FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

THIS IS THE BEGINNING OF MUR # 3522

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U.S. Department of Justice

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Washington, D.C. 20530

APR 26 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 MAY -1 AM 11:56

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

Dear Mr. Noble:

Re: The Caterers, Incorporated, Las Vegas, Nevada
2 U.S.C. § 441b

During the past two years, the Public Integrity Section and the Federal Bureau of Investigation (FBI) have been conducting a criminal investigation into various matters taking place in the area of Las Vegas, Nevada.

One segment of this investigation has focused on financial transactions of a Nevada corporation known as The Caterers, which supplied catering services to many social events in the Las Vegas area, as well as furnishing meals under contract to the United States Government to persons engaged in fire fighting activities in National Parks and on other federal lands located in the West. The principal owner of The Caterers, Mr. Christ Karamanos, died in 1989, and the corporation has since liquidated its assets and terminated its existence under Nevada's business organization laws.

In the course of this investigation, certain evidence was developed that could indicate the existence of noncriminal violations of the Federal Election Campaign Act prohibition against making contributions from the treasury assets of incorporated businesses (2 U.S.C. § 441b) to the campaigns of Nevada Senator Richard Bryan, and Nevada Congressman James Bilbray.

We have recently closed this part of the investigation without prosecution. Accordingly, the purpose of this letter is to bring pertinent facts developed during the criminal investigation to the Commission's attention in order to assist it in determining whether to pursue appropriate administrative remedies against the parties involved under 2 U.S.C. § 437g(a).

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* **Possible In-Kind Contributions to 1988 Campaign of Senator Richard Bryan**

The Caterers' records show that The Caterers provided complimentary catering service at several functions involving Senator Bryan. At the time, Senator Bryan was the Governor of Nevada, and was campaigning for a seat in the United States Senate.

One of the functions involved a fund raising dinner on May 16, 1988, at the Las Vegas home of Dr. Elias Ghanem. The Caterers' copy of the invoice for the event indicates that the Caterers's donated the food and its services as a "Political Contribution." The actual cost for catering the dinner was approximately $4,500.00, while the retail value for these services, as shown on the invoice, was $13,500.00. Notably, the customer copy of the invoice did not have the words "Political Contribution" written on it. Moreover, the investigation failed to uncover any invoice that was sent by The Caterers to either Senator Bryan or his campaign committee concerning this item.

The Caterers' records also contain seven invoices for catering services at Senator Bryan's headquarters, and at a location where volunteers worked a telephone bank, on election day, November 8, 1988. The value of the catering reflected in the invoices for the seven orders total $7,205.00. These records further show that one of Senator Bryan's staff members requested the catering for four of the functions. However, there is no indication that the employee requested that the catering be provided free of charge.

Providing free goods and services to valued business associates and customers is a common business practice in the Nevada entertainment business, and is popularly referred to as "comping".

According to two of Karamanos' employees, neither Senator Bryan nor any member of his campaign staff ever asked for a "comp", and according to these employees the Senator always insisted on paying for everything he or his campaign received from Karamanos. Nonetheless, those two employees were not able to explain why The Caterers' records show that comps were given to Senator Bryan.

On August 13 and October 31, 1990, the FBI interviewed Senator Bryan regarding the allegations. Senator Bryan recalled a Sunday Brunch at Dr. Ghanem's residence which he said was coordinated by the Democratic Senate Campaign Committee. Senator Bryan said that he assumed that Dr. Ghanem paid for the food service because it was customary for the host to do so.

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Senator Bryan also said that the food provided on election day purportedly on his behalf was actually provided for the Nevada Democratic Party's Get Out The Vote (GOTV) effort, an entity not under his control. Thus, he claimed no responsibility for the food and catering service provided to the GOTV.

In a letter dated October 29, 1990, Senator Bryan's staff assistant, Jean Marie Neal, explained that the dinner at Dr. Ghanem's residence was actually a brunch for the Democratic Senate Campaign Committee and that no fund raiser was held for Senator Bryan on that date. Ms. Neal also said that six of the invoices for food on election day reflected catering for the Nevada Democratic Party's GOTV effort. However, the seventh invoice, according to Ms. Neal, appears to have been for catering at Senator Bryan's campaign headquarters and that the food was consumed by Senator Bryan's campaign workers and supporters, and by the GOTV workers. The value shown on the invoice for this event is $1,550.00. To date, Senator Bryan has not paid, or offered to pay, for this incident.

* **Possible In-Kind Contributions to 1988 Campaign of Congressman Harry Reid**

The Caterers' records also show that in November 1988 and February 1989, Karamanos "comped" two functions for Congressman Bilbray, then campaigning for Congress. The value of the catering for those two events as reflected in the records was approximately $2,550.00. There is no evidence regarding the circumstances surrounding these comps, including whether or not Congressman Bilbray knew about the comps.

We hope that this information will be useful to the Commission.

Sincerely,

Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section
Criminal Division

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1991

Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section
U.S. Department of Justice
P.O. Box 27321
Central Station
Washington, D.C. 20038

Dear Mr. Donsanto:

This acknowledges receipt of your letter dated April 26, 1991, constituting a referral of possible violations of the Federal Election Campaign Act by The Caterers, which were discovered during the Department's criminal investigation of various matters occurring in the area of Las Vegas, Nevada.

Your letter references certain materials discovered during the Department's investigation of The Caterers, and further notes that interviews were conducted. Thus, at this time we are requesting copies of the invoices referred to within your letter, copies of The Caterers records showing the two "comps" for Congressman Bilbray, reports of interviews of Senator Bryan and Mr. Christ Karamanos' employees, and the October 29, 1990, letter from Senator Bryan's Staff Assistant.

If you have any questions please contact me at 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

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U.S. Department of Justice

Pre-MUR 247

Washington, D.C. 20530

JUL 30 1991

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

Attention: Lois G. Lerner
Associate General Counsel

Dear Mr. Noble:

This will respond to your recent letter requesting additional documentary and investigative materials developed during the course of the Justice Department's criminal investigation of the allegations against Senator Richard Bryan and Congressman James H. Bilbray, both from Nevada.

We are sending you herewith the following items, which pertain to the campaign financing matters that were the subject of our earlier referral to the Commission:

* Two Federal Bureau of Investigation (FBI) interview summaries (FD-302s) pertaining to interviews of Gayle Wiener;

* Two FD-302s pertaining to interviews of Steven Osterhaus;

* One FD-302 pertaining to an interview of Senator Richard H. Bryan, accompanied by two invoices issued by The Caterers and two checks drawn on the Friends for Bryan Committee in payment of these invoices, which are discussed in this interview;

* A letter dated October 29, 1990, from Jean Marie Neal of Senator Richard H. Bryan's office addressed to Special Agent Ed Preciado of the FBI's Las Vegas Field Office;

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* A handwritten note dated May 1, 1988, from Senator Bryan to the late Christ Karamanos concerning catering services provided for a function held at a private residence in Las Vegas, and an accompanying work order and invoice discussed in this note;

* Six additional invoices, and accompanying job orders, reflecting services performed by The Caterers for events involved with the 1988 Senate campaign of Richard H. Bryan;

* Six journal pages from the corporate records of The Caterers reflecting services performed for the 1988 Senate campaign of Richard H. Bryan and the 1988 campaign of Congressman James H. Bilbray.

Two of the FD-302s have been redacted to exclude from them information that does not bear on the FECA matters that we had earlier referred to the Commission. The FBI advises us that it has no objection to the release of the enclosed materials to the Commission in that form. After reviewing the remainder of the attachments, we have determined that none of them are subject to any privilege that would prevent our sharing them with the Commission.

We trust that you will find these materials useful.

Sincerely,

Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section
Criminal Division

Enclosures

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

FIRST GENERAL COUNSEL'S REPORT

Pre-MUR 247
STAFF MEMBER: Xavier K. McDonnell

SOURCE: INTERNALLY GENERATED

RESPONDENTS: The Caterers, Inc.
Bilbray for Congress Committee and
Robert Goldberg, as treasurer
Friends for Bryan and
Michael W. Kern, as treasurer
Democratic Senate Campaign Committee and
Thomas J. Lehner, as treasurer
Nevada Democratic State Committee and
Debbie Todd Johnson, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441b(a)
2 U.S.C. § 431(8)(A)
2 U.S.C. § 431(8)(B)(ii)
2 U.S.C. § 431(8)(B)(iii)
2 U.S.C. § 441c(a)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: U.S. Department of Justice
Federal Bureau of Investigation

I. GENERATION OF MATTER

This matter was referred to the Commission by the U.S. Department of Justice ("DOJ"). See Attachment 1. The referral contains evidence that during 1988-89 the Caterers, Inc., a former Nevada corporation, provided food, beverages, goods and catering services to the campaigns of Senator Richard Bryan ("Bryan Committee" or "campaign") and Congressman James Bilbray ("Bilbray Committee" or "campaign") and to the Democratic Senate Campaign

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Committee ("DSCC") and the Nevada Democratic State Committee ("State Committee").

II. FACTUAL AND LEGAL ANALYSIS

A. Applicable Law

The Federal Election Campaign Act of 1971, as amended (the "Act") prohibits corporations from making any contribution or expenditure in connection with the election of a Federal candidate, and prohibits any candidate, political committee or other person from knowingly accepting or receiving any such contribution. 2 U.S.C. § 441b(a). For purposes of the foregoing section of the Act, a "contribution" is defined to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political committee or organization in connection with a federal election." 2 U.S.C. § 441(b)(b)(2).

Under the Act, a contribution does not include the cost of food and beverages, voluntarily provided by an individual to any candidate or any political committee of a political party in rendering voluntary personal services on the individual's residential premises for candidate-related or political party-related activities, to the extent that the cumulative value of such food and beverages provided by such individual on behalf of any single candidate does not exceed $1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(ii).

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The definition of contribution also excludes the sale of any food or beverage by a vendor for use in any candidate's campaign or for use by or on behalf of any political committee of a political party at a charge that is less than the normal comparable charge, if such charge is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of such activity does not exceed $1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(iii).

The Act also provides that it is unlawful for any person who enters into any contract with the United States or any department or agency thereof, at any time between the commencement of negotiations for, and the later of either the completion of performance under, or the termination of negotiations for such contract or the furnishing of material, supplies, equipment, etc., to directly or indirectly make any contribution of money or other thing of value to any political party, committee, or candidate for public office or to any person for any political purpose or use. 2 U.S.C. § 441c(a)(1). It is also unlawful for any person to knowingly solicit any such contribution from any such person for any such purpose during any such period. 2 U.S.C. § 441c(a)(2).

The Commission has stated that expenditures made by a state political party for voter registration and get-out-the vote drives, even though not expressly made on behalf of candidates for Federal office, should be allocated between the two classes of candidates, state and federal, in the same manner as other general

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party building activities. See A.O. 1978-10 citing 11 C.F.R. § 106.1 (1977). The Commission has also concluded that expenditures made by a state political party for the purpose of identifying and motivating persons to support a political party's gubernatorial nominee made during a year in which federal elections were to be held would also be for the additional purpose of influencing federal elections, and therefore must be allocated on a reasonable basis. A.O. 1978-50 citing 11 C.F.R. § 106.1 (1977).[1] Expenditures for registration and get-out-the-vote drives of a political committee need not be attributed to individual candidates, unless they are made on behalf of "clearly identified candidates." 11 C.F.R. § 106.1(c)(2) (1977).

The Commission's regulations require that party committees and other political committees allocate administrative expenses on a reasonable basis between their federal and non-federal accounts. 11 C.F.R. § 106.1(e). Expenditures made in connection with federal elections, whether made by political committees or organizations which are not political committees, must be made with funds which are permissible under the Act in accordance 11 C.F.R. § 102.5.

B. Summary of Referral Materials

The former owner of the Caterers, Inc., a Nevada corporation, appears to have "comped," or provided free of charge, food,

1. The Commission has more recently revised its regulations for allocating expenditures between federal and non-federal activities and accounts. See 11 C.F.R. §§ 106.1(e) and 106.5. The revised regulations went into effect January 1, 1991, which is after the occurrence of the activities at issue.

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beverages, catering services and related goods in connection with 1988 federal election activity in Nevada. The owner of the corporation, Christ or "Chris" Karamanos, died in 1989, and the corporation was terminated on January 1, 1991. The evidence contained in the referral consists of corporate records which indicate that the Caterers, Inc. comped eight orders for food/catering services with a total retail value of $20,505 to the 1988 Senate campaign of Richard Bryan. The referral also contains evidence that the Caterers, Inc. comped food/catering services, totaling $2,550, to the 1989 House campaign of James Bilbray.[2]

Although the Caterers' records indicate that the Bryan campaign received eight of the orders, there is some controversy about who were the actual recipients of some of them. The Bryan campaign informed the FBI that it only received one order from the Caterers for which it did not pay. That order was for food delivered by the Caterers to the campaign on election night 1988, and the corporation's records reveal it cost $1,550. Attachment 1 at page 18. With regard to six other orders which the Caterers' invoices indicate were delivered to the campaign's headquarters or phone centers on election day November 8, 1988, the Bryan campaign asserts that the food and beverages were for people working for the Nevada Democratic State Committee's Get Out The Vote ("GOTV") efforts.

The other order which the Bryan campaign denies receiving was

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2. In its referral letter to the Commission, the DOJ has mistakenly indicated in one paragraph heading that the campaign of Senator Harry Reid, rather than James Bilbray, was the recipient of the $2,550 in-kind contribution. Attachment 1 at page 49.

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for a $13,500 brunch/dinner at a private residence in Las Vegas, Nevada. See Attachment 1 at page 25. Senator Bryan acknowledged that he attended the event which was held on April, 24, 1988, at the residence of Dr. Elias and Jody Ghanem. Yet the campaign's response to the FBI indicates that the event was coordinated by and for the DSCC, not the Bryan campaign, and that there was no fundraiser held for the Bryan campaign on that date. Attachment 1 at pages 15-18. The Caterers' invoice for the brunch/dinner held at the Ghanem residence, however, states that the order was a "political contribution" and the invoice is made out to then Nevada "Governor Richard Bryan." See Attachment 1 at page 25.

The referral materials also contain what appears to be a thank you letter from the Senator to Chris Karamanos, the former owner of the Caterers. The hand-written letter, dated May 1, 1988, which is on Richard Bryan's personal stationary and which is addressed "Dear Chris" states that the "layout for the party at Elias Ghanem's home was magnificent" and that "Bonnie and I are most grateful for your continued support." Id. at page 24. The referral materials indicate that Senator Bryan reviewed the Caterer's invoices and work orders during his FBI interview and that he acknowledged that he had previously done business with the corporation and had received other orders from the Caterers which

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were paid for by the campaign. Id. at pages 15, 19-22.[3]

The referral leaves open various questions concerning the Ghanem event, for example whether Senator Bryan was questioned about the content or purpose of the letter of May 1, 1988, or why he would personally thank the owner of the Caterers for his continued support if the brunch/dinner at the Ghanem's was for the DSCC, as he asserted. It is also unclear why the Caterers' invoice lists Bryan as the recipient of the $13,500 order, or why the order was marked "political contribution."[4]

The response submitted by the Bryan campaign to the FBI further states that both that campaign and the DSCC believed that

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3. The Senator's office provided copies of two invoices from the Caterers, along with copies of canceled checks from the Bryan Committee to the Caterers. One of the checks, dated July 21, 1988, in the amount of $4,732, was apparently for a birthday party for the Senator. The referral materials make reference to another letter Senator Bryan wrote to Karamanos, dated August 1, 1988 which was apparently related to the July 21, 1988 party. Attachment 1 at page 15. The other check, dated October 20, 1988, in the sum of $15,120 was for an event at which 840 persons were in attendance. The checks demonstrate that the Bryan Committee paid in full two invoices from the Caterers and that the Committee had an ongoing business relationship with the corporation. These two checks, however, were not payment for any of the invoices at issue in this matter.

