USE OUR SHIPPING LABEL ENCLOSED WHEN SHIPPING ADDRESSED MATERIAL OR RETURNING MAG TAPES. FILL IN POST CARD AND RETURN UPON COMPLETION OF THIS ORDER.

ALL NAMES MUST BE IN ZIP CODE NUMERICAL SEQUENCE

☐ Please address a representative cross section of the entire list (Nth name selection if possible).☒ Please address as indicated below☐ Please omit names previously used on

MUST RECEIVE BY WEEK OF: 11/21/88

FOR MAILING ON: 01/30/89

NAMES FURNISHED ON: 9/TK 1600 EPI - IBM COMPATIBLE ,  
LAYOUT & DUMP MUST ACCOMPANY  
SHIPMENT.

SHIP VIA UPS (BLUE LABEL IF NEEDED)

SHIP TO:

CINDY WASSAO 1076  
CREATIVE AUTOMATION

220 FENCL LANE

HILLSIDE, ILLINOIS 60162

RETURN MAG/TAPE TO:

1206

NON-RETURNABLE MAG TAPE  
ERASE AFTER USAGE

QTY LIST # 2670

10,000 HIGH DOLLAR DIRECT MAIL DONORS

Females

Key: 660201

P/M: 60.00

Selects:

10,035

Sex  
NRMT3.00 PER/M  
20.00 FLAT

Notes : SAMPLE MAILING PIECE ENCLOSED. ORDER PENDING APPROVAL OF SAMPLE

NOTE: \*\*\*\* THIS ORDER WAS PRE-APPROVED \*\*\*\*

ORDERS CANCELLED AFTER M/D REQUIRES PAYMENT IN FULL

Rec 11/14/88

CECO



carol enters list co.

322 - EIGHTH AVENUE

NEW YORK, N.Y. 10001 (212) 243-8090

RND

7723

LIST RENTAL INSTRUCTION

LIST OWNER

PLC# 8810508

JONES

MEMBER  
ML/USA

DATE: 10/15/88

CELCO ORDER #: 52566 3

MAILER #: 0

OFFER: FUNDRAISING

MAILER: AMERICAN FOUNDATION FOR BLIND 478

UPS BLUE 10/25/88

2405 3771 218

THRU:

LIST OWNER

NINA DRISCOLL  
PLYMOUTH LIST COMPANY

2342

2066 JEFFERSON DAVIS HWY.

STAFFORD, VA. 22554

(703) 659-0700

MUST RECEIVE BY WEEK OF: 10/24/88

FOR MAILING ON: 11/21/88

NAMES FURNISHED ON: 9/TK 1500 EPI - IBM COMPATIBLE  
LAYOUT & DUMP MUST ACCOMPANY  
SHIPMENT.

GUARANTEE: The names ordered are for the offer specified and are to be used one time only. No copy of this list will be made.

BILLING/PAYMENT: Upon completion of this order, send invoice to CELCO with our order number, exact quantity of names shipped and other charges as specified on this order. We will bill client on your behalf and, upon receipt of payment, remit less standard commission. We act only as an agent for the List Owner and do not guarantee payment under this order.

NOTE TO MAILER: PAYMENT IS DUE 30 DAYS AFTER MAIL DATE

LIST OWNER:

PLEASE CHECK THIS ORDER CAREFULLY AND ADVISE AT ONCE IF ANY CORRECTIONS ARE NECESSARY. MAILER WILL NOT ACCEPT ANY CHANGES WITHOUT PRIOR APPROVAL.

KEEP A RECORD OF NAMES SUPPLIED TO AVOID DUPLICATION ON FUTURE ORDERS.

Address USA names only. Omit Military, Puerto Rico, Virgin IS., Canada and Foreign.

PLEASE USE OUR SHIPPING LABEL ENCLOSED WHEN SHIPPING ADDRESSED MATERIAL OR RETURNING MAG TAPES. FILL IN POST CARD AND RETURN UPON COMPLETION OF THIS ORDER.

ALL NAMES MUST BE IN ZIP CODE NUMERICAL SEQUENCE.

☐ Please address a representative cross section of the entire list (Nth name selection if possible)☒ Please address as indicated below.☐ Please omit names previously used on:

SHIP VIA: UPS (BLUE LABEL IF NEEDED)

SHIP TO:

1076  
CREATIVE AUTOMATION

220 FENCE LANE

HILLSIDE, ILLINOIS 60162

RETURN MAG/TAPE TO:

1206  
NON-RETURNABLE MAG TAPE  
ERASE AFTER USAGE

QTY LIST # 2578

15,000 HIGH DOLLAR DIRECT MAIL DONORS

Contributors

Key:

P/M: 60.00

Selects:

NRMT

20.00

FLAT

Notes : NOTE: \*\*\*\* THIS ORDER WAS PREAPPROVED \*\*\*\*  
ORDERS CANCELLED AFTER M-D REQUIRES PAYMENT IN FULL

Rec 10/20/88

ASSISTANCE: SARAH PATT

SHIPPING: CORINEA BRUCE



Name  
and  
Address,  
Inc.

LIST RENTAL

PLC # 8812538

3400 Metropolitan Avenue, Suite 230, Edina, Minnesota 55435 (612) 893-1546

UPS 12/27/88

|                                   |                         |                            |                       |                        |
|-----------------------------------|-------------------------|----------------------------|-----------------------|------------------------|
| DATE<br>12/09/88                  | ORDER NUMBER<br>NA-6536 | MUST ARRIVE BY<br>12/11/88 | MAIL DATE<br>01/23/89 | TERMS                  |
| MAILER<br>U.S. HISTORICAL SOCIETY |                         | OFFER<br>Presidential Bowl |                       | Net 45 Days After Mail |

CLIENT U.S. HISTORICAL SOCIETY

SHIP TO  
U.S. HISTORICAL SOCIETY  
PAUL J. WARDEN  
1ST AND MAIN STREETS  
RICHMOND VA 23219

SHIP VIA UPS - BLUE LABEL

LIST: METROPOLITAN AREA DONORS -

157780

LIST RENTAL QTY 5,044 CLIENT PO:

1988 DONORS 6 60.00 /1  
\$100+ DONORS ONLY 5 3.00 /1  
REGENCY 6 3.00 /1

#### ADDRESSING

Mark All Packages/Reels Key--- METRO DONORS - PRES BOWL  
Mag Tape V Trk 1000 SP1  
Nth Name Selection  
This is a TEST  
Do Not Exceed Quantity Shown  
Sample Mail Piece Enclosed  
Keep Record of Names Supplied  
See Special Instructions

#### SPECIAL INSTRUCTIONS

Mag tape layout and sample dump must accompany the label  
Assure mail date clearance 2 weeks before and after  
scheduled mail date  
\* IMPORTANT: Use Names and Addresses shipping label  
Call if cost varies +/- 10% of requested  
quantity.

PLEASE CALL IMMEDIATELY IF DELIVERY DATE CANNOT BE MET  
NOTE: This is a Minneapolis order. Please direct all  
inquiries or correspondence to Maureen or George.  
612-893-1546.

\*\* CONTINUED ON NEXT PAGE \*\*

#### LIST OWNER - READ CAREFULLY

If list owner cannot comply with any of the above instructions,  
or if charges shown are not correct, please notify NAMES &  
ADDRESSES, INC. immediately prior to addressing.

The names addressed under this order may be used once only for the offer stated and may not be used again by our client without  
list owner's written consent.

NAMES & ADDRESSES, INC. acts only as agent for the list owner and does not guarantee payment under this order. Upon receipt  
of payment from the mailer, who is solely responsible for payment of this order, NAMES & ADDRESSES, INC. will remit to the list owner  
less the standard commission.

Do not address Canadian, foreign, APO, FPO.

List must be zipped and in sequence for third class mailing. If it is not, notify us before addressing.

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

LIST  
OWNER

FLORIAN, LARRY D.  
1981-1982

1983-1984  
1985-1986  
1987-1988

Rec 12/12/88

**U.S. MONITOR SERVICE**

86 MAPLE AVENUE • NEW CITY, NEW YORK 10956  
914-634-1331

06C 4818  
RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

89 DEC 11 AM 10:01

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
89 DEC 11 PM 1:05

November 13, 1989

Ms. Karen Powell  
Associate General Counsel  
Federal Election Commission  
Washington, DC 20463

Dear Ms. Powell:

RE: MUR 2926

Attached is the information requested in connection  
with the investigation you are conducting.

Sincerely,



Michael Sass  
MS:kh

## **U.S. MONITOR SERVICE**

86 MAPLE AVENUE • NEW CITY, NEW YORK 10956

914-634-1331

1. In 1984, we provided pseudonyms and addresses to the NRCC. However, we cannot state when and where they used the pseudonyms.
2. We provided pseudonyms and addresses of our agents. This helped NRCC determine if their mail was delivered, how long it took to be delivered and if the use of their list was authorized.
3. We supply a unique surname to each client. No client receives the same surname. The client can use any first name, initial(s) they wish. The client can use the unique name with any of our agents addresses that are offered to them.
4. Our clients insert the pseudonyms and addresses into their mailing list. After they mail, or the organizations that rent our clients list mails, our agents in the various cities receive the piece, note the date received and return it daily to our office in New City, New York. We collate the various pieces and forward them to our client.

40392517

CC 5077  
RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

RICHENTHAL & BIRNBAUM, P.C.  
ATTORNEYS AT LAW

90 JAN -9 AM 9:25

GEORGE P. BIRNBAUM  
DAVID G. RICHENTHAL

950 THIRD AVENUE  
NEW YORK, N. Y. 10022

(212) 758-8686  
TELEX: 408183 RICHENL  
FAX: (212) 593-9189

January 4, 1990

VIA FAX

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

Attn: Ms. Karen Powell

Re: MUR 2926  
The Carol Enters List Co., Inc.

Dear Ms. Powell:

This office represents The Carol Enters List Co., Inc. ("CELCO") in the above-referenced matter. We fax herewith the required designation of counsel.

Pursuant to your request in our telephone conversations of January 2 and 3, 1990, I hereby repeat in writing our request for an extension of time until January 31, 1990, for Celco to respond to the Commission's interrogatories in this matter and to submit material in response to the Commission's finding and analysis.

As I told you on the telephone, we did not receive the Commission's notification of finding and analysis and interrogatories in this matter until last week. Although the Commission's letter to CELCO indicates that it was sent certified mail, return receipt requested, you confirmed my client's advice to me that it was never signed for by anyone on behalf of CELCO. As I explained to you, it was apparently delivered by regular mail to CELCO's New York office while the company was in the process of moving its operation to Washington, D.C. and was later found among a pile of apparently unimportant mail and advertising circulars.

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 JAN -9 PM 12:30

Office of the General Counsel

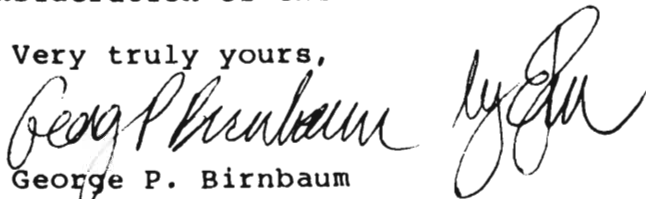
Page 2

January 4, 1990

As I told you, my client has always provided a full and detailed response to any request or proceeding initiated by the Commission and wishes to do so here as well since CELCO disputes the Commission's finding as to it. Based upon our conversations, you indicated that some extension was appropriate but felt that the request for it should be in writing. Since we wish to respond in detail please allow us the full extension requested.

Thank you for your consideration of this matter.

Very truly yours,

  
George P. Birnbaum

GPB:gml

STATEMENT OF DESIGNATION OF COUNSEL

**NUR**

2926

**NAME OF COUNSEL:**

Richenthal & Birnbaum, P.C. by George P. Birnbaum

**ADDRESS:**

950 Third Avenue

New York, New York 10021

**TELEPHONE:**

212-758-8686

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.

X Jan 2, 1990  
Date

X Carol Enters  
Signature

**RESPONDENT'S NAME:**

The Carol Enters List Co., Inc.

**ADDRESS:**

9663C Main Street

Fairfax, Virginia 22032

**HOME PHONE:**

**BUSINESS PHONE:**

703-425-0052



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 10, 1990

George Birnbaum, Esquire  
Richenthal & Birnbaum  
950 3rd Avenue  
New York, N.Y. 10022

RE: MUR 2926  
Carol Enters List Company

Dear Mr. Birnbaum:

This is in response to your written request of January 4, 1990 for an extension until January 31, 1990 to respond to the Commission's interrogatories and request for production of documents.

Considering the Federal Election Commission's responsibilities to act expeditiously in the conduct of investigations, I cannot grant your full request, but can only agree to a 16 day extension. Accordingly, the response is due by close of business on January 19, 1990.