4. The referral materials raise other questions. It appears that the Caterers had a contractual dispute with the United States Forest Service and that Senator Bryan discussed the matter briefly with fellow Nevada Senator Harry Reid, who apparently authored a letter on behalf of Karamanos which was signed by Bryan's assistant, Jean Neal. See Attachment 1 at pages 16 and 18. It is unclear at this time, however, whether Karamanos would qualify as a government contractor for purposes of 2 U.S.C. § 441c(a)(1), and whether the apparent contributions at issue were solicited by the campaign. See 2 U.S.C. § 441c(a)(2). Although the activities by the Bryan campaign might be constituent services, they call into question whether there was any relationship between the comped order(s) and any action taken by the Bryan campaign on Karamanos' behalf.

the cost of the April 24, 1988, brunch/dinner was far less than $13,500, the amount provided on the Caterers' invoice, and that those familiar with the event estimated it cost "several thousand" dollars. Attachment 1 at pages 15-18. Senator Bryan also stated that he naturally assumed that the host, Dr. Ghanem, paid for the event since it was held at his residence, and the follow up letter by the campaign's administrative assistant, Jean Marie Neal, indicates that the DSCC was under the same assumption. Ms. Neal stated in her response that such activity is permitted under FEC laws if the event held in the host's home. Attachment 1 at pages 15-18. See 2 U.S.C. § 431(8)(B)(ii).

The fact that the owner of the Caterers died prior to the time the FBI and DOJ began this investigation appears to have made the inquiry into the transactions at issue somewhat difficult. After all, Karamanos would appear to have been the person best able to explain the corporation's arrangements with the recipients of the catering orders, and he would have presumably been able to provide key details regarding the catering orders, and to explain why seven of the invoices were made out to Senator Bryan and were allegedly delivered to his headquarters and why one of those invoices stated that a $13,500 brunch/dinner was a political contribution. In any event, although the investigation appears to have been somewhat limited, the FBI was able to obtain information relevant to this matter through interviews of two former employees of the Caterers, Steve Osterhaus and Gayle Wiener. Attachment 1 at pages 3-14. Mr. Osterhaus, who was the catering director of the Caterers, recalled the April 24, 1988 brunch/dinner at the

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Ghanem residence. He stated that the event was a "formal white glove" affair, and he recalled in detail the elaborate menu for the function. Id. at pages 8-9.[5] He also stated that ten to twelve workers, including Executive Chef Eddie Breen, and a maitre d' and two waiters from Caesar's Place, spent approximately 200 hours preparing and working the event. Attachment 1 at pages 9-10. Ms. Wiener, the former assistant catering director, recalled that Karamanos wanted the party at the Ghanem residence to be "very deluxe," and that Karamanos informed her that the food and services provided at the function were a political contribution which was recorded with the State of Nevada. Attachment 1 at page 6. Osterhaus was also quite certain that he was informed by Karamanos that the catering services and food and beverages were furnished free of charge as a contribution to the Senate campaign of Richard Bryan. Id. at pages 8 and 10. Osterhaus was responsible for pricing catering functions, and he stated that the retail price for the April 24th function was $13,500, while the cost to the corporation was approximately

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5. Osterhaus stated that the menu consisted of beef tenderloin and boneless breast of chicken Santa Fe, accompanied with fresh asparagus and rice, as well as ceasers salad, pasta with wild mushrooms, baby artichoke hearts with alfredo sauce, mushroom caps stuffed with pate, and beluga caviar. The caviar was either purchased from "Pioneer Foods" or Romanoff's," the wines were a vintage stock FarNiente Chardonnay and a 1984 Cabernet Sauvignon, and the champagne was Domperignon. Attachment 1 at page 9.

Osterhaus indicated that employees of the Caterers were paid their "normal" rate, and that waiters from Caesars Palace received $300 each. Id. at page 9. He also stated that he ordered ten, ninety by ninety silver lemay overlays for the dinner, that they cost $20 to $25 each, and were apparently paid for by the corporation. Id.

$4,500, a mark up which, he asserted, was in accordance with industry practice. Id. at page 9.

With respect to the six additional orders alleged to have been comped by the Caterers, the invoices, totaling $5,455, are made out to former Nevada Governor Bryan or his committee and they indicate that the orders were delivered on November 8, 1988 to "Bryan headquarters" or Bryan's "phone center," and that some of the orders were placed by Lou Gamage from the Bryan campaign. Attachment 1 at pages 15, 23-39. However, the Bryan campaign asserted to the FBI that, although some of the orders may have been placed by Lou Gamage, the food and beverages were actually for the Nevada Democratic State Committee's election day GOTV efforts. Attachment 1 at pages 15-18.[6] During their interviews, Mr. Osterhaus also verified that the election day catering orders appeared to have been comped, while Wiener stated that it was Karamanos who ordered the election night catering for the Bryan Committee. Attachment 1 at page 6.[7]

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6. Apparently after inquiring of the State Party Committee, Ms. Neal specifically asserted in her letter to the FBI that the $1,500 order in question was for early morning precinct GOTV workers at the main office, the $600 order was for the GOTV morning workers at the Westside office, the $890 order was for the GOTV phone bank workers, the $327.50 order was for GOTV workers' lunches, the $1,000 order was for the GOTV drivers and the $1,137.50 order was for sack lunches for GOTV poll watchers. Attachment 1 at pages 17-18.

7. Osterhaus also indicated that it was Karamanos' philosophy that "a favor now is paid later," that Karamanos once stated "you never know when you're going to need something," and he agreed that by comping the orders Karamanos was "buying access." Attachment 1 at p. 10. Osterhaus believed that, following orders from Karamanos, he instructed Gayle Wiener to write "political contribution" on the April 24th invoice, but Ms. Wiener was quite certain that it was not her handwriting. Id. at pp. 6 and 10.

As noted, the Caterers' records also provide that the corporation comped two orders to the Bilbray campaign. There is no indication that the FBI/DOJ questioned Congressman Bilbray or anyone from his committee about the comped orders they may have received from the Caterers. Both Osterhaus and Wiener, however, were shown a copy of the Caterers' records which indicate that two orders for Congressman Bilbray were "comped," and both apparently acknowledged the functions appeared to have been provided free of charge, although Ms. Wiener indicated that Congressman Bilbray was not known to ask for comps. Attachment 1 at pages 4 and 14.

C. Analysis

Although the referral materials contain inconsistencies and leave many questions unanswered, certain conclusions can be made from the information at hand. First of all, it does not appear that the Caterers received payment for any of the food, beverages or services which are represented on the eight invoices made out to the Bryan campaign, totaling $20,505. Nor does it appear that the Caterers received payment for the two orders provided to the Bilbray campaign, totaling $2,550. It does appear, however, that the corporate goods and services were received by federal political committees in connection with 1988 federal election activities. Therefore, unless otherwise exempt under the Act, the orders would appear to have constituted corporate contributions. Based on the referral, the comped orders here do not appear to fall within any of the Act's exemptions.

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With respect to the April 24, 1988, brunch/dinner at the Ghanem residence, it does not appear that the event would be exempt from the Act's definition of "contribution." The Act excludes the cost of food and beverages for candidates and committees only when provided by individuals in their residential premises. In this instance, the individuals who hosted the event, Dr. Elias and Jody Ghanem, do not appear to have paid for the goods and services at issue; rather, it appears that the $13,500 brunch/dinner was provided free of charge by the corporation. In fact, the invoice and the corporation's employees indicated that the food and services were a "political contribution." Cf. MUR 2695 (Hosts, not corporation, paid costs associated with function on their residential premises.); MUR 1612; See also Advisory Opinion 1980-63 (The portion of expenses for a fundraiser held in another individual's residence constitutes a contribution).

We also note that the retail cost of the party, $13,500, is in any event well in excess of the amount which is permitted under the Act's exemption from the definition of "contribution."[8] Indeed, the cost of the party appears to have also included wages

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8. The exemption is limited to $1,000 for any candidate with respect to any single election, and $2,000 on behalf of all political committees of a political party within a calendar year. See 2 U.S.C. § 431(8)(B)(ii).

We also note that, although the Act excludes from the definition of "contribution" the sale of certain goods by vendors at "cost," in this instance there was no sale because the vendor received no payment, and, furthermore, the total value of the transaction, even at the alleged cost of $4,500, is in excess of the cumulative amount permitted under the "vendors" exemption. See 2 U.S.C. § 431(8)(B)(iii).

for ten to twelve workers who prepared the food and set up and worked at the event: employee wages are not exempt from the definition of "contribution" under the Act. See 2 U.S.C. § 431(8)(A)(ii). In light of the foregoing, it appears that the food, beverages and services provided for the brunch/dinner constituted a "contribution," subject to the prohibitions of the Act, and it appears that the Caterers, Inc. made an in-kind corporate contribution, with a retail value of $13,500, when it "comped" the April 24th brunch/dinner at the Ghanem residence.

At this time it is unclear who was the recipient of the $13,500 contribution from the Caterers. Yet, from the evidence at hand, the DSCC appears to have been involved. As noted, it is alleged that the DSCC "coordinated" the brunch/dinner and that the DSCC, through its "head," Bob Baver, arranged the function on its own behalf. On the other hand, the Caterers' work order and the $13,500 invoice state that the Bryan campaign was the recipient of the goods and services, and that it was a political contribution. The two former employees of the Caterers have also asserted during their FBI interviews that they were informed by Mr. Karamanos that the brunch/dinner which the corporation provided at the Ghanem residence was a political contribution to the Bryan campaign. Moreover, the referral contains a letter in which Richard Bryan praises Karamanos for the dinner at the Ghanem residence, and thanks the Caterers' owner for his continued support.

With respect to the other comped orders, the Bryan Committee acknowledges that it received one order of food from the Caterers on election day 1988 for which it did not pay, totaling $1,550.

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It is also alleged that persons working for the Nevada Democratic State Committee's GOTV efforts actually received and consumed the food and beverages, valued at $5,455, even though the corporation's invoices and work orders indicate that the goods were delivered to the Bryan campaign and that Lou Gamage from the Bryan campaign placed some of the orders in question.

It appears that the DSCC, the State Committee and the Bryan campaign may been involved in these transactions. Therefore, the Office of the General Counsel recommends that the Commission find reason to believe that Friends for Bryan and Michael W. Kern, as treasurer, the Democratic Senatorial Campaign Committee, and Thomas J. Lerner, as treasurer, and the Nevada Democratic State Committee, and Debbie Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a). Additionally, because costs related to voter registration and GOTV activities must be allocated between state and federal candidates on a reasonable basis, and the federal portion of such expenses must be paid for with funds deemed permissible under the Act, this Office also recommends that the Commission find reason to believe that the Nevada Democratic State Committee, and Debbie Todd Johnson violated 11 C.F.R. § 102.5(a).

From the information at hand, it also appears that the Bilbray Committee accepted food and/or services from the Caterers, totaling $2,550. The Bilbray campaign was apparently never contacted or questioned by the FBI, but there is nothing in the materials at hand which would suggest that it paid for the two orders at issue, which would appear to constitute in-kind corporate contributions. Accordingly, the Office of the General

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Counsel recommends that the Commission find reason to believe that the Bilbray for Congress Committee, and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a). Finally, the Office of the General Counsel recommends that the Commission find reason to believe the Caterers, Inc. violated Section 441b(a), but, given that the owner of the corporation is deceased and the corporation is dissolved, take no further action against the Caterers, Inc.[9]

III. DISCOVERY

It is unclear who actually ordered, arranged and received the food, beverages and employee services in question. In our investigation in this matter, this Office shall attempt to determine which committees and persons arranged and hosted the brunch/dinner at the Ghanem residence, and arranged for, ordered and consumed the election day food and beverages provided by the Caterers. We will also seek to determine whether the Bilbray campaign placed orders and received the two corporate in-kind contributions. We recognize, however, that given that the owner of the Caterers, Chris Karamanos, is deceased, and that the corporation is now dissolved, it may be difficult to obtain certain information relating to the facts, terms and conditions of the transactions at issue.

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9. As noted, it is unclear whether the Caterers, Inc. qualified as a government contractor for purposes of the Act. See 2 U.S.C. § 441c(a)(1). However, given that Mr. Karamanos is deceased and that the Caterers is now terminated, and given that there is no evidence suggesting that the Bryan campaign or any other political committee involved in this matter solicited contributions from the Caterers as a Federal contractor, the Office of the General Counsel makes no recommendation at this time with respect to the 2 U.S.C. § 441c(a) issue.

IV. RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that the Caterers, Inc. violated 2 U.S.C. § 441b(a), but take no further action.

3. Find reason to believe that the Bilbray for Congress Committee, and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a).

4. Find reason to believe that Friends for Bryan, and Michael W. Kern, as treasurer, violated 2 U.S.C. § 441b(a).

5. Find reason to believe that the Democratic Senatorial Campaign Committee, and Thomas J. Lerner, as treasurer, violated 2 U.S.C. § 441b(a).

6. Find reason to believe that the Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

7. Approve the attached factual and legal analyses (4) and the appropriate letters.

Lawrence M. Noble
General Counsel

5/13/92
Date

BY: _____
Lois G. Lerner
Associate General Counsel

Attachments
1. Referral Materials.
2. Factual and Legal Analyses (4)

9403097002 4

BEFORE THE FEDERAL ELECTION COMMISSION

(MUR 3522)

In the Matter of	)	
	)	
The Caterers, Inc;	)	Pre-MUR 247
Bilbray for Congress Committee and Robert Goldberg, as treasurer;	)	
Friends for Bryan and Michael W. Kern, as treasurer;	)	
Democratic Senate Campaign Committee and Thomas J. Lehner, as treasurer;	)	
Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 14, 1992, the Commission decided by a vote of 6-0 to take the following actions in Pre-MUR 247:

1. Open a MUR.

2. Find reason to believe that the Caterers, Inc. violated 2 U.S.C. § 441b(a), but take no further action.

3. Find reason to believe that Bilbray for Congress Committee, and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a).

4. Find reason to believe that Friends for Bryan, and Michael W. Kern, as treasurer, violated 2 U.S.C. § 441b(a).

5. Find reason to believe that the Democratic Senatorial Campaign Committee, and Thomas J. Lerner, as treasurer, violated 2 U.S.C. § 441b(a).

(continued)

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6. Find reason to believe that the Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

7. Approve the factual and legal analyses (4) and the appropriate letters, as recommended in the General Counsel's Report dated May 13, 1992.