If you have any questions, please contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Anne Weissenborn  
Assistant General Counsel

066 5165

RICHENTHAL & BIRNBAUM, P.C.

ATTORNEYS AT LAW

GEORGE P. BIRNBAUM  
DAVID G. RICHENTHAL

950 THIRD AVENUE  
NEW YORK, N. Y. 10022

(212) 758-8888  
TELEX: 408163 RICHENL  
FAX: (212) 593 9189

January 18, 1990

FEDERAL EXPRESS

Federal Election Commission  
999 "E" Street, NW - 6th Floor  
Washington, D.C. 20463

Att: Karen Powell

Re: MUR 2926  
Carol Enters List Co., Inc. (CELCO)

Dear Ms. Powell:

Thank you for arranging for an extension of time  
until January 19, 1990, for CELCO's responses in this matter.

Enclosed please find the preliminary statement and  
responses of Carol Enters List Co., Inc. to interrogatories and  
requests for production dated November 1, 1989.

Thank you for your courtesy.

Sincerely,

*George P. Birnbaum by JMR*  
George P. Birnbaum

GPB:tsk  
Enclosures

RECEIVED  
FEDERAL ELECTION COMMISSION  
90 JAN 19 PM 1:38

FEDERAL ELECTION COMMISSION

RESPONDENT: CAROL ENTERS LIST COMPANY

MUR No. 2926

PRELIMINARY STATEMENT

Respondent Carol Enters List Co., Inc. ("CELCO") has dealt with PLYMOUTH LIST CO. ("PLYMOUTH"), the manager of the subject list, since <sup>at least</sup> 1985. Nothing has ever come to CELCO's attention to cause CELCO to question the propriety of the source of any of the names being managed by PLYMOUTH. Furthermore, CELCO has no knowledge as to the source of names on the subject list other than what appears on the data card (copy enclosed) and has no knowledge that the names on the list were not properly obtained by PLYMOUTH.

Prior to the mailings complained of herein, CELCO had rented the list approximately 13 times (one of which rentals was for 100,000 names) without any complaint as to the propriety of the source of any name on the list.

RESPONDENT'S ANSWERS TO  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION

1. The Carol Enters List Co., Inc. (hereinafter, "CELCO"), acting in its capacity as a list broker, rented, on behalf of various clients of CELCO, tests and/or continuations of the subject list from the list

rental department of PLYMOUTH LIST CO., 2066 Jefferson Davis Highway, Stafford, Virginia, 22554.

2. No.
3. Neither CELCO nor anyone directed by CELCO added names to the subject list or modified the subject list in any way.
4. CELCO first learned of the subject list through the receipt of a promotional data card sent by PLYMOUTH LIST CO.
5. Not applicable. As a broker, CELCO arranged to rent the subject list to be mailed by various clients of CELCO on various dates from as early as <sup>1984</sup> ~~January 1986~~. (CE)  
"Rights to the list" were not sold or bought. No representations or warranties, to the best of respondent's knowledge, were made regarding the source of the names on the list.
6. Not known.
7. PLYMOUTH LIST CO.
8. Not known.
9. The information responsive to this item is contained on the enclosed computer run. It is accurate only to the best of respondent's knowledge. ~~It is possible~~ (CE)  
~~that there were rentals~~ <sup>was at least one rental</sup> (CE) of the list prior to January 1986 which <sup>is</sup> ~~are~~ (CE) not reflected on this computer listing.

10. Not applicable. CELCO recommends the list to a mailer who is CELCO's client who then agrees to rent a given number of names from the list. The current rental price is stated on the data card (copy enclosed). CELCO did not receive and does not make any representations or warranties regarding sources of the names on the list.
- 11A. The enclosed documents, although they may not specifically be requested for production herein, are produced in response to Interrogatory and Request for Production #11A. There are no formal contracts as requested by this Interrogatory, but CELCO is producing herewith a computer run showing orders of the subject list by CELCO's customers.
- 11B. Not applicable.

VERIFICATION

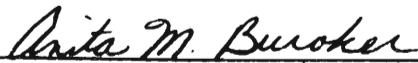
STATE OF VIRGINIA    )  
                          ) ss.:  
COUNTY OF            )

CAROL ENTERS, being duly sworn, deposes and says:

I am the President of the Carol Enters List Co., Inc. ("CELCO"). I have read the foregoing statement and answers of CELCO in response to the within interrogatories and requests for production, and they are true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Carol Enters

Sworn before me this  
18<sup>th</sup> day of January, 1990.

  
\_\_\_\_\_  
Notary Public

My Commission Expires April 9, 1993

1 225,000 Contributors

50.00 DATE: 01/18/89

## DESCRIPTION:

A highly select group, mostly wealthy direct response contributors--those who have given unusually large donations to social or political appeals.

Continuations have been ordered by various traditional charities for aiding children, the blind and /or handicapped, and the hungry. To omit Los Angeles (SCF's 900-918), the charge is \$50.00 flat.

List is for non-political use only.

Source: Direct Mail Min 5,000  
"Sample Mailing Piece Required For Approval"  
NRMT Price: \$20.00

AVG. UNIT \$43.00

SEX: 70% Male

| SELECTIONS: | Price | Code |
|-------------|-------|------|
| State       | 3.00  | PER/ |
| SCF         | 3.00  | PER/ |
| Zip         | 3.00  | PER/ |
| Sex         | 3.00  | PER/ |
| Keying      | 2.00  | PER/ |
| NRMT        | 20.00 | FLAT |
| P/S Labels  | 6.00  | PER/ |
| L.A. Omits  | 50.00 | FLAT |

Cheshire: 4-Up  
Mag Tape: 9TK160  
P.S.L. : \$6.00/

Owner #: 2342

Cat:

1 DONOR

PLYMOUTH LIST COMPANY  
2066 JEFFERSON DAVIS HWY.  
STAFFORD, VA. 22554  
NINA DRISCOLL  
(703) 659-0700

M/T A/N: 1206

NON-RETURNABLE MAG TAPE

NOTES: Maintenance: Guarantee 98% deliverable. Refund of .30 on undeliverables over 2%. Undeliverables must be received by list owner within 45 days of mail date. Mailing must be made within 45 days of due date.

As per Nina 40% 1986 names and last updated 9/87.  
11/86: Per Nina State counts: NY=21,063; NJ=6,893;  
CT=7,706; CA=18,063; PHILA=2,500; DC=3,670;  
PA=8,257; VA=7,169; MD=6,126  
20% Commission to recognized brokers.

## List : HIGH DOLLAR DIRECT MAIL DONORS

| Date     | Order No. | E/R | Mail Dt  | Thru | Ordered | Segment Description | Account Name                   |
|----------|-----------|-----|----------|------|---------|---------------------|--------------------------------|
| 01/31/86 | 25767     | R   | 03/24/86 |      | 5.000   | Contributors        | COLONIAL WILLIAMSBURG          |
| 05/20/86 | 27532     | R   | 08/11/86 |      | 10.000  | Contributors        | AMERICAN CANCER OF CALIFORNIA  |
| 07/24/86 | 28760     | R   | 09/15/86 |      | 10.000  | Contributors        | UNITED SERVICE ORGANIZATION    |
| 08/06/86 | 29161     | R   | 11/03/86 |      | 5.000   | Contributors        | NAVAJO NATION HEALTH FD        |
| 09/10/86 | 30005     | R   | 11/17/86 |      | 5.000   | Contributors        | CHILDRENS HOSPITAL IN PHILA.   |
| 11/04/86 | 30954     | R   | 02/16/87 |      | 5.000   | Contributors        | PROJECT HOPE                   |
| 06/11/87 | 33668     | R   | 08/10/87 |      | 18.200  | Contributors        | AMERICAN CANCER OF CALIFORNIA  |
| 05/14/87 | 33322     | R   | 09/21/87 |      | 100.000 | Contributors        | PROJECT HOPE                   |
| 07/08/87 | 34132     | R   | 10/05/87 |      | 10.000  | Contributors        | UNITED NEGRO COLLEGE FUND      |
| 12/15/87 | 38506     | R   | 02/22/88 |      | 10.000  | Contributors        | PROJECT HOPE                   |
| 06/04/88 | 40936     | R   | 09/19/88 |      | 15.000  | Contributors        | PROJECT HOPE                   |
| 08/03/88 | 50727     | R   | 11/07/88 | 1783 | 10.000  | Contributors        | UNITED NEGRO COLLEGE FUND      |
| 09/15/88 | 51988     | R   | 11/07/88 |      | 5.000   | Contributors        | CHILDRENS AID SOCIETY          |
| 10/15/88 | 52566     | R   | 11/21/88 |      | 15.000  | Contributors        | AMERICAN FOUNDATION F/T BLIND  |
| 10/19/88 | 52662     | R   | 01/16/89 | 3914 | 13.767  | Contributors        | AMERICAN RED CROSS, GREATER NY |
| 11/12/88 | 53326     | R   | 01/30/89 |      | 10.000  | Females             | NATIONAL WILDLIFE FEDERATION   |
| 05/12/89 | 56366     | R   | 07/10/89 |      | 10.000  | Contributors        | MEMORIAL SLOAN KETTERING       |
| 06/08/89 | 56667     | R   | 09/18/89 |      | 30.000  | Contributors        | PROJECT HOPE                   |
| 06/29/89 | 57271     | R   | 10/30/89 | 3914 | 13.000  | Contributors        | AMERICAN RED CROSS, GREATER NY |
| 08/08/89 | 58498     | R   | 11/06/89 |      | 15.000  | Contributors        | UNITED NEGRO COLLEGE FUND      |

Number Orders : 20      Quantity Ordered : 314967

90 FEB -7 AM 10:17

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of

Plymouth List Company, Inc., et al.

)  
)  
)

MUR 2926

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On October 18, 1989, The Commission found reason to believe that Plymouth List Company, Inc. ("Plymouth") had violated 2 U.S.C. § 438(a)(4), and approved the mailing of interrogatories and requests for production of documents. The basis for this finding was a complaint filed by the National Republican Campaign Committee ("NRCC") which alleged that Plymouth had marketed a mailing list containing names copied from reports filed with the Commission. This Office received a response to the Commission's finding and interrogatories on December 4, 1989. In this response, Plymouth requested to enter into pre-probable cause conciliation.

Also on October 18, 1989, the Commission found reason to believe that Carol Enters List Company (CELCO), the Alan Drey Company and Names and Addresses, Inc. had violated 2 U.S.C. § 438(a)(4), and approved the mailing of interrogatories and requests for production of documents. Each of these respondents had brokered the list marketed by Plymouth. The Commission also approved the mailing of questions to U.S. Monitor, a list monitoring agency employed by the NRCC, to verify that this company had provided the pseudonyms only to the NRCC.

40892530

Names and Addresses, Inc. responded to the Commission's finding and interrogatories on November 28, 1989. The Commission received a response from U.S. Monitor on December 11, 1989. On January 2, 1990, the attorney for CELCO contacted this Office and requested an extension of time to respond to the Commission's finding and interrogatories. The response from CELCO was received on January 19, 1990. As of January 25, 1990, this Office has not received a response from the Alan Drey Company and is in the process of pursuing such.

## II. ANALYSIS

240592531  
The complaint filed by the NRCC included a description of the series of events which led to its receipt, through U.S. Monitor, of several charitable solicitations addressed to three pseudonyms which the NRCC had included on reports filed with the Commission in 1984. In its response, U.S. Monitor confirmed that in 1984 it provided pseudonyms to the NRCC for inclusion in NRCC reports. U. S. Monitor stated that it supplies each of its clients with a pseudonym containing a unique surname and a special address, thus eliminating the possibility that the pseudonyms which appeared on the Plymouth List were obtained from a source other than the NRCC reports.

The response to the Commission's interrogatories from Plymouth agreed substantially with the facts presented in the NRCC complaint. Plymouth admitted to being the owner of the "High Dollar Direct Mail Donors" list (the "list") which contained approximately 225,000 names, but stated that it did not compile the list. Plymouth acknowledged having rented the

list, via the three above named list brokers, to the charitable organizations named in the NRCC complaint. Plymouth identified Hiner and Associates, Inc. as the original creator of the list and the party who performs "all of the data processing, list maintenance and fulfillment of list rental orders." (See Attachment 1, response to interrogatories 3 and 4.) In addition, Plymouth stated that it did not collect or add names to the list, and that it did not modify the list. Plymouth stated that all names on the list were obtained from, or added by, Hiner and Associates.

In response to a question concerning Plymouth's role in marketing the list, Plymouth stated that after receiving an order for the list, it would ship a computer tape directly to the "computer houses" responsible for processing the list on behalf of the end customer. (See Attachment 1, response to interrogatory 8A.)

In their responses, Names and Addresses, Inc. and CELCO stated that they did not add names to the list they obtained from Plymouth and that they never had physical custody or possession of the list. Names and Addresses and CELCO both stated that they did not receive any representations from Plymouth as to the source of the names on the list. This Office is presently making no recommendation with respect to CELCO and Names and Addresses pending the completion of its investigation into this matter.