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

Attest:

5/15/92
Date

Delores R. Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Mon., May 11, 1992 12:29 p.m.
Circulated to the Commission: Mon., May 11, 1992 4:00 p.m.
Deadline for vote: Thurs., May 14, 1992 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1992

Robert Goldberg, Treasurer
Bilbray for Congress
3069 Conquista Court
Las Vegas, Nevada 89121

RE: MUR 3522
Bilbray for Congress and
Robert Goldberg, as treasurer

Dear Mr. Goldberg:

On May 14, 1992, the Federal Election Commission found that there is reason to believe the Bilbray for Congress Committee ("the Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath. Moreover, in order to facilitate a prompt resolution of this matter, the Office of the General Counsel requests that you identify the person(s) from the Committee most qualified to provide information relating to the transactions at issue. Please submit this information, along with any other relevant materials, to the General Counsel's Office within 20 days of your receipt of this letter. This Office will then arrange a mutually convenient time to discuss this matter with you and the persons you have identified, if necessary.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending

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

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

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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Honorable James H. Bilbray
2296 Desert Inn, #44
Las Vegas, Nevada 89109

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR:

RESPONDENTS: Bilbray for Congress Committee and
Robert Goldberg, as treasurer

The Federal Election Campaign Act of 1971, as amended (the "Act") prohibits corporations from making any contribution or expenditure in connection with the election of a Federal candidate, and prohibits any candidate, political committee or other person from knowingly accepting or receiving any such contribution. 2 U.S.C. § 441b(a). For purposes of the foregoing Section of the Act, a "contribution" is defined to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political committee or organization in connection with a federal election." 2 U.S.C. § 441(b)(b)(2).

The definition of contribution also excludes the sale of any food or beverage by a vendor for use in any candidate's campaign or for use by or on behalf of any political committee of a political party at a charge that is less than the normal comparable charge, if such charge is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of such activity does not exceed $1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed $2,000 in any

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calendar year. 2 U.S.C. § 431(8)(B)(iii).

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained information which indicates that the former owner of the Caterers, Inc., a Nevada corporation, appears to have "comped," or provided free of charge, food and beverages and/or catering services in connection with federal election activity in Nevada. The owner of the corporation, Christ or "Chris" Karamanos, died in 1989, and the corporation was terminated on January 1, 1991. Corporate records indicate that the Caterers, Inc. comped food, beverages/catering services, totaling $2,550, to the 1989 House campaign of James Bilbray and his committee, the Bilbray for Congress Committee. Two former employees of the Caterers also indicated that they believed the two orders at issue appear to have been "comped," or provided free of charge.

In any event, it does not appear that the Caterers received payment for any of the food and beverages/or services at issue, totaling $2,550. Thus the orders appear to have constituted corporate contributions. Accordingly, there is reason to believe that the Bilbray for Congress Committee, and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1992

Michael W. Kern, Treasurer
Friends for Bryan
Suite 118
6600 W. Charleston Boulevard
Las Vegas, Nevada 89102

RE: MUR 3522
Friends for Bryan
Michael W. Kern, as treasurer

Dear Mr. Kern:

On May 14, 1992, the Federal Election Commission found that there is reason to believe the Friends for Bryan Committee ("the Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath. Moreover, in order to facilitate a prompt resolution of this matter, the Office of the General Counsel requests that you identify the person(s) from the Committee most qualified to provide information relating to the transactions at issue. Please submit this information, along with any other relevant materials, to the General Counsel's Office within 20 days of your receipt of this letter. This Office will then arrange a mutually convenient time to discuss this matter with you and the persons you have identified, if necessary.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending

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

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

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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

cc: Honorable Richard H. Bryan
United States Senate Office Building
364 Russell Senate Office Building
Washington, D.C. 20510

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR: 3522

RESPONDENTS: Friends for Bryan and
Michael W. Kern, as treasurer

The Federal Election Campaign Act of 1971, as amended (the "Act") prohibits corporations from making any contribution or expenditure in connection with the election of a Federal candidate, and prohibits any candidate, political committee or other person from knowingly accepting or receiving any such contribution. 2 U.S.C. § 441b(a). For purposes of the foregoing section of the Act, a "contribution" is defined to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political committee or organization in connection with a federal election." 2 U.S.C. § 441(b)(b)(2).

Under the Act, a contribution does not include the cost of food and beverages, voluntarily provided by an individual to any candidate or any political committee of a political party in rendering voluntary personal services on the individual's residential premises for candidate-related or political party-related activities, to the extent that the cumulative value of such food and beverages provided by such individual on behalf of any single candidate does not exceed $1,000 with respect to any

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single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(ii).

The definition of contribution also excludes the sale of any food or beverage by a vendor for use in any candidate's campaign or for use by or on behalf of any political committee of a political party at a charge that is less than the normal comparable charge, if such charge is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of such activity does not exceed $1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(iii).

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained information which indicates that the former owner of the Caterers, Inc., a Nevada corporation, may have "comped," or provided free of charge, food, beverages, catering services and related goods in connection with 1988 federal election activity in Nevada. The owner of the corporation, Christ or "Chris" Karamanos, died in 1989, and the corporation was terminated on January 1, 1991. Corporate records and other materials indicate that the Caterers, Inc. comped eight orders for food/catering services with a total retail value of $20,505 to the 1988 Senate campaign of Richard Bryan. Seven of the orders, totaling $7,005, were for food and beverages apparently delivered by the Caterers to various Bryan campaign locations on November 8, 1988. Some of the seven orders appear to

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have been placed by Lou Gamage from the Bryan campaign.[1]

Although the corporate records clearly indicate that then Senate candidate Richard Bryan received the orders in question, there is some controversy about who were the actual recipients. It has been asserted that the Bryan campaign received only one order from the Caterers for which it did not pay, totaling $1,550. With regard to the six additional orders which the Caterers' invoices indicate were delivered to the campaign's headquarters or phone centers on election day November 8, 1988, it is alleged that the food and beverages, totaling $5,455, were for people working for the Nevada Democratic State Committee's Get Out The Vote ("GOTV") efforts.

The other order relates to a brunch/dinner at the residence of Jody and Elias Ghanem in Las Vegas, Nevada. The invoice indicates that the order had a retail value of $13,500. It appears that Senator Bryan attended the April, 24, 1988 at the Ghanem residence. Yet it is claimed that the event was coordinated by and for the DSCC, and its "head" Bob Baver, not the

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1. It appears that on election day November 8, 1988, the Caterers provided the following items to U.S. Senate candidate Richard Bryan: 1) coffee, donuts etc. delivered to Bryan campaign headquarters for 500 persons, totaling $1,500; 2) food delivered to "Governor Bryan's phone center" for 50 persons, totaling $890, requested by Lou Gamage, marked "Comp;" 3) sack lunches delivered to "phone bank" for 325 persons, totaling $1,137.50; 4) assorted sandwiches delivered to Bryan headquarters for 125 persons, totaling $327.50, requested by Lou Gamage, marked "Comp;" 5) food, staging and disposables delivered to parking lot of Bryan headquarters for 400 persons, totaling $1,550, ordered by Lou Gamage and marked "Comp;" 6) unidentified food or beverages delivered to Bryan West Las Vegas headquarters, for 200 persons, totaling $600, marked "Comp;" 7) coffee and sandwiches for "Governor Bryan Election Night," totaling $1,000, marked "Comp."

Bryan campaign, and that there was no fundraiser held for the Bryan campaign on that date. The Caterers' invoice for the brunch/dinner held at the Ghanem residence, however, states that the order was a "political contribution," and the invoice is made out to then Nevada "Governor Richard Bryan." Moreover, it appears that then Senate candidate Richard Bryan wrote a thank you letter to Chris Karamanos, the former owner of the Caterers. The hand-written letter, dated May 1, 1988, which is on Richard Bryan's personal stationary and which is addressed "Dear Chris" states that the "layout for the party at Elias Ghanem's home was magnificent" and that "Bonnie and I are most grateful for your continued support."

Other information relevant to this matter suggests that the Bryan campaign was the recipient of the $13,500 order from the Caterers. The former catering director of the Caterers recalled the April 24, 1988 brunch/dinner at the Ghanem residence, and indicated that he was quite certain that he was informed by Karamanos that the catering services and food and beverages were furnished free of charge as a contribution to the Senate campaign of Richard Bryan. He stated that the event was a "formal white glove" affair, and he recalled in detail the elaborate menu for the function. He also stated that ten to twelve workers, including the Caterers' executive chef, a maitre d' and two waiters from Caesar's Place, spent approximately 200 hours

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preparing and working the event.[2] Moreover, he was responsible for pricing catering functions, and he confirmed that the retail price for the April 24th function was $13,500, based on a mark up which was in accordance with industry practice. The former assistant catering director, also recalled that event and indicated that Karamanos wanted the party at the Ghanem residence to be "very deluxe."

Although the information at hand contains inconsistencies and leaves questions unanswered, certain conclusions can be made. First of all, it does not appear that the Caterers received payment for any of the food, beverages or services which are represented on the eight invoices made out to the Bryan campaign, totaling $20,505. There is evidence, however, that the corporate goods and services were received by the Bryan Committee in connection with 1988 federal election activities. Therefore, unless otherwise exempt under the Act, the orders would appear to have constituted corporate contributions.

With respect to the April 24, 1988, brunch/dinner at the Ghanem residence, it does not appear that the event would be exempt from the Act's definition of "contribution." The Act excludes the cost of food and beverages for candidates and committees only when provided by individuals in their residential

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2. The menu included a full dinner, beluga caviar, a vintage stock FarNiente Chardonnay and a 1984 Cabernet Sauvignon, as well as Domperignon. Moreover, employees of the Caterers who worked the event were paid their "normal" rate, while waiters from Caesar's Palace received $300 each. The order also included ten, ninety by ninety silver lemay overlays for the dinner, that cost $20 to $25 each, and were apparently paid for by the corporation.

premises. In this instance, the individuals who hosted the event, Dr. Elias and Jody Ghanem, do not appear to have paid for the goods and services at issue; rather, it appears that the $13,500 brunch/dinner was provided free of charge by the corporation. In fact, the invoice and the corporation's employees indicated that the food and services were a "political contribution." Cf. MUR 2695 (Hosts, not corporation, paid costs associated with function on their residential premises.); MUR 1612; See also Advisory Opinion 1980-63 (The portion of expenses for a fundraiser held in another individual's residence constitutes a contribution).

Moreover, the retail cost of the party, $13,500, is in any event well in excess of the amount which is permitted under the Act's exemption from the definition of "contribution." Indeed, the cost of the party appears to have also included wages for ten to twelve workers who prepared the food and set up and worked at the event: employee wages are not exempt from the definition of "contribution" under the Act. See 2 U.S.C. § 431(8)(A)(ii). In light of the foregoing, it appears that the food, beverages and services provided for the brunch/dinner constituted a "contribution," subject to the prohibitions of the Act, and it appears that the Caterers, Inc. made an in-kind corporate contribution, with a retail value of $13,500, when it "comped" the April 24th brunch/dinner at the Ghanem residence.

Although it is alleged that the $13,500 brunch/dinner at the Ghanem residence was hosted by and for the DSCC, the Caterers' work order for that event and the $13,500 invoice state that the Bryan campaign was the recipient of the goods and services, and

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that it was a political contribution. Two former employees of the Caterers have also asserted that they were informed by Mr. Karamanos that the brunch/dinner which the corporation provided at the Ghanem residence was a political contribution to the Bryan campaign. Moreover, there is the letter in which Richard Bryan praises Karamanos for the dinner at the Ghanem residence, and thanks the Caterers' owner for his continued support. It is unclear why Senator Bryan personally thanked the owner of the Caterers for his continued support if the brunch/dinner at the Ghanem's was for the DSCC, as asserted.

With respect to the seven other comped orders, the corporation's invoices and work orders indicate that the goods were delivered to the Bryan campaign and that Lou Gamage from the Bryan campaign placed some of the orders in question. These seven additional comped orders, valued at $7,005, would also appear to have been corporate contributions. Thus, it appears that the Bryan campaign accepted corporate contributions from the Caterers, totaling $20,505. Accordingly, there is reason to believe that Friends for Bryan and Michael W. Kern, as treasurer, violated 2 U.S.C. § 441b(a).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1992

Thomas J. Lehner, Treasurer
Democratic Senatorial Campaign Committee
430 South Capitol Street, S.E.
Washington, D.C. 20003

RE: MUR 3522
Democratic Senatorial Campaign Committee and
Thomas J. Lehner, as treasurer

Dear Mr. Lehner:

On May 14, 1992, the Federal Election Commission found that there is reason to believe the Democratic Senatorial Campaign Committee ("the Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath. Moreover, in order to facilitate a prompt resolution of this matter, the Office of the General Counsel requests that you identify the person(s) from the Committee most qualified to provide information relating to the transactions at issue. Please submit this information, along with any other relevant materials, to the General Counsel's Office within 20 days of your receipt of this letter. This Office will then arrange a mutually convenient time to discuss this matter with you and the persons you have identified, if necessary.

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending

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

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

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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR: 3522

RESPONDENTS: Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer

The Federal Election Campaign Act of 1971, as amended (the "Act") prohibits corporations from making any contribution or expenditure in connection with the election of a Federal candidate, and prohibits any candidate, political committee or other person from knowingly accepting or receiving any such contribution. 2 U.S.C. § 441b(a). For purposes of the foregoing section of the Act, a "contribution" is defined to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political committee or organization in connection with a federal election." 2 U.S.C. § 441(b)(b)(2).

Under the Act, a contribution does not include the cost of food and beverages, voluntarily provided by an individual to any candidate or any political committee of a political party in rendering voluntary personal services on the individual's residential premises for candidate-related or political party-related activities, to the extent that the cumulative value of such food and beverages provided by such individual on behalf of any single candidate does not exceed $1,000 with respect to any

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single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(ii).

The definition of contribution also excludes the sale of any food or beverage by a vendor for use in any candidate's campaign or for use by or on behalf of any political committee of a political party at a charge that is less than the normal comparable charge, if such charge is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of such activity does not exceed $1,000 with respect to any single election, and on behalf of all political committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(iii).

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained information which indicates that that the former owner of the Caterers, Inc., a Nevada corporation, appears to have "comped," or provided free of charge, food, beverages, catering services and related goods in connection with 1988 federal election activity in Nevada. The owner of the corporation, Christ or "Chris" Karamanos, died in 1989, and the corporation was terminated on January 1, 1991. Corporate records and other materials indicate that the Caterers, Inc. comped an order for food/catering services with a total retail value of $13,500. It appears that the order in question may have been for the Democratic Senatorial Campaign Committee ("DSCC").

The $13,500 order at issue was for an April 24, 1988,

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brunch/dinner held at the Las Vegas residence of Dr. Elias and Jody Ghanem. The Caterers' records indicate that then Nevada Governor and Senate Candidate Richard Bryan and his campaign, Friends for Bryan (the "Bryan campaign") were the recipients of the $13,500 order. It also appears that Richard Bryan attended the event at the Ghanem residence. However, it is alleged that the brunch/dinner was coordinated by and for the DSCC and its "head," Bob Baver, and that there was no fundraiser held for the Bryan campaign on that date.

The former catering director of the Caterers recalled that the brunch/dinner at the Ghanem residence was a "formal white glove" affair, and he recalled in detail the elaborate menu for the function. He stated that ten to twelve workers, including the executive chef, and a maitre d' and two waiters from Caesar's Place, spent approximately 200 hours preparing and working the event.[1] He was also responsible for pricing catering functions, and he confirmed that the retail price for the April 24th function was $13,500, based on a mark up which was in accordance with industry practice. He also stated that he believed the event may have been a fundraiser. The former assistant catering director also recalled the event and indicated that Karamanos wanted the brunch/dinner at the Ghanem residence to be "very deluxe."

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1. The menu included a full dinner, beluga caviar, a vintage stock FarNiente Chardonnay and a 1984 Cabernet Sauvignon, as well as Domperignon. Moreover, employees of the Caterers who worked the event were paid their "normal" rate, and waiters from Caesar's Palace received $300 each. The order also included ten, ninety by ninety silver lemay overlays for the dinner, that cost $20 to $25 each, which were apparently paid for by the corporation.

Although the information at hand contains inconsistencies and leaves questions unanswered, certain conclusions can be made. First of all, it does not appear that the Caterers received payment for any of the food, beverages or services which are represented on the invoice made out to the Bryan campaign, totaling $13,500. There is evidence, however, that the corporate goods and services were received in connection with 1988 federal election activities. Therefore, unless otherwise exempt under the Act, the order would appear to have constituted a corporate contribution.

The brunch/dinner at the Ghanem residence does not appear to be exempt from the Act's definition of "contribution." The Act excludes the cost of food and beverages for candidates and committees only when provided by individuals in their residential premises. In this instance, the individuals who hosted the event, Dr. Elias and Jody Ghanem, do not appear to have paid for the goods and services at issue; rather, it appears that the $13,500 brunch/dinner was provided free of charge by the corporation. In fact, the invoice and the corporation's employees indicated that the food and services were a "political contribution." Cf. MUR 2695 (Hosts, not corporation, paid costs associated with function on their residential premises.); MUR 1612; See also Advisory Opinion 1980-63 (The portion of expenses for a fundraiser held in another individual's residence constitutes a contribution).

We also note that the retail cost of the party, $13,500, is in any event well in excess of the amount which is permitted under the Act's exemption from the definition of "contribution."

9403097 0045

Indeed, the cost of the party appears to have also included wages for ten to twelve workers who prepared the food and set up and worked at the event: employee wages are not exempt from the definition of "contribution" under the Act. See 2 U.S.C. § 431(8)(A)(ii). In light of the foregoing, it appears that the food, beverages and services provided for the brunch/dinner constituted a "contribution," subject to the prohibitions of the Act, and it appears that the Caterers, Inc. made an in-kind corporate contribution, with a retail value of $13,500, when it "comped" the April 24th brunch/dinner at the Ghanem residence.

Although there is some evidence that the Bryan campaign was the recipient of the $13,500 brunch/dinner at the Ghanem residence, it is alleged that the event was actually hosted by and for the DSCC, that it was coordinated by Bob Baver, and that there was no fundraiser for the Bryan campaign on that date. Accordingly, there is reason to believe that the Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer, violated 2 U.S.C. § 441b(a).

9403097000046

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1992

Debbie Todd Johnson, Treasurer
Nevada Democratic State Committee
953 E. Sahara, #201
Las Vegas, Nevada 89104

RE: MUR 3522
Nevada Democratic State Committee
Debbie Todd Johnson, as treasurer

Dear Ms. Johnson:

On May 14, 1992, the Federal Election Commission found that there is reason to believe the Nevada Democratic State Committee ("the Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. 102.5(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission regulations.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath. Moreover, in order to facilitate a prompt resolution of this matter, the Office of the General Counsel requests that you identify the person(s) from the Committee most qualified to provide information relating to the transactions at issue. Please submit this information, along with any other relevant materials, to the General Counsel's Office within 20 days of your receipt of this letter. This Office will then arrange a mutually convenient time to discuss this matter with you and the persons you have identified, if necessary.

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

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

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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 enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

9403097 0048

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR: 3522

RESPONDENTS: Nevada Democratic State Committee, and
Debbie Todd Johnson, as treasurer

The Federal Election Campaign Act of 1971, as amended (the "Act") prohibits corporations from making any contribution or expenditure in connection with the election of a Federal candidate, and prohibits any candidate, political committee or other person from knowingly accepting or receiving any such contribution. 2 U.S.C. § 441b(a). For purposes of the foregoing section of the Act, a "contribution" is defined to include "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate, campaign committee, or political committee or organization in connection with a federal election." 2 U.S.C. § 441(b)(b)(2).

The definition of contribution also excludes the sale of any food or beverage by a vendor for use in any candidate's campaign or for use by or on behalf of any political committee of a political party at a charge that is less than the normal comparable charge, if such charge is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of such activity does not exceed $1,000 with respect to any single election, and on behalf of all political

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committees of a political party does not exceed $2,000 in any calendar year. 2 U.S.C. § 431(8)(B)(iii).

The Commission has stated that expenditures made by a state political party for voter registration and get-out-the vote drives, even though not expressly made on behalf of candidates for Federal office, should be allocated between the two classes of candidates, state and federal, in the same manner as other general party building activities. See A.O. 1978-10 citing 11 C.F.R. § 106.1 (1977). The Commission has also concluded that expenditures made by a state political party for the purpose of identifying and motivating persons to support a political party's gubernatorial nominee made during a year in which federal elections were to be held would also be for the additional purpose of influencing federal elections, and therefore must be allocated on a reasonable basis. A.O. 1978-50 citing 11 C.F.R. § 106.1 (1977).[1] Expenditures for registration and get-out-the-vote drives of a political committee need not be attributed to individual candidates, unless they are made on behalf of "clearly identified candidates." 11 C.F.R. § 106.1(c)(2) (1977).

The Commission's regulations require that party committees and other political committees allocate administrative expenses on a reasonable basis between their federal and non-federal accounts. 11 C.F.R. § 106.1(e). Expenditures made in connection with

1. The Commission has more recently revised its regulations for allocating expenditures between federal and non-federal activities and accounts. See 11 C.F.R. §§ 106.1(e) and 106.5. The revised regulations went into effect January 1, 1991, which is after the occurrence of the activities at issue.

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federal elections, whether made by political committees or organizations which are not political committees, must be made with funds which are permissible under the Act in accordance 11 C.F.R. § 102.5.

In the normal course of carrying out its supervisory responsibilities, the Commission ascertained information which indicates that the former owner of the Caterers, Inc., a Nevada corporation, appears to have "comped," or provided free of charge food and beverages and related goods in connection with 1988 federal election activity in Nevada. The owner of the corporation, Christ or "Chris" Karamanos, died in 1989, and the corporation was terminated on January 1, 1991.

The Caterer's records for the six orders are made out to then Nevada Governor/Senate candidate Richard Bryan, and the invoices indicate the orders were delivered on November 8, 1988 to "Bryan headquarters" or Bryan's "phone center." The records further indicate that some of the orders were placed by Lou Gamage from the Bryan campaign. However, it is alleged that the food and beverages were for people working for the Nevada Democratic State Committee's Get Out The Vote ("GOTV") efforts. The six orders which are alleged to have been received by the State Party on election day, 1988 are: a $1,500 order for early morning precinct GOTV workers at the "main office;" a $600 order for the GOTV morning workers at the Westside office; an $890 order for GOTV phone bank workers; a $327.50 order for GOTV workers' lunches; a $1,000 order for the GOTV drivers; and, a $1,137.50 order for sack lunches for GOTV poll watchers.

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Although the information at hand contains inconsistencies and leaves questions unanswered, certain conclusions can be made. First of all, it does not appear that the Caterers received payment for any of the food, beverages and/or services which are disclosed on the six invoices, totaling $5,455. In addition, the comped orders at issue do not appear to fall within any of the Act's exemptions. Moreover, the corporate goods are alleged to have been received by the State Committee on election day 1988 in connection with its GOTV activities. Thus it appears that the orders, with a retail cost of $5,455, were provided entirely free of charge by the corporation, in violation of Section 441b(a). Accordingly, there is reason to believe that the Nevada Democratic State Committee and Debra Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a)

Moreover, costs related to voter registration and get-out-the vote drives, even if they are not expressly made on behalf of candidates for federal office, must be allocated between the two classes of candidates, state and federal, in the same manner as other general party building activities. See A.O.'s 1978-50, 1978-10; 11 C.F.R. § 106.1. All federally allocable expenses must be paid for with funds deemed permissible under the Act. 11 C.F.R. § 102.5. Accordingly, there is reason to believe that the Nevada Democratic State Committee and Debra Todd Johnson, as treasurer, violated 11 C.F.R. § 102.5(a).

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 1992

Robert Goldberg, Treasurer
Bilbray for Congress Committee
3069 Conquista Court
Las Vegas, NV 89119

MUR: 3522
Bilbray for Congress Committee
and Robert Goldberg, as treasurer

Dear Mr. Goldberg:

This letter is a follow-up to our recent telephone conversation in which you requested further information about the catering orders which are the subject of the above-captioned matter. It appears that the Caterers, Incorporated provided two orders, valued at $2,550, free of charge to the Bilbray Committee. One of the orders, job order 1121, was dated for November 8, 1988 and was in the sum of $1,875. The other order, job order 1300 was dated for February 21, 1989, and was valued at $675.

If you have any further questions, please call met at (202) 219-3400.

Sincerely

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9403097005 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 23, 1992

Gayle Wiener
Gayle Wiener Catering and VIP Services
Suite 31
4850 West Flamingo
Las Vegas, Nevada 89103

RE: MUR 3522

Dear Ms. Wiener:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. During the Commission's investigation into the transactions at issue in the above-referenced matter, certain questions have arisen regarding orders delivered during 1988-89 by your former employer, the Caterers, Inc. to federal candidates and committees. We would like to arrange a mutually convenient time to discuss these transactions with you informally. Please note that the Commission does not consider you a respondent in this matter, but rather as 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 during the discussion. Please call me at at (800) 424-9530 to set up a time for our discussion.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9403097005 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 23, 1992

Steve Osterhaus
c/o Gayle Wiener Catering and VIP Services
Suite 31
4850 West Flamingo
Las Vegas, Nevada 89103

RE: MUR 3522

Dear Mr. Osterhaus:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. During the Commission's investigation into the transactions at issue in the above-referenced matter, certain questions have arisen regarding orders delivered during 1988-89 by your former employer, the Caterers, Inc., to federal candidates and committees. We would like to arrange a mutually convenient time to discuss these transactions with you informally. Please note that the Commission does not consider you a respondent in this matter, but rather as 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 during the discussion. Please call me at at (800) 424-9530 to set up a time for our discussion.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9403097005 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 23, 1992

Elias and Jody Ann Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

RE: MUR 3522

Dear Mr. and Mrs. Ghanem:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. During the Commission's investigation into the transactions at issue in the above-referenced matter, certain questions have arisen regarding a fundraiser which was held at your residence in Las Vegas, Nevada on April 24, 1988. We would like to arrange a mutually convenient time to discuss certain aspects of the fundraiser with you informally. Please note that the Commission does not consider you respondents in this matter, but rather witnesses 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 during the proposed discussion. Please call me at (800) 424-9530 to set up a time for our discussion.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

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OGC 4945

PERKINS COIE

A Law Partnership Including Professional Corporations
607 Fourteenth Street, N.W. • Washington, D.C. 20005-2011 • (202) 628-6600

Robert F. Bauer
(202) 434-1602

June 24, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUN 24 PM 5:13

Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: Democratic Senatorial Campaign Committee, Bryan for Senate Committee (MUR 3522)

Dear Commissioners:

This letter seeks an extension of time to respond to the Commission's notification of reason to believe in Matter Under Review 3522. DSCC and the Bryan for Senate Committee have retained this firm to respond on their behalf.

In view of the time required to review the relevant facts and prepare written responses, I request an extension of time until July 20, 1992, at which time responses on behalf of both of these Respondents will be filed with the Commission.

Very truly yours,

Robert F. Bauer

RFB:smb

[04005-0001/DA921750.040]

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3522

NAME OF COUNSEL: Bob Bauer

ADDRESS: Perkins & Coie
607 14th Street, N.W., Suite 800
Washington, D.C. 20005

TELEPHONE: 202-434-1602

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUN 24 PM 5:16

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

23 June 92
Date

Signature

RESPONDENT'S NAME: Friends for Bryan

ADDRESS: 6600 West Charleston Boulevard
Suite 118
Las Vegas, Nevada 89102

HOME PHONE:

BUSINESS PHONE: 702-870-3453

9403097005 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3522
Democratic Senatorial Campaign
Committee and
Thomas J. Lerner, as treasurer
Friends for Bryan and
Michael W. Kern, as treasurer

Dear Mr. Bauer:

This is in response to your letter dated June 24, 1992, requesting an extension until July 20, 1992, to respond to the Commission's findings in the above-captioned matter. The Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on July 20, 1992.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9403097700059

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1992

Craig C. Donsanto, Director
Election Crimes Branch
Public Integrity Section
Criminal Division
U.S. Department of Justice
Washington, DC 20530

RE: MUR 3522
The Caterers Inc.

Dear Mr. Donsanto:

This letter is in reference to a matter which you provided to the Office of the General Counsel last year involving the Caterers, Inc., a former Nevada corporation. It has come to our attention that while the referral contained many invoices and work orders for services allegedly provided by the Caterers' to the 1988 campaign of Senator Richard Bryan, it did not contain any of the corporation's invoices and work orders for the goods allegedly provided to the Bilbray for Congress campaign.

According to the corporate journal within the referral, two orders which were provided to the Bilbray campaign may have been "comped." One order, in the amount of $1,875, was provided on November 8, 1988 and the other, in the amount of $675, was provided on February 11, 1989. If you could provide copies of the Caterers' work orders and/or invoices for the two transactions involving the Bilbray campaign, it would greatly assist the Commission in its investigation of this matter.

Thank you for your assistance and cooperation. If you have any questions, please call me at (202) 219-3400.

Sincerely

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9403097000 60

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1992

Robert Goldberg, Treasurer
Bilbray for Congress Committee
3069 Conquista Court
Las Vegas, Nevada 89121

RE: MUR 3522
Bilbray for Congress Committee,
and Robert Goldberg, as treasurer

Dear Mr. Goldberg:

Enclosed please find the documentation relating to the above-captioned matter which we discussed by telephone last week. As I informed you during that telephone conversation, two of the pages have been redacted to remove names of individuals who are not a party to this matter.

Thank you for your cooperation. If I can be of any further assistance, please call me at (202) 219-3400.