### III. Further Investigation

As noted above, Plymouth has requested to enter into pre-probable cause conciliation in this matter. However, this Office recommends that the Commission decline to enter into conciliation with Plymouth at this time pending the conclusion of this Office's investigation into the relationship between Hiner and Associates, the alleged compiler of the list, and Plymouth, the list owner.

Based on the response from Plymouth, it appears that Hiner and Associates, Inc. created the list owned and marketed by Plymouth which contained the NRCC pseudonyms. Therefore, this Office recommends that the Commission find reason to believe that Hiner and Associates, Inc. violated 2 U.S.C. § 438(a)(4). This Office recommends sending interrogatories and requests for production of documents to Hiner and Associates to verify the information provided by Plymouth.

This Office also recommends including in the letter to Plymouth a question asking it to identify the computer houses to which it has shipped the computer tape containing the list.

### IV. RECOMMENDATIONS

1. Decline, at this time, to enter into conciliation with Plymouth List Company, Inc. prior to a finding of probable cause to believe.
2. Find reason to believe that Hiner and Associates, Inc. violated 2 U.S.C. § 438(a)(4).

3. Approve the attached letters, Factual and Legal Analysis and interrogatories and request for production of documents.

Lawrence M. Noble  
General Counsel

2-6-90  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Request for Conciliation and Response to Commission Interrogatories from Plymouth List Company, Inc.
2. Response to Commission Interrogatories from U.S. Monitor
3. Factual and Legal Analysis
4. Interrogatories and Request for Production of Documents
5. Letters (2)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Plymouth List Company, Inc., et al. ) MUR 2926

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 9, 1990, the Commission decided by a vote of 4-0 to take the following actions in MUR 2926:

1. Decline, at this time, to enter into conciliation with Plymouth List Company, Inc. prior to a finding of probable cause to believe, as recommended in the General Counsel's report dated February 6, 1990.
2. Find reason to believe that Hiner and Associates, Inc. violated 2 U.S.C. § 438(a)(4).
3. Approve the letters, Factual and Legal Analysis and interrogatories and request for production of documents, as recommended in the General Counsel's report dated February 6, 1990.

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

Attest:

2-9-90  
Date

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

Received in the Secretariat: Wednesday, Feb. 7, 1990 10:17 a.m.  
Circulated to the Commission: Wednesday, Feb. 7, 1990 4:00 p.m.  
Deadline for vote: Friday, Feb. 9, 1990 4:00 p.m.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

ACC 9582

February 20, 1990

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Dianne Wildgrube  
Plymouth List Company, Inc.  
2066 Jefferson Davis Highway, Suite 202  
Stafford, VA 22554

RE: MUR 2926  
Plymouth List Company, Inc.

Dear Ms. Wildgrube:

On November 1, 1989, you were notified that the Federal Election Commission had found reason to believe that Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended. On December 9, 1989, you submitted written responses to the Commission's interrogatories and requests for production of documents. On February 9, 1990, the Commission declined, at this time, to enter into conciliation with Plymouth List Company, Inc. prior to a finding of probable cause to believe.

In response to question 8A of the Commission's interrogatories regarding whether you provided the "High Dollar Direct Mail Donors" list (the "list") directly to the charities who ordered the list, you state that "Plymouth List Company, Inc. shipped a computer tape containing the names in question directly to the computer house responsible for the merge/purge and final mailing." Documents supplied by you show that with regard to the orders for the list from Carol Enters List Company, the list was shipped to Creative Automation, 220 Fencil Lane Hillside, Illinois 60162.

1. Was Creative Automation a computer house which performed merge/purge operations on the list?
2. Please provide the names and addresses of all other computer houses referred to in your answer to question 8A.

We remind you that all responses to the enclosed interrogatories must be submitted to the General Counsel's office within 15 days of your receipt of this letter.

Diane Wildgrube  
Page 2

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.

Sincerely yours

Lawrence M. Noble  
General Counsel

  
BY: Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 20, 1990

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Hiner and Associates, Inc.  
7700 Leesburg Pike  
Suite 314  
Falls Church, VA 22043

RE: MUR 2926  
Hiner and Associates, Inc.

Dear Sir or Madam:

On February 9, 1990, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 438(a)(4) 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 interrogatories and request for production of documents must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany your response.

In the absence of any additional information which demonstrates that no further action should be taken against your corporation, 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 CFR § 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

Hiner and Associates, Inc.  
page 2

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

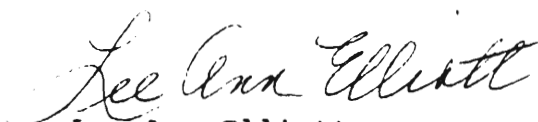
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

  
Lee Ann Elliott  
Chairman

Enclosures

Interrogatories and Request for Production of Documents  
Factual and Legal Analysis  
Designation of Counsel Form  
Procedures

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Hiner and Associates, Inc.

**MUR:** 2926

540

The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that three pseudonyms included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in solicitations mailed by the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association and the National Wildlife Federation. Because the pseudonyms had been obtained from the Commission's reports, there appears to be a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10

pseudonyms on each report filed with the Commission.

2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions" within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Plymouth List Company, Inc. ("Plymouth") was identified as the owner of the "High Dollar Direct Mail Donors" list (the "list") which contained the NRCC pseudonyms. In response to interrogatories posed by the Commission, Plymouth identified Hiner and Associates, Inc. as the original creator of the list and the party who performs "all of the data processing, list maintenance and fulfillment of list rental orders." Therefore, there is reason to believe that Hiner and Associates, Inc. violated 2 U.S.C. § 438(a)(4) when it compiled a list containing information copied from FEC reports.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)

MUR 2926

INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF DOCUMENTS

TO: Hiner and Associates, Inc.  
7700 Leesburg Pike  
Suite 314  
Falls Church, VA 22043

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions and requests for discovery set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of General Counsel, Federal Election Commission, Room 659, 999 E. St. N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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.

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.

These questions concern the mailing list described as "High Dollar Direct Mail Donors" owned by Plymouth List Company, Inc. (hereinafter the "list").

INTERROGATORIES

1. Describe in detail the nature of the services you perform, or have performed for Plymouth List Company, Inc. ("Plymouth").
2. Have you ever performed these services for or on behalf of Plymouth with respect to or utilizing the list described above.
3. What is your relationship to the list?
4. Describe in detail the method whereby you obtained the names and addresses that appeared on the list. In addition, identify any person from whom you purchased names and addresses you used to compile or add to the list. State whether you inquired as to the source of the names you obtained. State what, if any, representations that person made to you as to the source of the names and addresses provided to you.
5. State whether any vendor at your direction added names to the List or modified the list in any way prior to its sale or rental by you to third parties, including but not limited to the performance of list cleaning, file maintenance and merge/purge services. If your answer is affirmative, describe in detail the nature of any modifications made to the list at your direction.
6. If a source of the names and addresses on the list was the Federal Election Commission ("FEC"), the Secretary of State's Office or other Offices where election finance reports are filed, list the states and/or localities involved and specify the offices involved (e.g., state board of election).
7. If FEC records, including but not limited to contributor tapes, lists, or other information contained in FEC disclosure reports, were obtained in connection with the compilation of the list, state which records you obtained, who made them available, and how this occurred.
8. Describe in detail your role in marketing the list.
9. Identify all persons to whom you sold, rented or otherwise provided the list, the date of provision, and the fee paid.
10. State whether you received any inquiries from Plymouth or from list brokers or list users regarding the source of the names and addresses on the list. If the answer is yes, identify the person making the inquiry and summarize the answer provided to the inquiry. In addition, describe any warranties or representations made by you regarding sources of the names on the list and whether any of these names had been illegally obtained.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Please produce the following documents and materials:
  - A. Copies of all documents and materials pertaining to your acquisition, development and marketing of the list including all contracts or other agreements between yourself and parties to whom you marketed or provided the list.
  - B. Copies of the original documents, including tapes, electronic files and all other materials which you used to compile or add to the list.

**HINER ASSOCIATES INC**

7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

OGC 5821

March 30, 1990

Ms. Karen Powell  
Federal Election Commission  
Room 659  
999 E Street, N.W.  
Washington, D. C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
90 APR -2 PM 3:07

RE: MUR 2926  
Hiner & Associates, Inc.

Dear Ms. Powell,

In response to your letter we would like to pursue "pre-probable cause conciliation".

**ANSWERS TO INTERROGATORIES:**

- (1) Hiner and Associates, Inc. performs list maintenance and list rental fulfillment for Plymouth List Company, Inc. That is, all creation of computer tapes and/or labels requested by Plymouth List Company, Inc.
- (2) Yes, we have supplied the above data processing services for the list entitled "High Dollar Direct Mail Donors".
- (3) We are the primary (most likely exclusive) data processing supplier of this list.
- (4) The names in question were obtained from the computer house of Green Hill Book Buyers List. Green Hill's computer house name is unknown to us. The tape in question was physically handed to us by Gary Patrick. The apparent name and contact person at Green Hill is: Green Hill Book Buyers, Mr. Jamison Campaigne, 722 Columbus Street, Ottawa, Illinois 61350. This list was given to Green Hill's printers as partial payment for unpaid printing bills. The computer tape was then given to Hiner and Associates, Inc. to be used in the fulfillment of orders for the printing house. Some of the names were inadvertently used on several mailings by Plymouth List Company, Inc. under the title of "High Dollar Direct Mail Donors". As soon as the computer mistake was found, these names were not used again for any purpose.

703/749-0900

FAX 703/749-0903

Page 2.

Hiner and Associates, Inc. to FEC MUR: 2926

(5) Hiner and Associates, Inc. did not direct any vendors to add names to the list or to modify the list in any way.

(6) The names and addresses on this list were not collected, received, or originated from Federal Election Commission records.

(7) This question does not require an answer because of the answer to question number six (6).

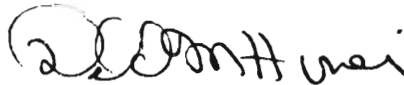
(8) We do not market the list. Our capacity is that of a supplier of data processing services to Plymouth List Company, Inc.

(9) This question does not require an answer because of the answer to question number eight (8).

(10) Plymouth List Company, Inc. did inquire of us, if these names were originally Federal Election Commission names, we answered in the negative. No "warranties" were made except to say that the names were not illegally obtained.

I hope these answers will be satisfactory for your investigation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Donald M. Hiner', with a stylized flourish at the end.

Donald M. Hiner

DMH/kc

06C 5850

Plymouth  
LIST CO., INC.

2066 Jefferson Davis Highway, Suite 202, Stafford, Virginia 22554  
703-659-0700 FAX your order directly to: 703-659-8955

April 3, 1990

Lois G. Lerner  
Assistant General Counsel  
Federal Election Committee  
Washington D.C. 20463

RE: MUR 2926  
Plymouth List Company, Inc

Dear Ms. Lerner,

In reference to your request for additional information on the above reference case, I submit the following answers to your questions:

Your question number 1: To the best of our knowledge, Creative Automation was the supplier of the merge purge. We only assume this because we were instructed to ship the computer tape to them.

Your question number 2: The following is a list of computer houses where we shipped the computer tapes in question:

Carol Enters List Company, Inc. # 52566-3  
American Foundation for the Blind, Mailer  
Computer House: Creative Automation  
220 Fencil Lane  
Hillside, IL 60162

Carol Enters List Company, Inc. # 53326-3  
National Wildlife Federation, Mailer  
Computer House: Creative Automation  
220 Fencil Lane  
Hillside, IL 60162

Names and Addresses, Inc. # NA-48536  
U.S. Historical Society, Mailer  
Computer House: U.S. Historical Society  
1st and Main Streets  
Richmond, VA 23219

Alan Drey Company, Inc. # 100210  
Alzheimers Disease and ..., Mailer  
Computer House: May and Speh  
15 Opus Drive  
Downers Grove, IL 60515

Sincerely,

*Dianne E. Wildgrube*

Dianne E. Wildgrube

90 APR -5 PM 12:06

90 APR -5 AM 10:34

90 AUG -8 AM 10: 13

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of  
Hiner & Associates, Inc.  
Green Hill Book Buyers List

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MUR 2926

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On October 18, 1989, the Commission found reason to believe that Plymouth List Company, Inc. ("Plymouth"), Carol Enters List Company, Names and Addressses, Inc., and the Alan Drey Company had violated 2 U.S.C. § 438(a)(4) by marketing/brokering a list containing names copied from reports filed with the Commission by the National Republican Congressional Committee ("NRCC"). On the basis of responses received from these companies to the reason to believe determinations and to the Commission's interrogatories, the Commission on February 9, 1990, found reason to believe that Hiner and Associates, Inc., had violated 2 U.S.C. § 438(a)(4) as the creator of the list in question. On this latter date the Commission also declined to enter into pre-probable cause conciliation with Plymouth at that time.

In his response to interrogatories, Donald M. Hiner of Hiner and Associates stated that his company performs "list maintenance and list rental fulfillment for Plymouth List Company, Inc. That is, all creation of computer tapes and/or

labels requested by Plymouth List Company, Inc." Attachment 1 at page 1. Mr. Hiner went on to state,

The names in question were obtained from the computer house of Green Hill Buyers List. . . . This list was given to Green Hill's printers as partial payment for unpaid printing bills. The computer tape was then given to Hiner and Associates, Inc., to be used in the fulfillment of orders for the printing house. Some of the names were inadvertently used on several mailings by Plymouth List Company, Inc., under the title of "High Dollar Direct Mail Donors." As soon as the computer mistake was found, these names were not used again for any purpose.

Attachment 1 at page 1. Mr. Hiner also requested pre-probable cause conciliation on behalf of his company.

## II. ANALYSIS

The complaint filed by the NRCC included a description of the series of events which led to its receipt, through U.S. Monitor, of several charitable solicitations addressed to three pseudonyms which the NRCC had included on reports filed with the Commission in 1984.

The response to the Commission's interrogatories submitted on behalf of Hiner and Associates acknowledges that company supplied the list entitled "High Dollar Direct Mail Donors" to Plymouth List Company, Inc., but asserts that the names came from still another entity, Green Hill Book Buyers List. Given this claim that Green Hill Book Buyers List complied the list at issue, this Office recommends that the Commission find reason to believe that this latter company violated 2 U.S.C. § 438(a)(4).

III. REQUEST FOR PRE-PROBABLE CAUSE CONCILIATION AND FURTHER INVESTIGATION

As noted above, Hiner and Associates, Inc., has requested to enter into pre-probable cause conciliation in this matter. This Office recommends that the Commission decline to enter into conciliation with Hiner and Associates at this time pending verification that Green Hill Book Buyers List in fact compiled the list, and also pending further investigation into the "mistake" alleged by Hiner and Associates to have occurred with regard to its having "inadvertently" provided certain names to Plymouth. This Office will send additional interrogatories to Hiner and Associates, plus interrogatories and requests for production of documents to Green Hill Book Buyers List, in order to verify and expand upon the information provided by Hiner and Associates. We will also attempt to identify the other printing and computer companies referred to in Mr. Hiner's response.

IV. RECOMMENDATIONS

1. Find reason to believe that Green Hill Book Buyers List violated 2 U.S.C. § 438(a)(4).
2. Decline, at this time, to enter into conciliation with Hiner and Associates, Inc., prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and the appropriate letters.

Lawrence M. Noble  
General Counsel

Date

8/1/90

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Request for Conciliation and Response to Commission Interrogatories from Hiner and Associates, Inc.
2. Factual and Legal Analysis

Staff Assigned: Anne Weissenborn





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 5, 1990

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Jamison Campaigne  
Green Hill Book Buyers List  
Green Hill Publishers, Inc.  
722 Columbus Street  
Ottawa, Illinois 61350

RE: MUR 2926  
Green Hill Book Buyers List

Dear Mr. Campaigne:

On August 10, 1990, the Federal Election Commission found that there is reason to believe your company violated 2 U.S.C. § 438(a)(4), 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 interrogatories and request for production of documents must be submitted to the General Counsel's office within 15 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany your responses.

In the absence of any additional information which demonstrates that no further action should be taken against your corporation, 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 CFR § 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

Green Hill Book Buyers List  
page 2

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

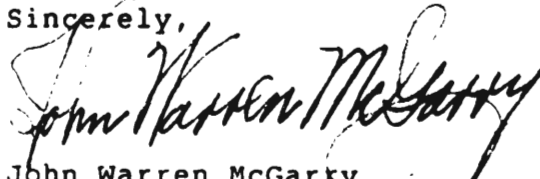
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



John Warren McGarky  
Vice-Chairman

Enclosures

Interrogatories and Request for Production of Documents  
Factual and Legal Analysis  
Designation of Counsel Form  
Procedures

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Green Hill Book Buyers List

MUR 2926

408257  
The Office of the General Counsel received a complaint on July 10, 1989 from the National Republican Congressional Committee ("NRCC") stating that three pseudonyms included in reports filed by the NRCC with the Federal Election Commission ("FEC") had been used in solicitations mailed by the American Federation for the Blind, the United States Historical Society, the Alzheimer's Association and the National Wildlife Federation. Because the pseudonyms had been obtained from the Commission's reports, there appears have been a violation of 2 U.S.C. § 438(a)(4).

Pursuant to 2 U.S.C. § 438(a)(4), information copied from reports or statements available at the FEC for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. The Commission's Regulations provide that "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions. 11 C.F.R. § 104.15(b). In order that a political committee may protect against the illegal uses of names and addresses of contributors, a committee may submit 10

pseudonyms on each report filed with the Commission.

2 U.S.C. § 438(a)(4). Based on the complaint, information contained in FEC reports was used for "soliciting contributions" within the meaning of 11 C.F.R. § 104.15(b) and in apparent violation of 2 U.S.C. § 438(a)(4).

Plymouth List Company, Inc. ("Plymouth") was identified by the complainant as the owner of the "High Dollar Direct Mail Donors" list (the "list") which contained the NRCC pseudonyms. In response to interrogatories posed by the Commission, Plymouth identified Hiner and Associates, Inc. as the original creator of the list. In turn, Hiner and Associates has identified Green Hill Book Buyers List as the source of the names at issue. Therefore, there is reason to believe that Green Hill Book Buyers List violated 2 U.S.C. § 438(a)(4) when it compiled a list containing information copied from FEC reports.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

**INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS**

TO: Green Hill Book Buyers List  
Green Hill Publishers, Inc.  
722 Columbus Street  
Ottawa, Illinois 61350

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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.

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.

"Green Hill" shall mean Green Hill Publishers, Inc. and Green Hill Book Buyers List.

"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

1. Describe the relationship, if any, between you and Hiner and Associates of Falls Church, Virginia, including the date on which that relationship began and the services performed by each for the other.
2. Have you ever provided names to Hiner and Associates to be included in lists of names being created by Hiner and Associates? If yes, please state the dates of all such transactions and the names of the lists created by Hiner and Associates using those names. Please also identify all individuals and companies involved in each such transaction.
3. Have you ever provided names to Hiner and Associates to be included in a list entitled "High Dollar Direct Mail Donors?" If yes, please state the date on which the names were provided and identify all individuals and companies involved in this transaction.
4. Do you own and or manage a list entitled Green Hill Book Buyers List? Please identify the computer house you have used for the Green Hill Book Buyers List. Did that computer house play a role in creating the Green Hill Book Buyers List?
5. Did the computer house named in your answer to Question 4 provide Hiner and Associates with names which became part of the "High Dollar Direct Mail Donors" list? What was the source of these names?
6. Please identify the printing company used by Green Hill. Did Green Hill ever give to that printing company all or a portion of the Green Hill Book Buyers List in partial payment for unpaid printing bills? If yes, please state the date of that transaction. Was this list ever passed on by the printing company to anyone else? If yes, to whom?
7. Identify Gary Patrick and explain his relationships, if any, to Green Hill's computer house and printer. Please explain Mr. Patrick's role, if any, in transmitting from the Green Hill computer house to Hiner and Associates a tape of names later included in the list entitled "High Dollar Direct Mail Donors."
8. During the course of Green Hill's business relationship with the National Republican Congressional Committee ("NRCC"), has Green Hill ever been asked to undertake a direct mail program of any sort for the NRCC? If yes, please provide the name and dates of such program(s). Was Green Hill given access to the NRCC's own mailing list(s) for such a direct mail program, or at any other time? Was an NRCC mailing list ever transferred to Green Hill's computer base?

**REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Please produce the following documents and materials:
  - a. Copies of all documents and materials pertaining to the acquisition by Hiner and Associates of a tape containing names later included in the list entitled "High Dollar Direct Mail Donors."
  - b. Copies of all documents and materials pertaining to any direct mail or other program undertaken by Green Hill for the NRCC which involved the use by Green Hill of an NRCC mailing list.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 5, 1990

Donald M. Hiner  
Hiner & Associates, Inc.  
7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

RE: MUR 2926

Dear Mr. Hiner:

On February 20, 1990, you were notified that the Federal Election Commission had found reason to believe that Hiner and Associates, Inc., had violated 2 U.S.C. § 438(a)(4). On March 30, 1990, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe and answers to the interrogatories which had been posed by the Commission.

The Commission has considered your request and has determined to decline at this time to enter into conciliation because more information is needed to complete the investigation in this matter. Enclosed are additional interrogatories. Responses should be submitted to the Office of the General Counsel within fifteen days of your receipt of this letter.

At such time as 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 Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to read "Lois G. Lerner", is written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Interrogatories

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2926

INTERROGATORIES

TO: Donald M. Hiner  
Hiner and Associates, Inc.  
7700 Leesburg Pike  
Suite 314  
Falls Church, VA 22043

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

19256

INSTRUCTIONS

In answering these interrogatories, please answer each 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.

The following interrogatories 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 interrogatories 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.

"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.

"Green Hill" shall mean Green Hill Publishers, Inc. and Green Hill Book Buyers.

INTERROGATORIES

1. In your response to earlier interrogatories in this matter you stated,

The names in question were obtained from the computer house of Green Hill Book Buyers List. . . . The tape in question was physically handed to us by Gary Patrick. . . . This list was given to Green Hill's printers as partial payment for unpaid printing bills.

Please provide the following clarifying information:

- a. The identity of Green Hill's printers.
- b. The full identity of Gary Patrick, including his address and occupation or business, and an explanation of his relationships to Hiner and Associates and to Green Hill's printers and/or Green Hill's computer house.
- c. An explanation of how and when Gary Patrick came into physical possession of the tape containing the names at issue and of why it was he who "physically handed" the tape to Hiner and Associates.
- d. The date on which Gary Patrick provided the above-mentioned tape to Hiner and Associates.
- e. The identity of the individual or business entity which gave the above-mentioned tape to Green Hill's printers "as partial payment for unpaid printing bills."
- f. An explanation of the relationship, if any, between Green Hill's printer and Green Hill's computer house.
- g. The basis for your statement that "[t]he names in question came from Green Hill's computer house."

2. In your response to earlier interrogatories you stated,

Some of the names were inadvertently used on several mailings by Plymouth List Company, Inc. under the title of "High Dollar Direct Mail Donors." As soon as the computer mistake was found, these names were not used again for any purpose.

Please provide the following clarifying information:

a. Did Hiner and Associates create the "High Dollar Direct Mail Donors" list? If yes, please provide all sources of names on that list in addition to the Green Hill computer house.

b. What was the extent of Plymouth List Company's knowledge of the presence of NRCC pseudonyms on the list created by Hiner and Associates for Plymouth List Company?

c. Explain fully the "computer mistake" cited in your answer to the earlier interrogatory? Who or what business entity was responsible for that "mistake?"

d. When and how did Hiner and Associates first become aware that the "computer mistake" had been made?

e. When and how did Plymouth List Company become aware of the "computer mistake?"

**Green Hill Publishers, Inc.**722 Columbus Street  
Ottawa, Illinois 61350  
(815) 434-7905

FAX 202-376 5280

To: Ms. Anne A. Weissenborn /FEC  
On: 11 September 90  
Re: MUR 2926

Your communication (from John McGarry) arrived yesterday, the 10th.

I think there is a breakdown in your office and would like to talk to you immediately about it.

I have been in communication with Frances Hagan about the matters in your Item MUR2926 except that she and everyone else involved have been using the number MUR2022.

Please check the above and call me today.

You will note that on August 6 (a letter received here about August 13) I was asked to provide a copy of the Green Hill list prior to 2/1/87 for Tucson, AZ, Springfield, MO. I asked our list manager to do this. Has this list been received or not?

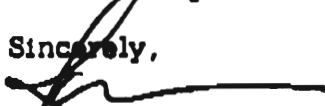
Given the request of August 6, how can the FEC vote on August 10 a finding, when they did not have the list?

I have been very patient with the FEC, and have gone to a lot of time and trouble to assist you in finding out what happened in the above matter. I have had no cooperation from you in re finding out what did happen -- so I can obtain evidence to sue Patrick and everyone else involved for stealing my mailing list and renting it -- and now you are opening a second case, repeating questions and requests already done once.

There simply has to be a resolution of this matter and some sort of due process. If I am being accused of something, I have a right to face my accusers. That is in the Constitution and surely has not been superceded by statues creating your organization.

Let's dicuss this matter this afternoon (I will be in Chicago all day but will return your call to my office).