Sincerely

Xavier K. McDonnell
Attorney

Attachment

9403097006 1

		J.O.	Claim Dept Payment Recd	Inv #
	1293			
	1294		1-30-89	1-C480-89
	1295		2-13-89	2-C 487-89
	1296		2-3-89	2-C 491-89
	1297		2-9-89	2-C 490-89
	1298	3000.00	2-11-89	2-C-498-89
	1299	3577.50	2-11-89	2-C 494-89
	1300		2-24-89	2-C 495-89
	1301		3-6-89	3-C526-89
	1302		3-21-89	3-C511-89
	1303	2295.00	3-1-89	
	1304		2-10-89	2-C 500 89
	1305		2-27-89	2-C521-89
	1306		2-18-89	2-C482-89
	1307		2-15-89	2-C484-89
	1308			
	1309			
	1310			2-C496-89
	1211		2-21-89	2-C498 89
	1212		2-27-89	2-C502-89
	1313		2-27-89	2-C503-89
	1314			
	1315		2-27-89	2-C504-89
	1316		2-28-89	2-C505-89
	1317	292.4	3-16-89	
	1318		4-7-89	4-C524-89
	1319		3-2-89	3-C506-89
	1320			
	1321			
	1322		3-2-89	3-C507-89
	1223		3-28-89	3-C515-89
	1324	Cancelled		
	1325		3-21-89	3-C514-89
	1326		3-31-89	
	1327			
	1328			
	1329		4-7-89	4-C521-89
	1330		3-17-89	3-C510-89
	1331		3-21-89	3-C513-89
	1332		3-21-89	3-C512-89

9403097000 62

Cert of Insurance Rec'd	Date Ck Rec'd	Ck #	Amt Rec'd			
						#8 BILBRA
525.00	—	—	—	—		14 BREWCT
52.00						
1350.00	—	—	—	—		16 MRS BAER
3150.00						
1915.70	4-28-89	613	1915.70			29 JUDGE BRE
3256.68						
675.00						
98.75	—	—	—	—		
463.25						
3085.00	3-6-89	1266	3085.00			✓
826.00	—	—	—	—	—	Comp ✓
780.00	2-28-89	838.55	—	—	—	✓
1500.00	2-15-89	1403	1500.00			✓
1350.00	2-15-89	1841	1350.00			✓
4425.00	—	—	—	—	—	Comp
250.00	—	—	—	—	—	Comp
2500.00	—	—	—	—	—	Comp
45.00	—	—	—	—	—	Comp
331.80	3-21-89	1826	331.80	—	—	✓
477.00						
212.40	3-10-89		2624	—	—	✓
468.00						
125.00	3-10-89	185952	125.00	—	—	✓
404.52						
~~285.30~~	3/6/89	48453	40452			✓
768.10	4-12-89	3490	768 10			✓
2433.60						
500.17	4-12-89	3490	50017			✓
436.90	4-18-89	518	436 90			✓
270.00	3-17-89	128149	270.00			✓
200.00	5-10-89	23869	20000			✓
2600.00						✓

Trade Cert

4

9403009700063

	Date 1988	Description	Job And.	Down Payment	Date Billed	Inv #	Amount
1	10/29		1092		11-2-88	10-C323-88	17832.20
2	10/29		1093		11-1-88	10-C325-88	6000.00
3	10/29		1094		11-1-88	10-C324-88	8000.00
4	11/10/88		1095		11-4-88	11-C338-88	11760.00
5	12/14/88		1096		12-16-88	12-C432-88	
6	11-5-88		1097		11-4-88	11-C335-88	
7	11-4-88		1098		11-4-88	11-C332-88	
8	11-5-88		1099		11-4-88	11-C333-88	
9	10-28-88		1100				
10	10-28-88		1101		11-1-88	10-C329-88	2045.00
11	11-7-88		1102		11-4-88	11-C337-88	
12	11-8-88		1103				
13	11-9-88		1104				17225.00
14	11-3-88		1105		11-4-88	11-C336-88	
15	11-18-88		1106		11-23-88	11-C362-88	
16	11-8-88		1107		11-8-88	11-C360-88	
17	11-9-88		1108		11-8-88	11-C355-88	
18	11-10-88		1109		11-10-88	11-C340-88	4730.00
19	11-10-88		1110		11-11-88	11-C348-88	
20	11-2-88		1111		11-10-88	11-C343-88	
21	11-25-88		1112		11-25-88	11-C370-88	
22	11-11-88		1113		11-8-88	11-C349-88	
23	11-8-88		1114		11-8-88	11-C359-88	
24	11-3-88		1115				
25	11-6-88		1116		11-4-88	AC 336-88	150.00
26	11-8-88		1117		11-8-88	11-C357-88	
27	11-9-88		1118		11-8-88	11-C354-88	
28	11-8-88		1119		11-8-88	11-C352-88	
29	11-8-88		1120		11-8-88	11-C350-88	
30	[redacted]		[redacted]		[redacted]	[redacted]	
31	11-25-88		2		11-25-88	11-C347-88	
32	11-16-88		3		11-16-88	11-C342-88	
33	11-15-88		4	5000.00 19000.00	11-15-88	11-C374-88	49162.00
34	12-16-88		5	2000.00	12-16-88	12-C419-88	
35	12-10-88		6		12-10-88	12-C398-88	
36	12-17-88		7		12-17-88	12-C423-88	
37	11-21-88		8		11-21-88	11-C345-88	
38	12-23-88		9		12-23-88	12-C434-88	
39	12-1-88		10		12-2-88	11-C378-88	
40	12-2-88						

Amt of Ck	Date Card	Ck #	Amt Card	Balance Due
				Comp.
	11/11/88	0292	117600	
344.90	12-27-88	76700	344090	
				Comp
135.00				Comp
	11/9/88		17225	
397.50				Comp
3657.22				
335.00				Comp
110.00				
	11/10/88		23000	
1685.00				Comp
3802.50	11-17-88		3802.50	
2456.92	12-1-88		2456.92	
1390.00				Comp
35940.00				Comp
144.50				Comp
890.00				Comp
327.50				Comp
1550.00				Comp
50.00	11-25-88	# 290	5000	
994.50				
24497.20	11-15-88	145138	24497.20	
5785.92	12-16-88	7875	5785.92	
1107.86	12-25-88		110786	
6593.56	12-28-88	04216	659356	
12362	12-7-88	68464	12362	
2460.00	~~12-18-88~~ 1-4-89	64518	246000	
1837.50				Comp

9400309700065

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
GCC 5062
JUL 6 11 33 AM '92

BILBRAY FOR CONGRESS
3069 Conquista Court
Las Vegas, NV 89121

July 3, 1992

Mr. Xavier K. McDonnnel
Federal Election Commission
999 East E Street, N. W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL -7 AM 10:44

RE: MUR 3522

Dear Mr. McDonnell:

Enclosed are four affidavits from individuals involved in the Committee during the time of the alleged "comped" catering.

If you need any further information, please contact me.

Sincerely,

Robert L. Goldberg
Treasurer

9403097000 66

James H. Bilbray being duly sworn deposes and says:

That he was the candidate for reelection on November 8, 1988.

That he attended the only function sanctioned by the Bilbray for Congress Committee, an election party, on the evening of November 8, 1988 and to the affiant's best information and belief said event was not a catered event and was strictly an "in house" event prepared by voluntary and paid staff.

That your affiant is aware of a subsequent event catered by "The Caterers" at the home of the Gerringers on May 7, 1989, which was billed by "The Caterers" and paid for by the Bilbray for Congress Committee.

That your affiant is not aware of any function which was catered by "The Caterers" on February 21, 1989, nor is your affiant aware of any function on said day.

James H. Bilbray

CITY OF WASHINGTON
DISTRICT OF COLUMBIA

subscribed and
sworn before me
this 2 day of July, 1992.

Notary Public

Caroline F. Klemp
Notary Public, Dist. of Columbia
Commission Expires April 30, 1995

9403097000067

Robert Goldberg being first sworn deposes and says:

That your affiant was and still is the Treasurer of the Bilbray for Congress Campaign since 1987.

That your affiant was never aware of any "comped" service provided by "The Caterers" or Chris Karamonas.

That the only event catered by "The Caterers" occurred at the home of the Gerringers for which the Bilbray for Congress Committee was billed and that said Committee paid.

That your affiant was present at the reelection party for Jim Bilbray on November 8, 1988 and it did not appear that said event had been catered.

That your affiant as Treasurer of Bilbray for Congress is not aware of any event occurring during the month of February, 1989 and that the FEC records do not reflect any income which indicates that any function was held by Bilbray for Congress during this time period.

Bob Goldberg

subscribed and
sworn before me
this 3rd day of July, 1992.

Notary Public

Notary Public-State Of Nevada
COUNTY OF CLARK
Adelle F. Cuaron
My Commission Expires
Aug. 20, 1993

9403097000 68

James Mulhall being first duly sworn deposes and says:

1. That your affiant was the Campaign Manager for James H. Bilbray during the election of 1988.

2. That your affiant served in such capacity through November 8, 1988.

3. That your affiant was present at the only gathering of the Committee to elect James H. Bilbray on November 8, 1988, election night.

4. That at no time was your affiant aware that said affair was catered by anyone.

5. That your affiant avers that said affair was a totally "in house" affair wherein employees of the campaign purchased beer, used left over wine from a previous fundraising and that chips and cold cuts were prepared by volunteers.

6. That your affiant did not know Christ (Chris) Karamonas and had no dealing with said individual during said period of time to the best of your affiant's knowledge.

7. That your affiant has no knowledge of any complementary food being served at the only event held by the Bilbray for Congress Committee on November 8, 1988.

8. That your affiant has no knowledge of any campaign or campaign related function occurring on February 21, 1989, at which time your affiant was the Administrative Assistant to James H. Bilbray.

James Mulhall

subscribed and
sworn before me
this 2nd day of July, 1992

NOTARY PUBLIC
DISTRICT OF COLUMBIA

MY COMMISSION EXPIRES APRIL 14, 1994

9403097000 69

Daniel Geary being first duly sworn deposes and says:

That he was employed as a Research Assistant and employed to handle the checkbook and accounts payable for Bilbray for Congress.

That the only event held by the Bilbray for Congress Committee on November 8, 1988 was an election night party.

That the food and beverage arrangements for said party were handled "in house".

That your affiant and Bernard McShea purchased kegs of beer and ice.

That wine and some champagne which was leftover from a previous fundraiser was also served.

That cold cuts and other snacks were purchased from the grocery store and prepared by volunteers.

That your affiant has no knowledge of any catering of said event and states specifically that said event was not catered by "The Caterers" or anyone else.

That your affiant is not aware of any event held by Bilbray for congress on February 21, 1989.

Dan Geary

subscribed and
sworn before me
this 3rd day of July, 1992.

Notary Public-State Of Nevada
COUNTY OF CLARK
Adelle F. Cuaron
My Commission Expires
Aug. 20, 1993

9403097007O

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1992

Robert Goldberg, Treasurer
Bilbray for Congress Committee
3069 Conquista Court
Las Vegas, Nevada 89121

RE: MUR 3522
Bilbray for Congress Committee
and Robert Goldberg, as treasurer

Dear Mr. Goldberg:

This is to confirm that, on July 7, 1992, the Office of General Counsel received your letter and the four attached affidavits which you submitted in response to the Commission's reason to believe findings in the above-captioned matter. As I indicated during our telephone conversation, I shall contact you after I review the information you have supplied.

Thank you for your cooperation. If you have any further information, please call me at (202) 219-3400.

Sincerely

Xavier K. McDonnell
Attorney

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MUR 3522
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 13 PM 3:00

PERKINS COIE
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

July 13, 1992

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

Re: MUR 3522: Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer Friends for Bryan and Michael W. Kern, as treasurer

Dear Mr. McDonnell:

A response is currently due to the Commission in the above-referenced Matter Under Review on July 20, 1992. I would like to ask for an additional extension of 10 days, until July 30, to respond.

The principals of both committees involved in this MUR are attending the Democratic National Convention this week. While some of the information necessary for the response has been gathered, other questions still remain to be answered. In addition, staff will not be available to review the draft response prepared by our office until the week of July 20th.

For these reasons, an additional extension is requested. If you have any questions, or need additional information, please do not hesitate to contact me.

Very truly yours,

Robert F. Bauer
Counsel to Respondents

[04005-0001/DA921950.025]

TELEX: 44-0277 PCSO UI • FACSIMILE: (202) 434-1690
ANCHORAGE • BELLEVUE • LOS ANGELES • PORTLAND • SEATTLE • SPOKANE

9403097 00072

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 15, 1992

Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3522
Democratic Senatorial Campaign Committee
and Thomas J. Lehner, as treasurer;

Friends for Bryan and
Michael W. Kern, as treasurer

Dear Mr. Bauer:

This is in response to your most recent request for an extension of time to respond to the Commission's reason to believe findings in the above-captioned matter. This Office has previously granted you a 20 day extension to submit a response, and you now have requested an additional 10 days. Given the unusual circumstances presented in your letter, this Office will grant your request.

Please note that your response must be received by the close of business on July 30, 1992. If you have any questions or need additional information, I can be reached at (202) 219-3400.

Sincerely

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9403097007 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 14, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debbie Todd Johnson, Treasurer
Nevada Democratic State Committee
953 E. Sahara, #201
Las Vegas, Nevada 89104

RE: MUR 3522
Nevada Democratic State Committee
and Debbie Todd Johnson, as treasurer

Dear Ms. Johnson:

By letter dated June 8, 1992, you were notified that the Federal Election Commission, on May 14, 1992, found reason to believe that the Nevada Democratic State Committee ("the Committee"), and you as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations. Enclosed are copies of the materials which were sent to you at that time.

A review of our files indicates that to date you have not responded to the Commission's findings. Unless we receive a response from you within 15 days, this matter will proceed to the next stage of the enforcement process.

Should you have any questions, please call me at (202) 219-3400.

Sincerely,

Xavier K McDonnell

Xavier K. McDonnell
Attorney

Enclosures
Notification Letter
Factual and Legal Analysis

9403097067 4

OGC 5962

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

PERKINS COIE
A Law Partnership Including Professional Corporations
607 Fourteenth Street, N.W. • Washington, D.C. 20005-2011 • (202) 628-6600

92 JUL 31 PM 4:37

July 31, 1992

Lawrence R. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Attn: Xavier K. McDonnell

Re: MUR 3522

Dear Mr. Noble:

The Democratic Senatorial Campaign Committee ("DSCC") has received and replied by this letter to your notification of June 8, 1992 that the Commission has found reason-to-believe that a violation of the Act occurred in the circumstances described below.

On the basis information it has received, the Commission notes that the DSCC may have arranged for a luncheon in Las Vegas, Nevada in April of 1988 hosted by Mr. and Mrs. Elias Ghanem in their home. The catering bill for this event came to $13,500 and appears to have been treated by the caterer as a "political contribution," i.e. complimentary. The Commission is concerned that if this luncheon was arranged for the benefit of DSCC, the provision of catered foods and beverages without charge by the caterers would constitute a prohibited corporate contribution.

The DSCC does not have records establishing one way or the other whether the Ghanems hosted an event for its benefit in Las Vegas in April 1988. Senator Bryan's schedule, his office informs us, shows such an event. Moreover, in 1988, DSCC did arrange events over a period of days, including April 24, in California and Nevada. On occasions like this, when "on the road," DSCC often arranges luncheons or dinners for its travelling party hosted by individuals in their own homes under the in-home fundraising exemption. 11 C.F.R. § 100.7(b)(6). These events serve the Committee's purposes in introducing Committee representatives to potential new donors

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[04005-0045/DA922120.012]

or rewarding local donors for their past contributions to the Committee.[1]

The Ghanems would have hosted this function in their home on the understanding that any costs would be absorbed under the exemption. The Committee does not typically monitor how the hosts manage the exemption nor is it legally obligated to do so. It is particularly comfortable relying on the extensive experience of the politically active Democrats who typically make up the community of individuals serving as hosts for these functions.