Sincerely,

  
Jameson Campaigne, Jr.  
President

90 SEP 11 PM 4:19

RECEIVED  
FEDERAL ELECTION COMMISSION

September 11, 1990

## ANSWERS TO FEC INTERROGATORIES OF SEPTEMBER 8, 1990

1. There is no relationship.  
I have never heard of Hiner and Associates until receiving FEC Interrogatory (ies).
2. No.
3. No.
4. Yes.  
We have used six "computer houses" as noted in previous answers to previous interrogatories:

1981-84: Caroline House Publishers, 5 S 250 Frontenac, Naperville, IL 60540  
1927-85: Merril & Associates, 12500 NE 10th, Bellevue, WA 98005  
1984-90: at Green Hill offices (new names only) on microcomputer only  
1985-88: List America, 1202 Patomac Street, NW Washington, DC 20007  
1988-89: Atlantic List Company, 1615 L Street, NW, Washington, DC 20036  
1989-90: Preferred List Company, 5201 Leesburg Pike, Falls Church, VA 22041

with  
computer  
houses

These "computer houses" are in fact (except for Green Hill) list brokers who had separate contracts of their own, and (with the exception of Preferred List company) gave orders to and paid for all services therefrom. Green Hill had nothing to do with the "computer house" per se -- we provided new names from our customer files on a periodic basis to the list broker who in turn sent them to the computer house.

The answer to the third question in this section is as described in the previous sentence. The only "creating" occurring here was in periodic updating with new names of Green Hill buyers of books (our mail order customers) as well as periodic cleaning of the list to weed out dead people, bad addresses, and so on.

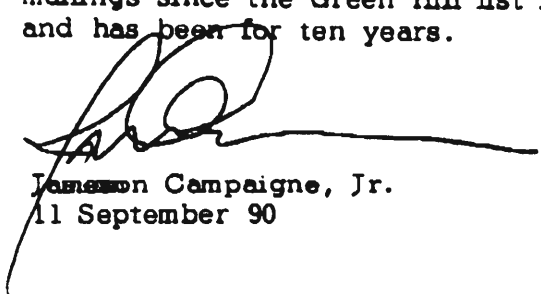
5. Not to my knowledge or with my permission! See answer to question 7.  
I cannot answer the second question in this paragraph because it does not make sense to me: are you asking "What is/has been the source of Green Hill Bookbuyer names?" or are you asking "What is the source of the Hiner names?" If the first, I have already explained this in writing several times to the FEC and in this memo -- the source of Green Hill names is from people who respond to mail order ads we placed, direct mail letters we send out, as well as clip-out ads in the backs of books we sell. If the second, I don't know, since I don't know Hiner.
6. Green Hill has used more than fifty printing companies over its 15-year existence. I beg you to be more specific!  
Have you not had access to the memo to Frances Hagan of 24 January 1990 wherein (the interrogatories) #4, we detailed a transaction with an envelope company? Is this what you are asking?  
To recap that earlier interrogatory: and reply to the second question in this section: on May 12, 1986, Green Hill (through Steven Winchell & Company who arranged the entire transaction since I had retained them to do a mailing for for one of our books; I had no direct dealing with any of Winchell's vendors until later; it should be noted that Winchell owns Atlantic List Company and

in 1986 was the exclusive direct mail house for the ~~National~~ Republican Congressional Committee) via Winchell ordered 50,000 envelopes from United Envelope Company (a copy of the invoice has already been provided to the FEC), for \$1077.50. The mailing was bungled due to a number of vendors (including Winchell) and we lost money on it. When it came time to pay United Envelope, we asked if they would trade a one-time use of the list (which rented for in excess of \$2000 per use) for the envelope payable and they (Mr. Patrick) said yes. That was the last I heard of Patrick until communications from the FEC started arriving. I cannot answer the fourth question in this section; I have no idea -- it certainly seems to be the case. In answer the the fifth question, I do not know.

7. As far as I know, in mid-1986 he represented United Envelope Company from whom one of our vendors (Stephen Winchell & Associates of Washington, DC) purchased 50,000 envelopes. I cannot answer the second question since I have no knowledge of the matter and the FEC has refused to tell me what has happened, so that I might proceed to sue Mr. Patrick et al for embezzlement.
8. No. (Second question not <sup>relevant</sup> ~~relevant~~ given answer to first.)  
Third question: No.  
Fourth question: No.

In general: in 1984 Stephen Winchell & Associates asked Green Hill to edit and produce 1 million copies of a paperback book by Guy Vander Jagt, head of the National Republican Congressional Committee. The books were ordered by Winchell and paid for by the NRCC. Also, Green Hill ordered about 35,000 copies for its own account and sold them to people who ordered additional copies (from coupons in the back of the 1 million copies distributed by the NRCC and Winchell) by mail directly to Green Hill. Several thousand people ordered books in this manner.

Fifth question: Not to our knowledge, or at our direction, and not to any version of the data"base" you refer to under our control or the control of the list brokers through whom we worked. If in fact such a thing had happened, the NRCC would have received hundreds of decoy/pseudonym mailings since the Green Hill list is rented several times a month as a rule, and has been for ten years.



Jameson Campaigne, Jr.  
11 September 90

September 11, 1990

RESPONSE TO FEC REQUEST FOR PRODUCTION OF DOCUMENTS OF 9/5/90.

1a. No such documents exist. (See memo to Frances Hagan of 24 January 1990 for documents of possible relevance to this question.)

1b. No such documents exist.

Jameson Campaigne, Jr.  
11 September 90



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 28, 1991

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Donald M. Hiner  
Hiner & Associates, Inc.  
7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

RE: MUR 2926  
Hiner and Associates, Inc.

Dear Mr. Hiner:

On September 5, 1990, you were notified that the Federal Election Commission determined to decline at this time to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent additional interrogatories because more information is needed to complete the investigation in this matter.

To date, you have not responded to the additional interrogatories. We have enclosed a copy of these questions. Responses should be submitted to the Office of the General Counsel within 15 days of your receipt of this letter.

Should you have any questions, please contact Frances B. Hagan, the staff member now assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to be "LGL", is written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure,  
Interrogatories

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)

MUR 2926

INTERROGATORIES

TO: Donald M. Hiner  
Hiner and Associates, Inc.  
7700 Leesburg Pike  
Suite 314  
Falls Church, VA 22043

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

INSTRUCTIONS

In answering these interrogatories, please answer each 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.

The following interrogatories 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 interrogatories 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.

"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.

"Green Hill" shall mean Green Hill Publishers, Inc. and Green Hill Book Buyers.

10892577

INTERROGATORIES

1. In your response to earlier interrogatories in this matter you stated,

The names in question were obtained from the computer house of Green Hill Book Buyers List. . . . The tape in question was physically handed to us by Gary Patrick. . . . This list was given to Green Hill's printers as partial payment for unpaid printing bills.

Please provide the following clarifying information:

- a. The identity of Green Hill's printers.
- b. The full identity of Gary Patrick, including his address and occupation or business, and an explanation of his relationships to Hiner and Associates and to Green Hill's printers and/or Green Hill's computer house.
- c. An explanation of how and when Gary Patrick came into physical possession of the tape containing the names at issue and of why it was he who "physically handed" the tape to Hiner and Associates.
- d. The date on which Gary Patrick provided the above-mentioned tape to Hiner and Associates.
- e. The identity of the individual or business entity which gave the above-mentioned tape to Green Hill's printers "as partial payment for unpaid printing bills."
- f. An explanation of the relationship, if any, between Green Hill's printer and Green Hill's computer house.
- g. The basis for your statement that "[t]he names in question came from Green Hill's computer house."

2. In your response to earlier interrogatories you stated,

Some of the names were inadvertently used on several mailings by Plymouth List Company, Inc. under the title of "High Dollar Direct Mail Donors." As soon as the computer mistake was found, these names were not used again for any purpose.

Please provide the following clarifying information:

a. Did Hiner and Associates create the "High Dollar Direct Mail Donors" list? If yes, please provide all sources of names on that list in addition to the Green Hill computer house.

b. What was the extent of Plymouth List Company's knowledge of the presence of NRCC pseudonyms on the list created by Hiner and Associates for Plymouth List Company?

c. Explain fully the "computer mistake" cited in your answer to the earlier interrogatory? Who or what business entity was responsible for that "mistake?"

d. When and how did Hiner and Associates first become aware that the "computer mistake" had been made?

e. When and how did Plymouth List Company become aware of the "computer mistake?"

# HINER ASSOCIATES INC

7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

06C 0416

H A N D   D E L I V E R Y

March 19, 1991

Ms. Frances B. Hagan  
Federal Election Commission  
999 E Street, N. W.  
Washington, D. C. 20463

RE: MUR 2926

91 MAR 19 PM 3:00

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAR 19 1991

Dear Fran,

In line with our telephone conversation of yesterday, please consider this my authorization for you to contact my attorney, Stephen J. McClure, at Moshos, Byrd, McClure, De Deo and Mische, 10521 Judicial Drive, Fairfax, Virginia 22030, telephone number 703/691-1200, Fax number 703/385-4353 concerning MUR 2926.

Steve McClure is my attorney for MUR 2822. I understand that you plan to combine these two cases.

Please wait a day or two before contacting Steve so that he will have time to review a copy of this letter.

I had planned to respond to your letter of February 28th, today; but since Steve will be my attorney on this matter, fairness and consistency dictate that he review my answer. I am sure you will agree with me on this procedure.

After our phone call, I checked our records and determined that Kitty, my secretary, signed for your letter on March 8, 1991. Judging by the Washington, D. C. postmark, your letter of February 28th was not mailed until March 5th. This explains why you thought my answer was overdue and I thought I had a few more days to respond. Nevertheless, my answer will be at Steve's office tomorrow and I am sure he will respond to you as soon as possible.

My response to Steve will include: (a) the answer to your interrogatories and (b) the outline of the situation as I expressed to you on the telephone yesterday. I hope this new plan is satisfactory.

Sincerely,



Donald M. Hiner

DMH/kc

703/749-0900

XXXXXXXXXXXXXXXXXXXX  
XXXX 703/749-0900

**MOSHOS, HADEN, McCLURE & DE DEO, P.C.**  
**ATTORNEYS AND COUNSELORS AT LAW**

Arthur L. Moshos  
Fred M. Haden  
Stephen J. McClure  
James F. De Deo

\*\*\*\*\*  
Mark R. Mochen

October 9, 1991

Suite 201  
10021 Judicial Drive  
Fairfax, Virginia 22030  
(703) 352-5770  
\*\*\*\*\*  
Telecopier Only  
(703) 352-0190

Federal Election Commission  
999 E Street, Northwest  
Washington, D.C. 20463  
Attention: Ms. Frances B. Hagan  
Via Fax (202) 219-3923

RE: MUR 2822 & MUR2926

Dear Ms. Hagan:

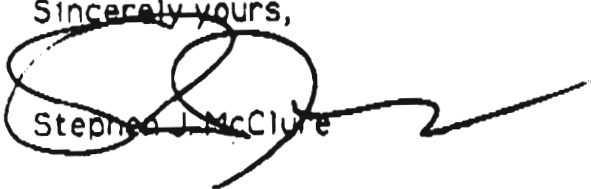
Please consider this letter a request for consideration by the Federal Election Commission of Pre-Probable Cause Conciliation in MUR 2822 as well as MUR 2926.

When Mr. Hiner understood that MUR 2822 would be consolidated with MUR 2926, he assumed that his request for such Pre-Probable Cause Conciliation in the one would pour over into the other. We regret any inconvenience our mis-assumption may have caused and wish to remedy the lack by this letter.

As you know, Mr. Hiner acknowledges that the Commission may have had at least some "reason to believe" that he had *knowingly and willfully* violated the Act in that the salt name(s) came from his list and, based upon his prior matter before the Commission, he certainly was well aware of the requirements of the Act. Yet, he continues to deny that this belief was in fact accurate, in that he had no knowledge of the fact of the tainted source when he used the Greenhill tape.

In any event, it is our hope that we can resolve this matter expeditiously and fairly for all concerned in accordance with this Request for Pre-Probably Cause Conciliation.

Sincerely yours,

  
Stephen J. McClure

**HINER ASSOCIATES INC****7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043****ANSWERS TO FEBRUARY 28, 1991 INTERROGATORIES MUR 2926**

1a. I have no idea of the identity of Green Hill's printers, I have had no direct contact or dealings with them.

1b. Gary Patrick, President  
Continental Envelope, Inc.  
11 Acacia Lane  
Sterling, Virginia 22170  
703/450-0330 FAX 703/450-1862

Gary Patrick, President  
United List Rental Co. Inc.  
11 Acacia Lane  
Sterling, Virginia 22170  
703/450-0330

Gary Patrick is the president or operating officer of two companies: one is involved in the printing of envelopes the other company is involved in list rental. His companies have a standard business relationship with Hiner and Associates, Inc. Donald M. Hiner was a stockholder and director of United List Rentals. Hiner resigned and transferred his stock to Gary several years ago. I have no direct knowledge of the Patrick's relationship to Green Hill's printers or to Green Hill's computer house.