The law does not require DSCC to keep a record of these events. Their cost is not reportable and so there would no reason for DSCC to track them. The Committee never anticipates that these events will exceed in cost the amounts which lawfully spent under the exemption. Inasmuch as a husband and wife between them may spend up to $4,000 under the exemption to support an event for a party committee in the election cycle, this more than accommodates the typical event at the typical cost per person charged by caterers.

Nor is DSCC concerned that the allowable limit would be threatened by repeated requests to a particular individual to host these events. Typically, in fundraising, repeated requests are scrupulously avoided.

It appears from the Commission's account that the costs of the Ghanem event were extraordinary. The Commission repeats purported eyewitness accounts of an elegant affair staffed by waiters serving expensive champagne.[2] If this was the case, then the event would have been in this respect far from the ordinary one.[3]

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[1] These are not typically functions at which funds are actually raised.

[2] None of the Committee personnel who might have attended this event are still employed by the Committee now, four years later.

[3] It is, however, impossible to tell whether this <u>is</u> the case, because the catering business in question no longer exists and its owner, who apparently made these arrangements, is now dead. DSCC has some question, without the means to explore it, whether the event did in fact

9403097007 6

In sum, DSCC believes that its April, 1988 Las Vegas activities may have included the Ghanem function. It would have been organized like events of this type in many other contexts as an in-home fundraiser financed under the exemption at 11 C.F.R. § 100.7(b)(6). The DSCC did not expect an event financed outside the lawful limits of the exemption nor does it have any records or recollection that an event at that level of expense was in fact organized. It does not have the obligation to monitor compliance with the exemption by the host and it did not do so.

Under these circumstances there can be no liability of the DSCC and it respectfully requests dismissal of this action.

Very truly yours,

Robert F. Bauer
Counsel to Respondent

RFB:smb

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involve this level of expense, and whether the invoice prepared by Mr. Karamanos, but marked "political contribution," accurately reflects either the market charge or the true cost.

GC5963

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011 • (202) 628-6600

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 31 PM 1:38

July 31, 1992

Lawrence R. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Attn: Xavier K. McDonnell

Re: MUR 3522

Dear Mr. Noble:

Friends for Bryan, and Michael W. Kern, as Treasurer, ("Bryan Respondents") are replying by this letter to your notification of June 8, 1992 that the Commission has found "reason to believe" that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act"),[1] has occurred. The Bryan Respondents respectfully request that on the grounds set out below, the proceeding be terminated by a finding of "no probable cause."

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INTRODUCTION

The Commission notification advises of certain orders for food and beverage provided for political functions and marked as "comp" (presumably meaning "complimentary") or "political contribution" by The Caterer's, a catering firm apparently owned by Mr. Chris Karamanos.[2] Mr. Karamanos has since died; his catering firm no longer exists. Certain records of his firm reviewed by the Commission raise the question of whether, on eight separate occasions, Mr. Karamanos arranged for these complimentary deliveries of food and beverages to political

---

[1] The Respondents have sought and have received extensions of time within which to respond to this notification by letters from the Commission dated June 26 and July 16, 1992.

[2] Only one, dated May 16, 1988, is marked as a "political contribution," the others as "comp."

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functions for the benefit of the 1988 election campaign of Senator Richard Bryan.

One of these purportedly complimentary deliveries occurred in April of 1988, to the home of Mr. and Mrs. Elias Ghanem. The Commission notes some suggestion that the event was hosted by the Ghanems for the benefit of the Democratic Senatorial Campaign Committee ("DSCC") but it alludes to the possibility that its purpose was to support the Bryan Senate campaign.

On all other occasions, the deliveries were made on election day 1988 to various Democratic party or Bryan headquarters locations around Las Vegas. Here again the Commission relies for its preliminary position on the order forms for the deliveries which indicate certain orders to have been placed by Ms. Lou Gamage, an employee of the Bryan Campaign, and/or delivered to locations identified as the "Bryan Campaign headquarters."

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POSITION OF RESPONDENTS

Each of these two instances -- the Ghanem function and the Election Day deliveries -- will be addressed in turn, but may be summarized as follows:

(1) The Ghanem orders supported an event hosted for the Democratic Senatorial Campaign Committee ("DSCC") by the Ghanems. Senator Bryan, then Governor, attended the function but played no other role in it.

(2) With one exception, the Election Day orders were provided to the Nevada State Party for its GOTV effort, and placed with the catering firm by a Bryan Campaign employee assigned to the party for this purpose. One other order was delivered to the Bryan Campaign for its election night party without authorization, and after the campaign had already arranged for its own fully paid Election Day food requirements.

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(1) **The Ghanem Function**

The Democratic Senatorial Campaign Committee has informed the Bryan Respondents that its records reflect events in Las Vegas on the date in question, but not specifically a function held for its benefit by Mr. and Mrs. Elias Ghanem. This does not mean, nor does DSCC suggest, that it did not occur. In fact, as Exhibit "A" shows, the schedule for Governor Bryan for that day is marked "10-12/Ghanem/DSCC Brunch."

Often in the course of fundraising travels known as "road shows", the DSCC arranges for dinners hosted by prominent local Democrats in their own homes and financed under the in-home fundraising exemption. The Ghanems are among the leading Democrats in Nevada, resident in the City of Las Vegas and well-known to Committee personnel.

The Senator attended the function. Later he sent a letter of appreciation to Mr. Karamanos, as would be appropriate and customary for a public official and candidate responding to the efforts of a prominent constituent business concern. Local political officials normally keep their home state position tended by thanking those local business and persons who helped with DSCC events. This is politics. It is not properly or logically treated as "evidence" that the event was for the purpose of advancing these local officials' political purposes.

The Bryan Campaign cannot comment on specific arrangements made by DSCC with the Ghanems for catering or other services to the event. But this was not an event for the Bryan Campaign, and the Bryan Campaign did not undertake or agree to pay for it.[3] It is the understanding of the Bryan Respondents that DSCC will address these issues in more detail in a separate filing with the Commission.

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[3] On other occasions, in 1988 when the Campaign placed orders with The Caterer's for its own events, it paid for them in full. Exhibit "B".

(2) Election Day Deliveries

(a) Party GOTV Food

The General Counsel notes the suggestion that six of the catered orders in question were directed toward party workers, not Bryan Campaign workers, engaged in Election Day get-out-the-vote activities. General Counsel Rept. at 3. Still the General Counsel is concerned that these orders were often placed by a Bryan Campaign representative, Ms. Lou Gamage, identified as such on the order forms, and directed to Bryan Campaign locations.

This does not, however, change the character of these deliveries as ordered on the authority of the state party for its Election Day GOTV efforts.

On Election Day in Nevada, as in most states, candidates cooperated with the state party in mounting a comprehensive, ticket-wide get-out-the-vote effort. Representatives of the various campaigns set aside their normal duties and accepted assignments with the state party for this purpose. Ms. Gamage was among a number of Bryan Campaign personnel assigned on Election Day to the GOTV effort and her responsibilities included placing orders on behalf of the coordinated campaign for food required for election day party workers. Exhibit "C", provided to counsel from the State Party 1988 files, shows how these food orders constitutes part of the State Party's Election Day plan.

The Bryan Campaign, and particularly Ms. Gamage, had experience with The Caterer's which it occasionally used for its own events. It was aware that The Caterer's charged for its services; and in its own case it never asked for nor received any special dispensation from that rule. On two occasions at some considerable cost earlier in the campaign, the Bryan Campaign made use of The Caterer's and paid for the services it received in full.[4]

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[4] See n.3.

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No doubt because of the earlier business relationship of the Bryan Campaign with The Caterer's, Ms. Gamage's calls were treated by The Caterer's as calls on behalf of the Bryan Campaign. Or alternatively the order forms were simply prepared to identify Ms. Gamage by her "formal" employment position, i.e., with the Bryan Campaign. Nonetheless, the obligation incurred was an obligation of the state party, not of the Bryan Campaign.

Moreover, the invoices' reference to delivery of food to the "Bryan Campaign headquarters" does not establish responsibility of that campaign for the orders. All of the candidates' offices were used for get-out-the-vote efforts on election day; all housed election day workers recruited by the party. Many party election day workers worked at the Bryan Campaign at Desert Inn Road. It is an axiom of GOTV preparation that the campaign headquarters of the most prominent member of the ticket will work best to attract the largest and sometimes most enthusiastic number of volunteers. Dick Bryan was not only the party's United States Senate candidate; he was also then Governor of the state. In fact, the coordinator of GOTV for the state party occupied office space in the Bryan headquarters on that day.

This was not the only location in which GOTV activities took place and as the invoices demonstrate, Lou Gamage also placed orders with The Caterer's for food to be delivered to other party locations. One such location, on East Sahara, housed the party phone bank operation run entirely by party volunteers for party-wide phone banking. The invoice refers to this location as "Governor Bryan's Phone Center" when in fact, it was a facility fully paid and staffed by the State Party. Exhibit "D". Lou Gamage's role in assuring that food was delivered to this location demonstrates that she was acting on behalf of the party, not on behalf of Dick Bryan. And the mislabelling of the invoice by The Caterer's illustrates its confusion about the ultimate source of the order.[5]

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[5] Because the Bryan Campaign was not the contracting agent, it cannot explain why the invoices were not delivered to the Party or not received by it; or how Karamanos or his agents came to mark them as "comp".

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(b) **Bryan Election's Night-Party**

There was a specific Bryan election night event for which Ms. Gamage ordered food. But she did not order the food from The Caterer's. As Exhibit "E" attached demonstrates, the food for that election night party was ordered from other vendors who supplied what was required for a barbecue and corn-on-the-cob dinner for the assembled Bryan supporters. A volunteer to the campaign, Mr. David Kent, coordinated this arrangement, and payments by the campaign include reimbursement to him for certain costs as well as expenditures to the Ratner Brothers for meat, Pepsi Cola and Bonanza Beverage for drinks and Valley Food for corn-on-the-cob.

Mr. Karamanos appeared entirely on his initiative and without knowledge of Ms. Gamage to deliver catered food from his establishment to the Bryan headquarters on that same evening. He did so without any prior order from Ms. Gamage and without her authority. In no way did the Bryan Campaign at any time acknowledge or believe that it was compelled to acknowledge this obligation.

(3) **Mr. Karamanos**

This case appears to have developed out of a review of the records of a defunct business whose owner is dead. He is not available to give testimony. He is not available to clarify how certain records came to be prepared as they now appear.

Mr. Karamanos had a flamboyant style which may have reflected good intentions but still exceeded the bounds of the necessary or appropriate. In any event, Mr. Karamanos' records are not reliable and the reasons why they were marked one way or another are neither explicable nor meaningful without the testimony no longer available from him.

At most these records tend to show what Mr. Karamanos might have thought he was doing, but certainly not why he thought he could do it, or whether anyone agreed that he should do it. For example, he may have decided in all innocence to have delivered food to the Bryan headquarters in

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the belief that it was legal, but without in any way believing that it was approved. And if it was not approved -- as it was not -- the Bryan Campaign cannot be held liable under the statute.

For all of these reasons this case should be dismissed.

Very truly yours,

Robert F. Bauer

Robert F. Bauer
Counsel to Respondents

RFB:slh

94030970084

EXHIBIT "A"

SUNDAY
APRIL 24, 1988

8	00	
	15	
	30	
	45	
9	00	
	15	
	30	
	45	· Sam Pick Up -
10	00	Hold - Elias Gahnam -
	15	DSCC - Brunch -
	30	
	45	
11	00	
	15	
	30	
	45	
12	00	Pick Up - Gahnam's
	15	
	30	
	45	
1	00	
	15	
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2	00	
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	45	
7	00	
	15	
	30	

9403097000085

EXHIBIT "B"

the CATERER'S
A FOOD SERVICE COMPANY

DATE July 18, 19 88

7-C216-88

TO Governor Bryan's Birthday Party
2929 East Desert Inn Rd.
Suite 18
Las Vegas, Nevada

Attn: Lou Gamage

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
7/15	900 Guests served @4.00 per person	3600.00
	Sales Tax	216.00
	15% Gratuity	540.00
	Happy Time Machines	319.00
	Mixes	37.50
	Glasses	20.00
	Thank You for having The Caterer's	
	TOTAL	$4732.50

THANK YOU for allowing The Caterer's to serve your guests !

Job Order 963

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9403097000886

9403097 0087

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

1887

94-38/1224

July 21 19 88

Pay to the order of The Caterer's $ 4732 50/100

Four-thousand Seven hundred Thirty two : 50/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 184
P.O. Box 15188
Las Vegas, Nevada 89114

For

Michael Kerr

⑈001887⑈ ⑆122400384⑆ 184000616 3⑈

y 18, 19 88

216-88

Party

ET CASH

CHARGES	
3600.00	
216.00	
540.00	
319.00	
37.50	
20.00	

person

aterer's

TOTAL	
$4732.50	

's to serve your guests!

• (702) 731-0802 • (702) 734-9587

EXHIBIT "B"

the CATERER'S
A FOOD SERVICE COMPANY

DATE Oct.11, 19 88

BRYAN FOR U.S. SENATE
2929 E. Desert Inn Road
TO Suite 18
Las Vegas, NV

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
10/4/88	840 Guests @ 18.00 per person	15,120.00
	TOTAL	15,120.00

THANK YOU for allowing The Caterer's to serve your guests!

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-3587

9403097000888

Oct. 11, 19 88

	CHARGES	
CASH	15,120.00	15,120.00
		TAL

to serve your guests!

(702) 731-0802 • (702) 734-[illegible]

2469

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

94-38/1224

Oct 20, 19 88

Pay to the order of The Caterers $15120 00/100 Dollars

Fifteen thousand One hundred Twenty & no/1000

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 184
PO Box 15188
Las Vegas, Nevada 89114

For

Michael Kerr

⑈002469⑈ ⑆122400384⑆ 184000663⑈

STS

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EXHIBIT "C"

GOTV - Election Day Activities

GOTV Coordinators
Lee Westall: 737-0063
Vicki Hulbert: 731-0753

Support Activities

Coordinator:

Senior Citizen Groups
Coordinator:

Getting out the vote at:
1) Senior Centers
2) Retirement Homes

Early Door-to-Door Blitz

1) Cotton swabs for door hangers
2) Lunches for poll checkers
3) Coupons for dinners - ride to polls

Signs on Car Near Polling Places

Work with teachers on this activity

9403097009O

EXHIBIT "U"

ADQUARTERS
STRIAL ROAD
AS, NV 89109

the CATERER'S

NATIONWIDE FOOD SERVICE

JOB ORDER # 7118

LAS VEGAS 731-0802
TOLL FREE 1-800-332-0802

DATE OF REQUEST _____ BY _____

BILL TO _____ PARTY LOCAT. GOVERNOR BRYAN'S PHONE CENTER

ADDRESS _____ ADDRESS 953 EAST SAHARA STATE STREET SIDE UPSTAIRS #214 & 215

CI.ST.ZI _____ CI.ST.ZI L.V. NEV 89104

TEL # _____ TEL # _____

PARTY REQUESTED BY LOU GAMAGE OCCASSION ELECTION DAY

PARTY DATE NOVEMBER 8, 1988 tuesday FINAL GUARANTEE DATE _____

EST. # TO SERVE (AS OF DOR) 50 # OF CHILD/ADULT _____

FOOD DEPART TIME _____ SET UP TIME DELIVER ONLY AT 10:00 A.M. GUEST ARRIVAL TIME _____

COCKTAIL TIME _____ FOOD SERVE TIME _____ DEPART PARTY _____

(NOTE) IF THE CATERERS ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE WORKING THE PARTY.