1c. I have no direct knowledge of when and how Gary Patrick came into physical possession of the tape containing the names at issue. I have always assumed that he received it either from Mike Patrick or Green Hill's representatives: Printer, computer house, or lawyer. Gary was the person who Hiner dealt with mainly; that is why Gary was the one who physically handed the tape to Hiner.

1d. I do not remember the date on which we received the tape. It was not a significant transaction or date at that time.

1e. I have no direct knowledge of who gave the computer tape to Gary/Mike or their companies.

1f. I have no knowledge of and no contact with either Green Hill's printer or Green Hill's computer house. Consequently, I don't know their relationship.

1g. The basis for my statement that "the names in question came from Green Hill's computer house" was based on the general accepted theory that computer tapes come from computer houses. This was a generalized statement not a particular statement of fact.

**703/749-0900****FAX 703/749-0903**

Page 2

ANSWERS TO FEBRUARY 28, 1991 INTERROGATORIES MUR 2926

2a. The "High Dollar Direct Mail Donors" list was created seven or eight years ago. Hiner and Associates, Inc. used some Green Hill names in the fulfillment of orders for the above mentioned list. The creation of this list and use of the Green Hill list are not related nor were they done in the same time period.

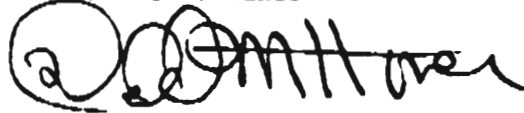
2b. Plymouth List Company, Inc. only knowledge of NRCC pseudonyms was in response to a mailing from the Federal Election Commission; and from the calls they or I received from the NRCC and list broker/users.

2c. The mistake was using the Green Hill list that contained NRCC names.

2d. When we received the calls from NRCC and from the list brokers/users who had also been contacted by the NRCC.

2e. When they received calls from NRCC and from the list brokers/users who had also been contacted by the NRCC and/or when I told them about my phone calls.

Donald M. Hiner

A handwritten signature in dark ink, appearing to read 'Donald M. Hiner', with a large circular flourish on the left side.

**HINER ASSOCIATES INC****7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043****ANSWERS TO FEBRUARY 28, 1991 INTERROGATORIES MUR 2926****REVISED APRIL 5, 1991****1a. The identity of Green Hill's printers, is:****Continental Envelope, Inc.  
11 Acacia Lane  
Sterling, Virginia 22170  
703/450-0330 FAX 703/450-1862****1b. Gary Patrick, President  
Continental Envelope, Inc.  
11 Acacia Lane  
Sterling, Virginia 22170  
703/450-0330 FAX 703/450-1862****Gary Patrick, President  
United List Rental Co. Inc.  
11 Acacia Lane  
Sterling, Virginia 22170  
703/450-0330**

Gary Patrick is the president or operating officer of two companies: one is involved in the printing of envelopes the other company is involved in list rental. His companies have a standard business relationship with Hiner and Associates, Inc. Donald M. Hiner was a stockholder and director of United List Rentals. Hiner resigned and transferred his stock to Gary in 1988. I have no direct knowledge of the Patrick's relationship to Green Hill's computer house.

1c. I have no direct knowledge of when Gary Patrick came into physical possession of the tape containing the names at issue. I have always assumed that he received it either from Mike Patrick or Green Hill's representatives. Gary was the person who Hiner dealt with mainly; that is why Gary was the one who physically handed the tape to Hiner.

1d. The above mentioned computer tape was delivered to Hiner and Associates, Inc. in the late fall, early winter 1986.

1e. I have no direct knowledge of which individual gave the computer tape to Gary/Mike or their companies. I have always assumed that it was the computer house whose name was on the back of the computer tape: CPS Inc., 8800 Edgeworth Drive, Capital Heights, Maryland 20743. The current telephone number is 301/350-5600 they currently answer the phone as Smart Names but indicate they used to be CPS. I have sometimes referred to that company as: PSA, Inc. which is the company that I knew at that address. The front of the tape included this additional information: a) PO 22585 b) 11/8/86 c) Green Hill/Concerned Women d) approximately sixty thousand plus records e) 10 x 270 (This indicates the blocking factor and record length).

1f. I have no direct knowledge of the relationship between Green Hill's printers, United Envelope Company and Green Hill's computer house, CPS, Inc.

**703/749-0900  
FAX 703/749-0903**

## Page 2

ANSWERS TO FEBRUARY 28, 1991 INTERROGATORIES MUR 2926  
REVISED APRIL 5, 1991

1g. The basis for my statement that "the names in question came from Green Hill's computer house" was based on the general accepted theory that computer tapes come from computer houses. This was a generalized statement not a particular statement of fact.

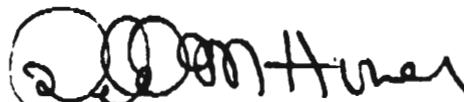
2a. The "High Dollar Direct Mail Donors" list was created in 1983 and 1984. Hiner and Associates, Inc. used some Green Hill names in the fulfillment of orders for the above mentioned list. The creation of this list and use of the Green Hill list are not related nor were they done in the same time period. The creation of the High Dollar list is essentially a trade secret and not related to this issue.

2b. Plymouth List Company, Inc. only knowledge of NRCC pseudonyms was in response to a mailing from the Federal Election Commission; and from the calls they and/or I received from the NRCC and list broker/users.

2c. The mistake was using the Green Hill list that contained NRCC names.

2d. When we received the calls from NRCC and from the list brokers/users who had also been contacted by the NRCC.

2e. When they received calls from NRCC and from the list brokers/users who had also been contacted by the NRCC and/or when I told them about my phone calls.



Donald M. Hiner

**HINER ASSOCIATES INC**

7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

**GENERAL REVIEW OF GREENHILL/FEC PROBLEM**

Mike Patrick's company, Goose Creek Printing, Inc., was owed some money by either Greenhill or a supplier of theirs. Mike agreed to accept rental revenues from a computer tape of Greenhill's current book buyers or members.

This tape was then given to Mike Patrick who turned it over to Gary Patrick who at the time was in partnership in a list rental business with Donald M. Hiner.

The three of us agreed that Hiner and Associates, Inc. would do the required computer work for Gary Patrick to rent the names through United List Rental Company, Inc. and the profits would go to Mike Patrick's company after Gary and I were paid for our services. As soon as Mike had received the full amount that was owed to him, the list rental would stop and that would be the end of the arrangement.

Hiner and Associates, Inc. received the tape from Gary/Mike and did not process it for awhile. When Hiner finally got around to converting the tape and when he started to test the names with his other files, he rapidly found out that these names were tinted and may have belonged to the National Republican Congressional Campaign Committee. Upon notification of this fact via a phone call from NRCC, he immediately stopped using these names.

These names were supplied on rentals by Hiner and Associates, Inc. and Plymouth List Company, Inc.

Donald M. Hiner  
March 20, 1991

**HINER ASSOCIATES INC**7700 Leesburg Pike, Suite 314  
Falls Church, Virginia 22043

QA/GRFEC22

## GENERAL REVIEW OF GREENHILL/FEC PROBLEM

REVISED APRIL 5, 1991

Mike Patrick's company, United Envelope Company, Inc. (I originally thought his company's name was Goose Creek Printing, Inc.), was owed some money by either Greenhill. Mike agreed to accept rental revenues from a computer tape of Greenhill's current book buyers and/or members.

This tape was then given to Mike Patrick who turned it over to Gary Patrick who at the time was in corporate partnership in a list rental business with Donald M. Hiner.

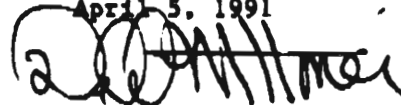
The three of us agreed that Hiner and Associates, Inc. would do the required computer work for Gary Patrick to rent the names through United List Rental Company, Inc. and the profits would go to Mike Patrick's company after Gary and I were paid for our services. As soon as Mike had received the full amount that was owed to him, the list rental would stop and that would be the end of the arrangement.

Hiner and Associates, Inc. received the tape from Gary/Mike and did not process it for awhile. When Hiner finally got around to converting the tape and when he started to test the names with his other files, he rapidly found out that these names were tinted and may have belonged to the National Republican Congressional Campaign Committee. Upon notification of this fact via a phone call from NRCC, he immediately stopped using these names.

These names were supplied on rentals by Hiner and Associates, Inc. and Plymouth List Company, Inc.

Donald M. Hiner

April 5, 1991



703/749-0900

FAX 703/749-0003

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91 OCT 28 AM 11:42

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

) MURs 2822 and 2926

Donald M. Hiner )

Hiner and Associates, Inc. )

Green Hill Publishers, Inc. )

Green Hill Book Buyers' List )

Gary Patrick )

Continental Envelope of Virginia, Inc. )

Michael Patrick )

United Envelope and Printing Corp. )

Plymouth List Company )

Carol Enters List Co. (CELCO) )

Names and Addresses, Inc. )

The Alan Drey Company, Inc. )

Listworks Corporation )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

MUR 2822

Based upon a complaint filed by the National Republican Congressional Committee ("NRCC") and responses received thereto, the Commission found reason to believe that Donald M. Hiner knowingly and willfully violated 2 U.S.C. § 438(a)(4) by using information filed with the FEC for commercial purposes. The Commission also found reason to believe that Hiner and Associates and The Listworks violated 2 U.S.C. § 438(a)(4). Subsequently, the Commission found reason to believe that Green Hill Publishers, Inc. ("GH Publishers"), Gary Patrick and his company Continental Envelope of Virginia, Inc., and Michael Patrick and his company United Envelope and Printing Corporation, violated 2 U.S.C. § 438(a)(4). Donald M. Hiner, Hiner and Associates, and Michael Patrick have requested pre-probable cause conciliation.

**MUR 2926**

Based on another complaint by the NRCC, the Commission found reason to believe that Plymouth List Company, CELCO (Carol Enters List Co.), Names and Addresses, Inc., and the Alan Drey Co., Inc. violated 2 U.S.C. § 438(a)(4). Subsequently, the Commission found reason to believe that Hiner and Associates and the Green Hill Book Buyers' List violated 2 U.S.C. § 438(a)(4) in this matter. The Commission denied the requests of Hiner and Associates and Plymouth List Company for pre-probable cause conciliation until the investigation could be completed.

## **II. ANALYSIS**

### **Donald M. Hiner/Hiner and Associates**

Based on information obtained from responses to the reason to believe findings, Donald M. Hiner informed us that through his corporations, he owns (50%) and manages "EPACO's Best Conservatives List ("EPACO list")," one of the lists allegedly used beginning in January 1989 to solicit pseudonyms found on four 1984 NRCC reports. By comparing computer "input codes," Mr. Hiner traced the names in question to a list he had received in exchange for some work he had done for Gary and Michael Patrick of Continental Envelope of Virginia, Inc., and United Envelope and Printing Corporation, respectively. Mr. Hiner incorporated this list into his EPACO master list when he updated it in November 1988. Mr. Hiner identified the supplemental list as the "Green Hill Book Buyers list" ("Green Hill list").

Hiner and Associates also created the "High Dollar Direct Mail Donors" list; and currently updates names, performs data

processing, maintains the list, and fulfills rental orders for it. High Dollar is a list owned by Plymouth List Co. and, in this case, supplied to renters through CELCO, Names and Addresses, and the Alan Drey Company.

In subsequent answers to discovery, Mr. Hiner explained that Michael Patrick's company, United Envelope, was owed money by GH Publishers for printing. Michael Patrick apparently agreed to accept rental revenues from the use of the Green Hill list in lieu of payment of the bill. According to Mr. Hiner, Michael Patrick received the Green Hill list and gave it to his brother Gary Patrick "who at the time was in corporate partnership in a list rental business with [Mr.] Hiner." Apparently, Hiner and Associates were to prepare the computer tape for rental by the Gary Patrick/Donald Hiner list rental company, United List Rental Company, Inc. The profits--after costs of the list rental services--of renting the Green Hill list were to be applied to the debt owed Michael Patrick and United Envelope.

According to Mr. Hiner, he received the Green Hill tape in late fall or early winter 1986, but apparently did not "process" it, or convert it to a format compatible with the Hiner lists until August 1988. In November 1988, Mr. Hiner apparently incorporated the Green Hill list with the EPACO and High Dollar lists. The lists were supplied to renters through the various respondent managers or brokers, and the pseudonym solicitations began in January 1989.

Mr. Hiner provided a printout of the Green Hill list names that Hiner and Associates incorporated into the two lists. The

Hiner printout contained all the NRCC pseudonyms that received solicitations beginning in January 1989. In comparison, we requested from GH Publishers a limited printout of names from the pre-1987 Green Hill list, and reviewed the names from cities where three of the pseudonyms were listed. This original Green Hill list, apparently passed along to Mr. Hiner in its entirety, did not contain the pseudonyms. Thus, it appears that the pseudonyms entered the Green Hill list while in Mr. Hiner's possession.

Hiner and Associates were in the business of compiling and updating lists with names from various sources. Mr. Hiner and his company had the expertise and opportunity to manipulate the Green Hill list, and to incorporate it into other lists. Mr. Hiner denies that he knew the Green Hill list was "tainted" when he used the tape some two years after receipt, but has asked for resolution of this matter through pre-probable cause conciliation.

**Michael Patrick**

In conversations or sworn written responses from the Patrick brothers, each stated that he had not manipulated or added names to the Green Hill list while in their possession. Michael Patrick stated that the Green Hill list arrived with a cover letter authorizing use of the list, but that the letter cannot be found. Mr. Patrick provided invoices from May 1986 showing the amount owed United Envelope as \$1,170. He stated that the list was passed along to Mr. Hiner to rent in order to extinguish this debt to United Envelope. According to Michael Patrick, Mr. Hiner

used the Green Hill list for six mailings. Apparently, United Envelope received no money and the debt was written off.

**Gary Patrick**

By letter or in a sworn affidavit, Gary Patrick stated that the Green Hill list was forwarded to Mr. Hiner "to determine whether said list had any marketable value; and whether said list would be adequate compensation in exchange for forgiveness of the debt...." Attachment B, 1. He stated that Hiner and Associates told him the list was not marketable and therefore useless for debt repayment. He attested that he made no use of the list himself, and did not combine it with any other list.

Attachment B, 1-2.

**GH Publishers/Green Hill list**

According to Jameson Campaigne, President of Green Hill Publishers, the Patrick brothers obtained the Green Hill list in lieu of payment for a bill owed to United Envelope. He explained that "[a] bill from [United Envelope] of \$1,077.50 for 50,000 envelopes was past due and Green Hill offered to swap a one-time use of its list (worth \$3,205.79)...." See MUR 2822 General Counsel's Report dated 8/10/90.

As stated above, the partial Green Hill list provided by Mr. Campaigne did not contain the pseudonyms. If the GH Publishers' version of the Green Hill list contained the pseudonyms and, as Mr. Campaigne has stated, it is rented at least monthly, the pseudonyms would have received dozens of solicitations annually. Instead, there appear to have been at least six mailings involving pseudonym solicitations, all

beginning in January 1989 after Mr. Hiner updated the EPACO and High Dollar lists, and included the Green Hill names.

#### **Conclusion**

Based on the foregoing evidence and analysis, the Office of the General Counsel recommends that the Commission accept the request of Mr. Hiner and Hiner and Associates for resolution of the matter through pre-probable cause conciliation. This Office also recommends that the Commission deny Michael Patrick's request for pre-probable cause conciliation and take no further action against him and the remaining respondents in this case.

#### **III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY**

#### **IV. RECOMMENDATIONS**

1. Enter into conciliation with the following prior to a finding of probable cause to believe:
  - a) Donald M. Hiner;
  - b) Hiner and Associates, Inc.
2. Deny the request to enter into conciliation with Michael Patrick prior to a finding of probable cause to believe.

3. Take no further action and close the file as it pertains to the following concerning a violation of 2 U.S.C. § 438(a)(4):

- a) Green Hill Publishers, Inc.;
- b) Green Hill Book Buyers' List;
- c) Gary Patrick;
- d) Continental Envelope of Virginia, Inc.;
- e) Michael Patrick;
- f) United Envelope and Printing Corp.;
- g) Plymouth List Company;
- h) Carol Enters List Co. (CELCO);
- i) Names and Addresses, Inc.;
- j) The Alan Drey Company, Inc.;
- k) Listworks Corporation.

4. Approve the attached proposed conciliation agreement and the appropriate letters.

Lawrence M. Noble  
General Counsel

Date 10/25/91

BY:   
Lois G. Lerner  
Associate General Counsel

**Attachments**

- A. Requests for conciliation (Hiner, Michael Patrick)
- B. Gary Patrick response
- C. Proposed Conciliation Agreement

Staff assigned: Frances B. Hagan

BEFORE THE FEDERAL ELECTION COMMISSION

|                                         |   |                  |
|-----------------------------------------|---|------------------|
| In the Matter of                        | ) |                  |
|                                         | ) |                  |
| Donald M. Hiner;                        | ) |                  |
| Hiner and Associates, Inc.;             | ) |                  |
| Green Hill Publishers, Inc.;            | ) |                  |
| Green Hill Book Buyers' List;           | ) |                  |
| Gary Patrick;                           | ) | MURs 2822 & 2926 |
| Continental Envelope of Virginia, Inc.; | ) |                  |
| Michael Patrick;                        | ) |                  |
| United Envelope and Printing Corp.;     | ) |                  |
| Plymouth List Company;                  | ) |                  |
| Carol Enters List Co. (CELCO);          | ) |                  |
| Names and Addresses, Inc.;              | ) |                  |
| The Alan Drey Company, Inc.;            | ) |                  |
| Listworks Corporation.                  | ) |                  |

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 30, 1991, the Commission decided by a vote of 6-0 to take the following actions in MURs 2822 & 2926:

1. Enter into conciliation with the following prior to a finding of probable cause to believe:
  - a) Donald M. Hiner;
  - b) Hiner and Associates, Inc.
2. Deny the request to enter into conciliation with Michael Patrick prior to a finding of probable cause to believe.

(Continued)

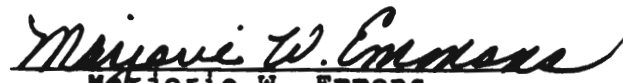
3. Take no further action and close the file as it pertains to the following concerning a violation of 2 U.S.C. § 438(a)(4):

- a) Green Hill Publishers, Inc.;
- b) Green Hill Book Buyers' List;
- c) Gary Patrick;
- d) Continental Envelope of Virginia, Inc.;
- e) Michael Patrick;
- f) United Envelope and Printing Corp.;
- g) Plymouth List Company;
- h) Carol Enters List Co. (CELCO);
- i) Names and Addresses, Inc.;
- j) The Alan Drey Company, Inc.;
- k) Listworks Corporation

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

Attest:

10-31-91  
Date

  
Marjorie W. Emmons  
Secretary of the Commission

|                               |                                |
|-------------------------------|--------------------------------|
| Received in the Secretariat:  | Mon., Oct. 28, 1991 11:42 a.m. |
| Circulated to the Commission: | Mon., Oct. 28, 1991 4:00 p.m.  |
| Deadline for vote:            | Wed., Oct. 30, 1991 4:00 p.m.  |

dr



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

November 8, 1991

Ms. Dianne Wildgrube  
Plymouth List Company, Inc.  
2066 Jefferson Davis Highway, Suite 202  
Stafford, Virginia 22554

RE: 2926  
Plymouth List Company, Inc.

Dear Ms. Wildgrube:

On November 1, 1989, you were notified that the Federal Election Commission found reason to believe that Plymouth List Company, Inc. violated 2 U.S.C. § 438(a)(4).

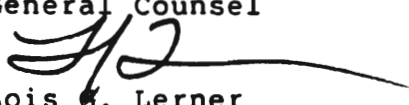
After considering the circumstances of the matter, the Commission determined on October 30, 1991, to take no further action against your company, and closed the file as it pertains to it. The file will be made part of the public record within 30 days after this matter has been closed with respect to 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.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

  
BY: Lois E. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

November 8, 1991

George Birnbaum, Esquire  
Richenthal & Birnbaum  
950 3rd Avenue  
New York, NY 10022

RE: MUR 2926  
Carol Enters List Company

Dear Mr. Birnbaum:

On November 1, 1989, your client was notified that the Federal Election Commission found reason to believe that the Carol Enters List Company violated 2 U.S.C. § 438(a)(4).

After considering the circumstances of the matter, the Commission determined on October 30, 1991, to take no further action against your client, and closed the file as it pertains to your client. 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.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

November 8, 1991

Philip E. Staples, Vice President  
Names and Addresses, Inc.  
4096 Commercial Avenue  
Northbrook, Illinois 60062

RE: MUR 2926  
Names and Addresses, Inc.

Dear Mr. Staples:

On November 1, 1989, you were notified that the Federal Election Commission found reason to believe that Names and Addresses, Inc. violated 2 U.S.C. § 438(a)(4).

After considering the circumstances of the matter, the Commission determined on October 30, 1991, to take no further action against your company, and closed the file as it pertains to it. 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.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

November 8, 1991

Alan Drey, President  
Alan Drey Company  
333 North Michigan Avenue  
Chicago, Illinois 60601

RE: MUR 2926  
Alan Drey Company

Dear Mr. Drey:

On November 1, 1989, you were notified that the Federal Election Commission found reason to believe that the Alan Drey Company violated 2 U.S.C. § 438(a)(4).

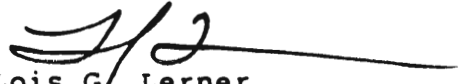
After considering the circumstances of the matter, the Commission determined on October 30, 1991, to take no further action against your company, and closed the file as it pertains to it. The file will be made part of the public record within 30 days after this matter has been closed with respect to 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.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

November 8, 1991

Jameson Campaigne, Jr., President  
Green Hill Publishers, Inc.  
722 Columbus Street  
Ottawa, Illinois 61350

RE: MUR 2822 and 2926  
Green Hill Publishers, Inc.  
Green Hill Book Buyers List

Dear Mr. Campaigne:

On January 16, 1990, you were notified that the Federal Election Commission found reason to believe that Green Hill Publishers, Inc., violated 2 U.S.C. § 438(a)(4). On August 10, 1990, you were notified that the Commission found reason to believe that the Green Hill Book Buyers' List violated 2 U.S.C. § 438(a)(4).

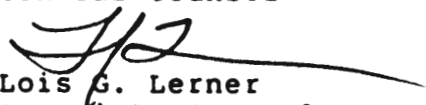
After considering the circumstances of the matter, the Commission determined on October 30, 1991, to take no further action against these respondents, and closed the file as it pertains to them. The file will be made part of the public record within 30 days after this matter has been closed with respect 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.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

November 8, 1991

Stephen J. McClure, Esquire  
Moshos, Haden, McClure & DeDeo, P.C.  
10521 Judicial Drive, Suite 201  
Fairfax, Virginia 22030

RE: MURs 2822 and 2926  
Donald M. Hiner  
Hiner and Associates, Inc.

Dear Mr. McClure:

On August 15, 1989, in MUR 2822, the Federal Election Commission found reason to believe that Donald M. Hiner knowingly and willfully violated 2 U.S.C. § 438(a)(4). At the same time, the Commission found reason to believe that Hiner and Associates, Inc., violated 2 U.S.C. § 438(a)(4). On February 9, 1990, in MUR 2926, the Commission found reason to believe that Hiner and Associates, Inc., violated 2 U.S.C. § 438(a)(4). At your request, on October 30, 1991, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Stephen J. McClure, Esquire  
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 10, 1991

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Stephen J. McClure, Esquire  
Moshos, Haden, McClure & DeDeo, P.C.  
10521 Judicial Drive, Suite 201  
Fairfax, Virginia 22030

RE: MURs 2822 and 2926  
Donald M. Hiner  
Hiner and Associates, Inc.

Dear Mr. McClure:

On November 8, 1991, you were notified that at your clients' request, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On November 13, 1991, you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreements on behalf of your clients. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact me at (202) 219-3400.

Sincerely,

*Frances B. Hagan*  
Frances B. Hagan

**MOSHOS, HADEN, McCLURE & DE DEO, P.C.**  
**ATTORNEYS AND COUNSELORS AT LAW**

Arthur L. Moshos  
Fred M. Haden  
Stephen J. McClure  
James F. De Deo  
.....  
Mark R. Machen

December 19, 1991

Suite 201  
10521 Judicial Drive  
Fairfax, Virginia 22030  
(703) 352-5770  
.....  
Telecopier Only  
(703) 352-0190

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

Attention: Mr. James Brown

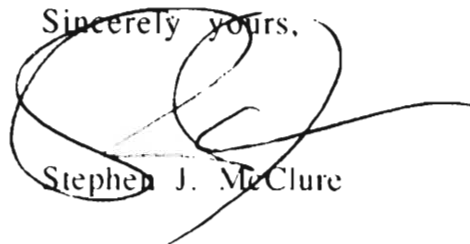
Re: MUR 2822 and 2926, Hiner and Associates

Dear Mr. Brown:

Enclosed please find two copies of the Conciliation Agreement which have been executed by my client. Please endorse the same and return one fully executed copy to me.

If you have any questions, please feel free to contact me at your convenience.