SET UP AREA & STAGING _____

SERVING AREA _____ EXIT /ENTRY _____

#1 PERSON CONTACT RE. DETAILS _____ TEL # _____

#2 PERSON CONTACT RE. DETAILS _____ TEL # _____

CONTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON) _____

SPECIAL INSTRUCTIONS (SERVICE) DELIVER AND TAKE TO STE 214 AT 10:00 A.M.

ENTERTAINMENT PROGRAM-SPEECHES ETC. _____

DIRECTIONS TO PARTY _____

TYPE OF SERVICE _____ SERVE ON _____

TABLE REQUIREMENTS _____ CHAIR REQUIREMENTS _____

LIQUOR REQUIREMENTS _____

GLOBAL S.A. AMENITIES _____

SPECIAL INSTRUCTIONS (FOOD) _____

MENU: 50 ASSORTED HAM, ROAST BEEF AND TURKEY SANDWICHES

TRAY ON DISPOSABLES

1287 S.D.

9403009700091

9403097009 2

FRIENDS FOR BRYAN [illegible] CYCLE-22 02-DEC-1988 PROC 94-2759
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1900
LAS VEGAS, NV 89158

94-38/1224

Nov 15 19 88

Pay to the order of Dave Kent $ 108 50/100

One hundred Eight & 50/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Teller Office 124
P.O. Box 19189
Las Vegas, Nevada 89114

For

Michael Kent

⑈002759⑈ ⑆122400384⑆ 184000616 3⑈ ⑈00000 10850

EXHIBIT "E"

9403097 0093

FRIENDS FOR BRYAN 8-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

2696

94-38/1224

Nov 9 1988

Pay to the order of Depsi Cola $190.00

One hundred Ninety & no/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Main Office 184
P.O. Box 15985
Las Vegas, Nevada 89114

For

Michael Kerr

⑈002696⑈ ⑆122400384⑆ 184000616 3⑈

GALS			
	1509		CHERRY COLA SLICE
	0515		DR. PEPPER
	0507		FRUIT PUNCH - CONT
	0514		STRAWBERRY - CONT
	0506		CHERRY - CONT
	2501		GRAPE - CONT
	0517		GINGER ALE - CONT
	0509		QUININE - CONT
	0518		TOM COLLINS - CONT
	0532		SWEET/SOUR - CONT
	0509		GRAPEFRUIT - CONT
	0506		ORANGE JUICE - CONT
	0506		BLOODY MARY - CONT
	0507		TOMATO - CONT
			POST (5 GAL.) B.I.B.
	1500		PEPSI-COLA
	1501		DIET PEPSI
	1505		MTN DEW
	1502		TEEM
	1507		ROOT BEER
	1511		LEMON LIME SLICE
	1538		ORANGE SLICE
			CHERRY COLA SLICE

Pepsi-Cola

SALES OFFICE
2500 AIRWAY
KINGMAN, AZ. 86401
TEL. (602) 757-3160

TEL. (702) 382-1984

SALES OFFICE
477 INDUSTRIAL RD.
ST GEORGE, UT. 84770
TEL. (801) 628-3677

Distributing From:
3131 S. POLARIS
LAS VEGAS, NV 89102

TERMS: NET - DUE UPON RECEIPT OF INVOICE
PAST DUE AFTER 30 DAYS.

REMIT TO: DEPT. 1395 SCF PASADENA, CA. 91050

CREDIT DEPT. - ALL LOCATIONS 1-800-541-0717

It is agreed that all Five Gallon Transfer Tanks and Carbon Dioxide Cylinders are and shall remain the property of Pepsi-Cola Bottling Group ("PBG") and are loaned only for use in dispensing products of PBG. It is agreed that the recipient is responsible for their safekeeping and prompt return and shall reimburse PBG for their loss.

TRANFER TANKS	DELIVERED	PICK-UP

TO Ben Metcalf DATE
FOR
DEPOSITS
TOTAL
THIS CHECK 251
BALANCE 9129 08
TAX DEDUCTIBLE ☐

2622
TO Ratner brothers DATE Nov 19
FOR meat for election day
DEPOSITS SK.1cs (250) 10/27 16417
TOTAL 24296 08
THIS CHECK 270
BALANCE 24026 08
TAX DEDUCTIBLE ☐
BAL FOR'D.

2623
TO Houston Lumber DATE 19
FOR Cusine
DEPOSITS DATES
TOTAL 1102 40
THIS CHECK 616 72
BALANCE 22923 68
TAX DEDUCTIBLE ☐
BAL FOR'D.

940300769 6

FRIENDS FOR BRYAN
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

CYCLE-11 08-NOV-1988 PROC 44-58 2622

94-38/1224

100000070 11/7/88 19 88

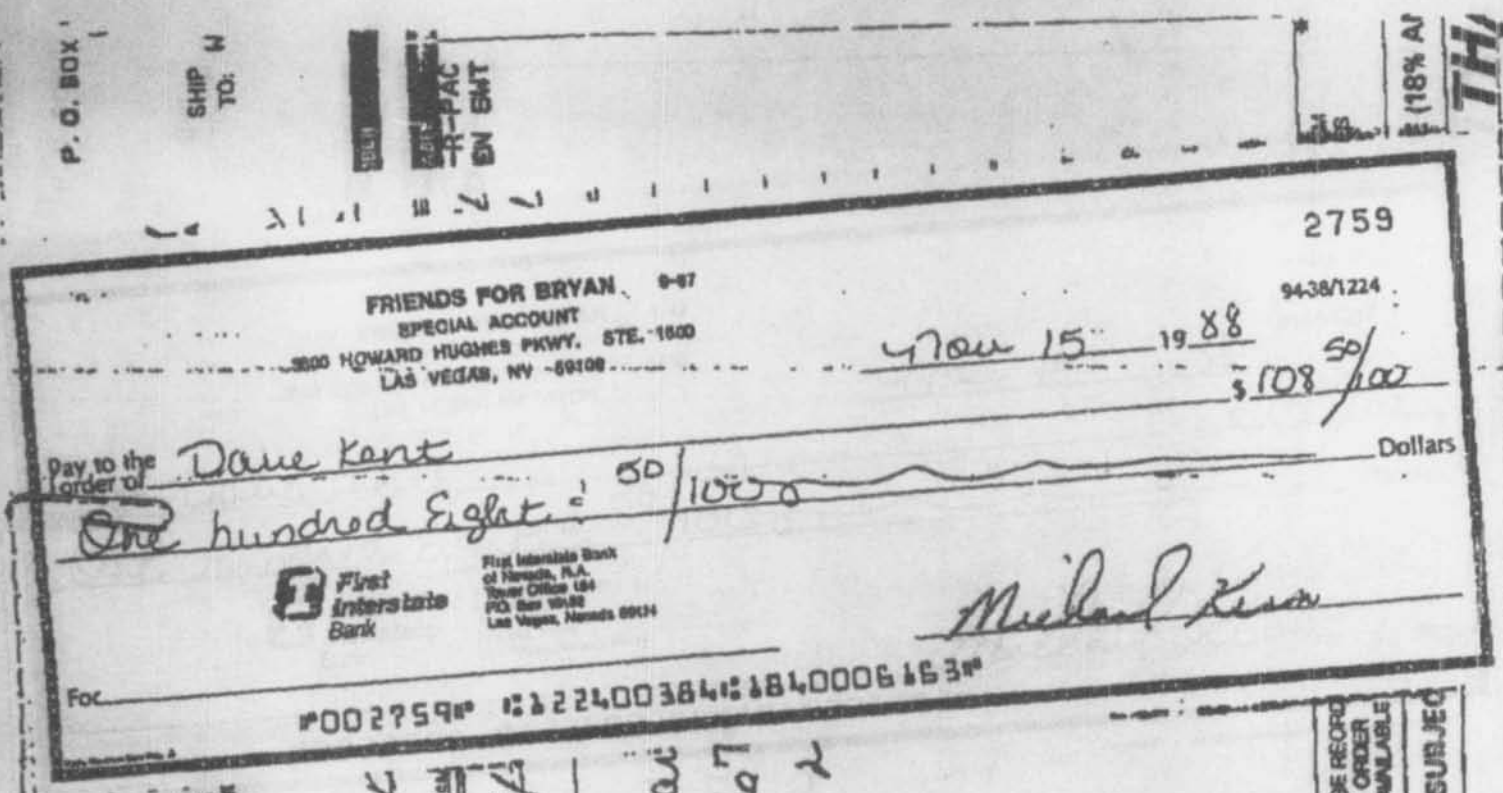
Pay to the order of Ratner Brothers $270 00/100

Two hundred seventy & no/100 Dollars

First Interstate Bank
First Interstate Bank of Nevada, N.A.
Super Office 154
P.O. Box 15568
Las Vegas, Nevada 89114

For 669 Michael Keen

⑈002622⑈ ⑆122400384⑆ 184000616 3⑈ ⑈00000270 00⑈



2759

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

94-38/1224

Nov 15 1988

$ 108 50/100

Pay to the order of Dave Kent

One hundred Eight & 50/1000 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 184
P.O. Box 10189
Las Vegas, Nevada 89114

Michael Kinn

For

#002759# ⑆122400384⑆ 184000616 3#

P.O. BOX

SHIP TO:

SOLD TO: FRIEN

PAGE: 1

NE

TO

SALEM

CUSTOMER PURC

ITEM NO

1 490-13240
2 080-56140

CODES

PR PLEASE RECORD
BO BACK ORDER
NA NOT AVAILABLE

PAST DUE INVOICES SUBJEC

(18% A

9403097009 5

SPECIAL ORDER

...DA BAKING COMPANY

290 WEST CHARLESTON LAS VEGAS, NEVADA

12503 To Dave Kent

DATE 1-7-19..

TO ...

SALESMAN ... ROUTE NO. ...

		10.70
		6.11
		34.63

Dave Kent
6772 Atwood Ave
LV, NV 89108

9403097000926

9403097 0097

BONANZA BEVERAGE COMPANY

CUSTOMER Hon. Bryan Campaign Headquarters

ADDRESS 2929 E. D-2 Rd

CITY Las Vegas Nv

DATE 11 2 88

MEMO NUMBER I-1996

5 cs 24/12 PPK Hen Draft	8.87	44.35
5 cs 24/12 PPK Lite	8.87	44.35
		88.70

Remit to:

Bonanza Beverage Company
6333 S. Ensworth Street
Las Vegas, Nevada 89119

Kathie Dees

OFFICE COPY

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

2697

94-38/1224

Nov 8 19 88

Pay to the order of Bonanza Beverage $ 88.70/100

Eighty Eight and 70/1000 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 164
P.O. Box 15189
Las Vegas, Nevada 89114

For

Michael Kass

⑈002697⑈ ⑆122400384⑆ 184000663⑈

BONANZA BEVERAGE

Kathie Voss

9403097009 8

PAGE: 1

Valley
FOOD DISTRIBUTORS

P. O. BOX 3433-3853 SO. HIGHLAND DR.
LAS VEGAS, NEVADA 89114
(702) 871-4100

INVOICE NO. 0033290
DATE 11/04/88
ORDER NO 0033290

SOLD TO: FRIENDLY ADVER

To Dale Kent

SHIP TO: WILL CALL

02-ROF | ** C. O. D. ** | HOUSE ACCOUNTS

1	490-13240	CORN, MINI COB 3"		FLAV-R-PAC	1	9#/IND	EA	5		CS	5		14.13	70.65
2	000-56140	MARGARINE, SOFT TUBS	20275	GOLDEN SNT	4	6/5 LB			1	EACH		1	3.22	3.22

CODES
PR PLEASE REORDER
BO BACK ORDER
NA NOT AVAILABLE
S SUBSTITUTE ITEM
NS NO SUBSTITUTES
T TAXABLE ITEMS

**FFF'S FLYER SPECIAL PRICIN

	73.87
165	.00
	73.87

PAST DUE INVOICES SUBJECT TO 1½% PER MONTH FINANCE CHARGE (18% ANNUALLY)

RECEIVED BY

CHECKED COMPANY

9403097009 9

RECEIVED
F.E.C.
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

92 SEP 10 AM 9:49

SENSITIVE

In the Matter of

Bilbray for Congress Committee and Robert Goldberg, as treasurer	)	
Friends for Bryan and Michael W. Kern, as treasurer	)	MUR 3522
Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer	)	
Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by a referral from the Department of Justice ("DOJ") which contains information indicating that the Bilbray for Congress Committee, Friends for Bryan, the Democratic Senatorial Campaign Committee ("DSCC") and the Nevada Democratic State Committee ("State Committee") accepted in-kind contributions in the form of goods and services from the Caterers, Inc. a former Nevada corporation. The owner of the now defunct Caterers, Chris Karamanos, is deceased.

On May 14, 1992, the Commission found reason to believe that each of these committees and their respective treasurers, violated 2 U.S.C. § 441b(a) by accepting corporate in-kind contributions. Responses received from the Bilbray and Bryan committees and the DSCC essentially deny that they accepted any orders from the Caterers, Inc. for which they did not pay. See Attachments 1-3. Moreover, the non-respondents witnesses who appear to have been involved in and/or aware of the transactions at issue, i.e., the hosts of one of the events and two former employees of the

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corporation, have provided little information or assistance during informal discovery. No response has been submitted by the State Committee or its treasurer, Debbie Todd Johnson, despite the fact that a certified reminder notice has been sent to them from this Office.

II. OVERVIEW AND SUMMARY OF RESPONSES

As indicated in the First General Counsel's Report, the DOJ referral contains evidence that the Caterers provided eight orders, valued at $20,505, free of charge in connection with 1988 electoral activities. The evidence within the referral suggests the orders were for the Bryan campaign, but the Bryan campaign asserted to the DOJ that the largest of the orders, valued at $13,500, was for a brunch at the Ghanem residence arranged by the DSCC, and that six additional orders delivered by the Caterers on election day 1988 were for the State Committee's Get Out The Vote ("GOTV") activities. The Bryan campaign acknowledged to the DOJ that it received one of the eight orders, valued at $1,550, from the Caterers for which it did not pay. In addition, there is evidence that two orders, valued at a total of $2,550, were provided free of charge to the Bilbray campaign. See First General Counsel's Report, dated May 13, 1992.