Sincerely yours,



Stephen J. McClure

SJM:far  
enclosures

91 DEC 27 AM 10:59

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

91 DEC 23 PM 1:46

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

RECEIVED  
F.E.C.  
JUN 13 1972

JUN 13 PM 2:40

FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of )  
Donald M. Hiner ) MURS 2822 and 2926  
Hiner and Associates, Inc. )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a revised conciliation agreement, signed by Donald M. Hiner on behalf of himself and Hiner and Associates, Inc.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Donald Hiner and Hiner and Associates, Inc.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

Date

1/13/92

BY:

  
Lois G. Zerner

Associate General Counsel

Attachment  
Proposed Conciliation Agreement

Staff Assigned: Noriega James

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Donald M. Hiner; ) MURS 2822 and 2926  
Hiner and Associates, Inc. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 16, 1992, the Commission decided by a vote of 6-0 to take the following actions in MURS 2822 and 2926:

1. Accept the conciliation agreement with Donald Hiner and Hiner and Associates, Inc., as recommended in the General Counsel's Report dated January 13, 1992.
2. Close the file.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated January 13, 1992.

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

Attest:

1-16-92  
Date

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

Received in the Secretariat: Mon., Jan. 13, 1992 2:49 p.m.  
Circulated to the Commission: Tues., Jan. 14, 1992 11:00 a.m.  
Deadline for vote: Thurs., Jan. 15, 1992 11:00 a.m.

dr



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

January 31, 1992

Ms. Dianne Wildgrube  
Plymouth List Company, Inc.  
2066 Jefferson Davis Highway  
Suite 202  
Stafford, VA 22554

RE: MUR 2926  
Plymouth List Company, Inc.

Dear Ms. Wildgrube:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, reading "Noriega E. James".

Noriega E. James  
Paralegal



FEDERAL ELECTION COMMISSION

WASHINGTON D C 20463

January 31, 1992

George Birnbaum, Esquire  
Richenthal & Birnbaum  
950 3rd Avenue  
New York, NY 10022

RE: MUR 2926  
Carol Enters List Company

Dear Mr. Birnbaum:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, reading "Noriega E. James".

Noriega E. James  
Paralegal



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

January 31, 1992

Philip E. Staples, Vice President  
Names and Addresses, Inc.  
4096 Commercial Avenue  
Northbrook, IL 60062

RE: MUR 2926  
Names and Addresses, Inc.

Dear Mr. Staples:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, reading "Noriega E. James".

Noriega E. James  
Paralegal



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

January 31, 1992

Alan Drey, President  
Alan Drey Company  
333 North Michigan Avenue  
Chicago, IL 60601

RE: MUR 2926  
Alan Drey Company

Dear Mr. Drey:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, appearing to read "Noriega E. James", is written above the typed name.

Noriega E. James  
Paralegal



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

January 31, 1992

Jameson Campaigne, Jr., President  
Green Hill Publishers, Inc.  
722 Columbus Street  
Ottawa, IL 61350

RE: MUR 2822 and 2926  
Green Hill Publishers, Inc.  
Green Hill Book Buyers List

Dear Mr. Campaigne:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, which appears to read "Noriega E. James".

Noriega E. James  
Paralegal



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 31, 1992

RECEIVED

Stephen J. McClure, Esquire  
Moshos, Haden, McClure & DeDeo, P.C.  
10521 Judicial Drive, Suite 201  
Fairfax, VA 22030

RE: MUR 2822 and 2926  
Donald M. Hiner  
Hiner and Associates, Inc.

Dear Mr. McClure:

On January 16, 1992, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of a violation of 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the files have been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Pursuant to the agreement, your initial payment was due January 15, 1992. Please submit the initial payment immediately. Thereafter, you are required to make ten consecutive monthly installment payments of \$400. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Noriega E. James  
Paralegal

Enclosure  
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Donald M. Hiner  
Hiner and Associates

)  
)  
) MURs 2822 and 2926  
)  
)

CONCILIATION AGREEMENT

This matter was initiated by signed, sworn, and notarized complaints by the National Republican Congressional Committee (the "NRCC"). The Federal Election Commission ("Commission") found reason to believe that Donald M. Hiner and Hiner and Associates, Inc. violated 2 U.S.C. § 438(a)(4). Donald M. Hiner and Hiner and Associates, Inc. will be known herein as "Respondents."

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

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

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

1. Respondent Hiner and Associates, Inc. is a company

that provides mailing list services in the form of list compilation, management, and maintenance, and rents lists to various organizations or renters through list brokers.

2. Respondent Donald M. Hiner is the owner of Hiner and Associates, Inc.

3. The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that all reports and statements filed with the Commission may be copied, "except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contribution or for commercial purposes." 2 U.S.C. § 438(a)(4).

This statutory provision also allows committees required to file reports with the Commission to include up to ten pseudonyms in their reports "in order to protect against the illegal use of names and addresses of contributors." 2 U.S.C. § 438(a)(4). A list of pseudonyms included in any report must be attached to such reports, but are excluded from the public record.

4. The Commission's Regulations state that the prohibition against copying names for soliciting contributions or commercial purposes applies to "[a]ny information copied or otherwise obtained, from any report or statement, or any copy, reproduction, or publication thereof, filed with the Commission, Clerk of the House, Secretary of the Senate, or other equivalent State officers..." 11 C.F.R. § 104.15(a). The Commission's Regulations explain that under the Act, "soliciting

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

5. The Commission has consistently interpreted and applied Section 438(a)(4) to prohibit any person from using or selling illegally copied names through the generation or marketing of contributor or donor lists. See Federal Election Commission v. American International Demographic Services, Inc. 629 F. Supp. 317 (E.D. Va. 1986); Advisory Opinion 1986-25. The Commission has also interpreted this provision to prohibit certain ancillary uses or sales, such as list brokering, undertaken in connection with, or to support, the trade of commerce in unlawfully obtained names. See Advisory Opinion 1985-16.

6. In late 1986, Respondents received a computer tape of the Green Hill Book Buyers' list that Respondents were to prepare for marketing to renters. Profits from the list rental were to be applied to a printing debt owed to United Envelope and Printing Corporation by one of its clients.

7. In August 1988, Respondents converted the Green Hill Book Buyers' list to a format compatible with Respondents' lists. In November 1988, Respondents incorporated the Green Hill list with two other lists, the EPACO's Best Conservatives list and the High Dollar Direct Mail Donors list. Respondents supplied the lists to renters through various list managers or brokers.

8. In January 1989, five pseudonyms found on four 1984 NRCC reports filed with the Commission began receiving

solicitations from six organizations using the lists that originated with the Respondents.

9. Respondents provided a printout of the names it incorporated with the EPACO and High Dollar lists noted in paragraph 7 above. Respondents' printout contained all the NRCC pseudonyms that received solicitations. The Green Hill list publishers provided a limited printout of names from the original, pre-1987 Green Hill list. This original Green Hill Book Buyers' list tape, apparently passed along to Respondents in its entirety, did not contain the pseudonyms.

V. 1. Respondent Donald M. Hiner's use of information filed with the Federal Election Commission for commercial purposes constitutes a violation of 2 U.S.C. § 438(a)(4).

2. Respondent Hiner and Associates Inc.'s use of information filed with the Federal Election Commission for commercial purposes constitutes a violation of 2 U.S.C. § 438(a)(4).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of five thousand dollars (\$5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. One initial payment of one thousand dollars (\$1,000) due on January 15, 1992;

2. Thereafter, beginning on February 15, 1992, ten (10) consecutive monthly installment payments of four hundred dollars (\$400) each;

3. Each such installment shall be paid on the fifteenth

day of the month in which it becomes due;

4. In the event that any installment payment is not received by the Commission by the fifth day after the date it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

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. Respondents 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:

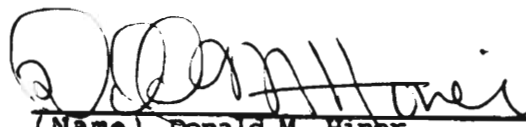
Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

1-30-92  
Date

FOR THE RESPONDENTS:

  
(Name) Donald M. Hiner  
(Position) for himself and  
as President of Hiner and Associates

December 19, 1991  
Date

IN CONNECTION WITH MUR 2926, SEE MUR 2822.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2926

DATE FILMED 3/12/72 CAMERA NO. 3

CAMERAMAN Tim H



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2926.

6/10/92

92040910013



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 24, 1992

CLOSED

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Stephen J. McClure, Esquire  
Moshos, Haden, McClure  
& DeDeo, P.C.  
10521 Judicial Drive  
Suite 201  
Fairfax, Virginia 22030

RE: MUR 2822 and 2926

Dear Mr. McClure:

On January 16, 1992, the Federal Election Commission and your clients Donald M. Hiner and Hiner and Associates, Inc. entered into a conciliation agreement in settlement of a violation of 2 U.S.C. § 438(a)(4). According to the agreement, your clients were required to pay a civil penalty of \$5,000.00. The conciliation agreement provided for installment payments, with your first payment of \$1,000.00 due on January 15, 1992, and ten additional payments in the amount of \$400.00 due on the fifteenth day of each successive month, until December 15, 1992.

According to Commission records, no payments have been received. Please be advised that, pursuant to the terms of the conciliation agreement, the Commission may, at its discretion, accelerate the remaining payments in the event that any installment payment is not timely received. Moreover, pursuant to 2 U.S.C. § 437g(a)(5)(D), violation of any provision of the conciliation agreement may result in the institution of a civil suit for relief in the United States District Court. Unless we receive the payments for January, February, March and April from your clients in five days, this Office will recommend that the Commission take the appropriate action.

If you believe the Commission's records are in error, or if you have any questions, please contact me at (202) 219-3400.

Sincerely,

Noriega James  
Paralegal

92040910014



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

Date: 3/16/95

☒ Microfilm  
☐ Public Records  
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED HUR 2926

25043631708



# FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

## MEMORANDUM

TO: Office of the Commission Secretary  
FROM: Office of General Counsel *C.D.*  
DATE: MUR 2822 - General Counsel's Report  
SUBJECT: *2-7-80*

The attached is submitted as an Agenda document  
for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

### CIRCULATIONS

72 Hour Tally Vote ☒ [X]  
Sensitive ☒ [X]  
Non-Sensitive ☐ [ ]

24 Hour Tally Vote ☐ [ ]  
Sensitive ☐ [ ]  
Non-Sensitive ☐ [ ]

24 Hour No Objection ☐ [ ]  
Sensitive ☐ [ ]  
Non-Sensitive ☐ [ ]

Information ☐ [ ]  
Sensitive ☐ [ ]  
Non-Sensitive ☐ [ ]

Other ☐ [ ]

### DISTRIBUTION

Compliance ☒ [X]

Audit Matters ☐ [ ]

Litigation ☐ [ ]

Closed Letters ☐ [ ]

MUR ☐ [ ]

DSP ☐ [ ]

Status Sheets ☐ [ ]

Advisory Opinions ☐ [ ]

Other (See Distribution  
below)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MURs 2822 and 2926  
Donald M. Hiner )  
Hiner and Associates, Inc. )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 16, 1992, the Commission accepted a conciliation agreement with Donald M. Hiner and Hiner and Associates, Inc., in settlement of a violation of 2 U.S.C. § 438(a)(4). According to the agreement, respondents were required to pay a civil penalty of \$5,000 in 11 installments due between January 15 and December 15, 1992. Respondents failed to pay the civil penalty, and subsequently were advised that failure to pay the civil penalty could result in additional action against them. However, our efforts to locate Respondents have proved futile. There is no telephone listing for Donald Hiner in the Northern Virginia directory, and no Hiner company is registered with the Virginia State corporate division. Mr. Hiner's attorney in this matter has no knowledge of his former client's whereabouts, and the attorney's legal records did not produce a social security number or other useful information. In addition, attempts to contact a former associate were unsuccessful. Therefore, in view of the resources necessary to investigate further, this Office recommends that the Commission decline to enforce the conciliation agreement against Donald M. Hiner and Hiner and Associates, Inc. at this time.

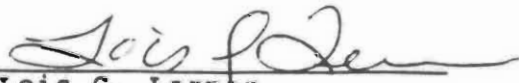
25043631710

II. RECOMMENDATION

Decline to enforce the conciliation agreement in MUR 2922 against Donald M. Hiner and Hiner and Associates, Inc. at this time.

Lawrence M. Noble  
General Counsel

1/3/95  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Staff Assigned: Frances B. Hagan

25043631711

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Donald M. Hiner;  
Hiner and Associates, Inc.

)  
) MURs 2822 and  
) 2926  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 9, 1995, the Commission decided by a vote of 5-0 to decline to enforce the conciliation agreement in MUR 2822 against Donald M. Hiner and Hiner and Associates, Inc. at this time, as recommended in the General Counsel's Report dated January 3, 1995.

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

Attest:

1-10-95  
Date

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

Received in the Secretariat: Wed., Jan. 04, 1995 10:17 a.m.  
Circulated to the Commission: Wed., Jan. 04, 1995 4:00 p.m.  
Deadline for vote: Mon., Jan. 09, 1995 4:00 p.m.

bjr

25043631712