In its response to the Commission's findings, the Bryan campaign acknowledges that then Senate candidate Richard Bryan attended the function at the Ghanem residence on April 24, 1988, and that his schedule identified it as the "Ghanem/DSCC Brunch." Attachment 1 at page 3. The committee also states that the candidate did in fact send a hand written letter of appreciation

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to Chris Karamanos, which the Bryan campaign asserts "would be appropriate and customary for a public official and candidate responding to the efforts of a prominent constituent business concern." Attachment 1 at page 3. The Bryan campaign, however, denies that the Ghanem brunch was an event for the Bryan campaign or that the campaign agreed to pay for it. Id.

The Bryan campaign acknowledges receiving one of the seven orders the Caterers provided free of charge on election day 1988. Id. at page 6. However, the campaign contends that it did not place that order, valued at $1,550, and that it did not "at any time acknowledge or believe that it was compelled to acknowledge this obligation." Id. The campaign further states that its representative, Lou Gamage, had ordered food and beverages on election day for the Bryan campaign, but that the order the campaign placed and received was not from the Caterers. Moreover, it has presented evidence to show the campaign paid the suppliers in full for those orders. Attachment 1 at pages 5-6, 15-22.

Regarding the six additional election day orders, the Bryan campaign states that these were not for the 1988 Senate campaign, but for GOTV activities which were put on by the State party. Attachment 1 at page 4. The campaign acknowledges that Lou Gamage, its representative, appears to have placed some of the election day orders for the State Committee. It contends, however, that Ms. Gamage was assigned to the GOTV effort and that if she placed such orders on election day they were made on behalf of the State Party, not the Bryan campaign. Id. The response further notes that the Caterers may have incorrectly assumed from

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previous transactions that Gamage was acting on behalf of the Bryan campaign. Id. at pages 4-5. Adding to the possible confusion raised by Ms. Gamage's dual role, the Committee notes that Bryan was the Governor of Nevada at that time and his offices were used for GOTV activities and his name was invoked to recruit volunteers. Id. at page 5. In light of these factors, the Committee contends that the invoices alone do not establish responsibility on the Bryan campaign's part, and therefore asks that the Commission dismiss this matter. Id. at page 7.

The DSCC, which is represented by the same counsel as the Bryan campaign, states that it does not have records establishing one way or the other whether the Ghanems hosted a DSCC benefit at their home on April 24, 1988. The DSCC acknowledges that it did arrange a series of such events in Nevada and California during that period which, it contends, were exempt as contributions under the in-home fundraising exemption. See 2 U.S.C. § 431(8)(B)(ii); 11 C.F.R 100.7(b)(6). Attachment 2 at pages 1 and 2. According to the response, such events are often arranged for the DSCC's "travelling party" when it is "on the road," and these events "serve to introduce Committee representatives to potential new donors" or to reward donors for past contributions but they are not typically functions at which funds are actually raised. Id. at pages 1 and 2.

The committee states that it "does not typically monitor how the hosts manage the exemption nor is it legally obligated to do so." Id. at page 2. Since the costs of such functions are not reportable, the committee states, there is no reason for the DSCC

to keep track of them. Id. The DSCC further states that "[i]nasmuch as husband and wife between them may spend up to $4,000 under the exemption to support an event for a party committee in the election cycle," this more than accommodates the typical event at the typical cost per person charged by caterers. Id. The DSCC contends that there can be no liability imposed upon it in these circumstances, and requests that the Commission dismiss this matter. Id. at page 3.

Finally, the Bilbray committee has submitted the affidavits of Congressman James Bilbray, treasurer Robert Goldberg, campaign manager James Mulhal, and research assistant Daniel Geary. The affiants, as a whole, state that they each have no knowledge of any event held on either November 8, 1988 or February 21, 1989 which was catered by the Caterers, that the only 1988 election night event sanctioned by the committee was an in-house event prepared by voluntary staff which was not catered by nor comped by the Caterers. Attachment 3 at pages 2-5

III. RESULTS OF INFORMAL DISCOVERY

At the outset of this investigation, this Office made written requests that four non-respondent witnesses contact us to discuss this matter informally. The witnesses are the alleged hosts of the brunch, Dr. and Mrs. Ghanem, and two former Caterers' employees Gayle Wiener and Steve Osterhaus. This Office, however, was only able to interview one of the four witnesses, Gayle Wiener. While initial contact was made with Dr. Ghanem, efforts to make further contact and secure any information from him or his wife were not successful. Steve Osterhaus did not respond to the

written request to contact this Office.

Wiener, who was formerly the assistant director of the Caterers, could not recall anything about the catering orders in question. She did state that she knew Karamanos gave away orders. She indicated that she was not in contact with customers as they were placing or receiving orders, and therefore could not provide any assistance to this Office. Wiener also indicated, as she had during her FBI interview, that she was friendly with the candidates involved and had known them for many years.[1]

This Office also called two additional persons formerly connected with the Caterers: Nick Comarell and Nelson McKenna. Comarell was the former comptroller at the Caterers, and McKenna, who at the time in question was a maitre d' at Caesars Palace, was hired by Karamanos for the Ghanem brunch. Comarell could not recall any of the orders in question, and stated that he generally was not involved with customers. McKenna, on the other hand, attended and remembered the Ghanem brunch and substantiated that it was quite extravagant. Both Comarell and McKenna stated that Karamanos provided many orders free of charge in the hope of winning favor and obtaining subsequent business contracts. Moreover, McKenna's recollection of the arrangement for the brunch suggested it was something like a joint effort in that Ghanem provided the use of his residence and Karamanos provided the food, beverages and services. Comarell and McKenna also stated that

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1. Public records indicate that Mrs. Wiener's husband contributed $1,000 to the Bryan campaign and $1,000 to the State Committee in 1988.

Dr. Ghanem and Chris Karamanos were friends and both stated that Osterhaus would be a good source for information about the transactions.

IV. ANALYSIS

To date, the responses and informal discovery leave unanswered some fundamental questions about these transactions. These responses do not clarify who was responsible for requesting and paying for the goods and services which appear to have been provided by the corporation free of charge, and they do not provide the basic information regarding the transactions in which the committees admit that they were involved.

Regarding the $13,500 brunch, the DSCC offers no specific information relating to its role in the event other than it has no records documenting the event. Despite our request, neither the DSCC or the other respondents have provided the Commission with the names of the persons most qualified to provide that information.[2] Nor does the response identify the "Committee representatives" or "travelling party" whom the DSCC indicates it typically introduced to local citizens at the in-home events. In fact, the DSCC does not directly state whether it coordinated the brunch in question, but indicates only that it "often arranges"

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2. In our initial notification letters, we specifically requested that each of the respondents inform us of the identities of those who would have been involved in these transactions so that we could meet with them informally. Yet such information was not provided, and the responses do not disclose what efforts were undertaken by the respondents to secure this information. Instead, the DSCC footnoted that none of the personnel from that period still work for the committee. Attachment 2 at page 2, note 2.

events such as the Ghanem brunch and did so in Nevada during the time at issue. This Office has found a newspaper article from 1988 which appears to provide information relating to the Ghanem brunch. The article, which appeared in the Las Vegas Sun on April 25, 1988, refers to what appears to be the brunch at the Ghanem residence and indicates that the DSCC was the host. Attachment 5. In fact, while the DSCC states that such events are "not typically functions at which funds are actually raised" DSCC executive director Robert Chlopak, who according to the article was involved in the brunch, apparently indicated that the DSCC raised $25,000 at the affair.[3]

In any event, nothing provided by the respondents thus far tends to show that the receipt of goods and services from the Caterers for the brunch was permissible. Although the DSCC alleges that the brunch was put on by the Ghanems pursuant to the home-fund raising exemption, there is simply no evidence that the purported hosts placed the order or paid the corporation for it. Nor is there anything to refute the evidence within the referral that the brunch cost well in excess of the amount permitted under the home-fundraiser exemption.

The Bryan campaign asserts that it did not undertake or pay

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3. The article, entitled "Six Democratic senators stump for Bryan" indicates that the identified senators were in attendance at a brunch in Las Vegas on April 24, 1988, which appears to be the event at issue, and at a news conference that followed. Attachment 5. The article also revealed that some of the senators present demonstrated support for Bryan and criticized his opponent Chic Hecht during the news conference. According to the article, the funds raised went to the DSCC, rather than to the Bryan campaign. Id.

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for the Ghanem event, but it has not indicated whether members of that campaign's staff had any role in planning and executing it. In sum, at this point it is still unclear whether the staff of the DSCC, or the Bryan campaign, were involved in arranging/executing the mechanics of the event and whether, and to what extent, any committee staff had contact with the Ghanems, Chris Karamanos or any of the employees of the Caterers.

There are also many questions left unanswered regarding the seven election day orders from the Caterers which were provided free of charge. The Bryan campaign indicates that some of the election day orders were placed by Lou Gamage from that campaign, but were placed on behalf of the State Committee for its GOTV efforts. The Bryan campaign, however, has not submitted any written statement from Ms. Gamage setting forth even the basic facts regarding the transactions at issue. The Bryan campaign does, however, admit receiving one apparently unsolicited order from the Caterers on election day 1988 and, despite its contention that it was not "compelled to acknowledge this obligation," it did accept the food and beverage order, a thing of value, in apparent violation of 2 U.S.C. § 441b(a). Moreover, since the State Committee has not responded to the Commission's findings, there is no new information regarding the involvement of that committee in placing and accepting these election day orders.

V. PROPOSED DISCOVERY

Given the many unanswered questions, further investigation appears necessary. The best source for any information regarding the $13,500 DSCC brunch are those persons who were in attendance

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at the Ghanem residence, who were most likely to have had contacts with the committee members involved, if any, contacts with Mr. Karamanos, and contacts with the guests in attendance. Because the brunch was held at their residence and they were apparently friends with Chris Karamanos, Dr. and Mrs. Ghanem would appear to be a good source of information.

Steve Osterhaus worked at the Ghanem brunch and remembered it vividly during his FBI interview, and from the information obtained through Comarell and McKenna, Osterhaus should be a key source of information relating to this investigation. See General Counsel's Report, dated May 13, 1992 at Attachment 1 at pages 8-14. Moreover, Lou Gamage appears to be the best source for information about the orders allegedly delivered to the State Committee and the Bryan campaign on election day 1988. Given these facts, and that informal attempts at discovery have not been successful, this Office recommends that the Commission approve subpoenas for document production and issue deposition subpoenas to Dr. and Mrs. Ghanem, Steve Osterhaus and Lou Gamage. Finally, the State Committee has not responded to the Commission's notifications, and the responses from the Bryan campaign and the DSCC leave many questions unanswered. Accordingly, this Office recommends that the Commission approve the attached subpoenas and orders for the State Committee, the Bryan campaign and the DSCC, and each of their respective treasurers to produce documents and provide written answers to the attached questions. Because further discovery is necessary, this Office also recommends that the Commission deny the requests of the Bryan campaign and the

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DSCC to take no further action and close this matter.

VI. RECOMMENDATIONS

1. Deny the requests of Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer, and Friends for Bryan and Michael W. Kern, as treasurer, to take no further action and close this matter.

2. Approve the attached subpoenas and orders for the Nevada Democratic State Committee, and Debbie Todd Johnson, as treasurer, the Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer, and Friends for Bryan and Michael W. Kern, as treasurer, to produce documents and to submit written answers.

3. Approve the attached subpoenas to take the depositions of Elias Ghanem, Jody Ghanem, Steve Osterhaus and Lou Gamage, and to produce documents.

4. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date 9/9/92

BY: [signature]
Lois G. Lerner
Assistant General Counsel

Staff Assigned: Xavier K. McDonnell

Attachments
1. Bryan campaign response
2. DSCC response
3. Bilbray response
4. Subpoenas/Orders
5. Las Vegas Sun article

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Bilbray for Congress Committee and Robert Goldberg, as treasurer;	)	MUR 3522
Friends for Bryan and Michael W. Kern, as treasurer;	)	
Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer;	)	
Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 15, 1992, the Commission decided by a vote of 6-0 to take the following actions in MUR 3522:

1. Deny the requests of Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer, and Friends for Bryan and Michael W. Kern, as treasurer, to take no further action and close this matter.

2. Approve the subpoenas and orders for the Nevada Democratic State Committee, and Debbie Todd Johnson, as treasurer, the Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer, and Friends for Bryan and Michael W. Kern, as treasurer, to produce documents and to submit written answers, as recommended in the General Counsel's Report dated September 9, 1992.

(continued)

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3. Approve the subpoenas to take the depositions of Elias Ghanem, Jody Ghanem, Steve Osterhaus and Lou Gamage, and to produce documents, as recommended in the General Counsel's Report dated September 9, 1992.

4. Approve the appropriate letters, as recommended in the General Counsel's Report dated September 9, 1992.

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

Attest:

9-16-92
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Sept. 10, 1992 9:49 a.m.
Circulated to the Commission: Thurs., Sept. 10, 1992 11:00 a.m.
Deadline for vote: Tues., Sept. 15, 1992 4:00 p.m.

bjr

9403097011 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Suite 800
Washington, D.C. 20005-2011

RE: MUR 3522
Democratic Senatorial Campaign Committee and
Thomas J. Lehner, as treasurer

Dear Mr. Bauer:

On June 8, 1992, the Democratic Senatorial Campaign Committee and Thomas J. Lehner, as treasurer ("your clients") were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). On July 31, 1992, you submitted a response to the Commission's finding, and requested that the Commission take no further action and close this matter.

On September 15, 1992, the Commission denied your request to take no further action and close this matter. Moreover, pursuant to its investigation of this matter, the Commission has issued the attached Subpoena and Order requiring your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Act. It is required that you submit answers to questions under oath and documents within 15 days of receipt.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
Subpoena and Order

9403097011 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Thomas J. Lehner, Treasurer
Democratic Senatorial Campaign Committee
c/o Robert F. Bauer, Esquire
Perkins Coie
Suite 800
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

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

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

9403097011 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 2nd day of October, 1992.

Joan D. Aikens
Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

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

Attachments
Instructions
Definitions
Questions/Document Request

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to January 1, 1989.

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 or discover 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.

9403097011 6

DEFINITIONS

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

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

9403097011 7

QUESTIONS

1. Indicate whether the Democratic Senatorial Campaign Committee (the "DSCC") arranged, executed or was involved in a brunch held at the Ghanem residence in Las Vegas, Nevada on April 24, 1988 (hereinafter the "brunch").

   a. Describe the DSCC's involvement in the brunch;

   b. Identify all persons from the DSCC who were involved in the brunch, including both paid employees and volunteers;

   c. Identify all persons from the DSCC who attended the brunch, and the "travelling party" referred to in your response to the Commission in this matter, dated July 31, 1992;

   d. Identify Jay Brewer.

2. Identify the contributors, public officials and candidates in attendance at the brunch.

3. Describe the arrangement(s) the DSCC had with any persons and entities regarding the brunch, including but not limited to:

   a. The Friends for Bryan campaign and Richard Bryan;

   b. Dr. Elias and Mrs. Jody Ghanem;

   c. Chris Karamanos, the Caterers, Inc., or any employees of that corporation.

4. State whether the DSCC received/accepted contributions in connection with the brunch. If the answer to question 4 is in the affirmative:

   a. Describe the DSCC's role in receiving and collecting contributions, indicating the manner in which contributions were collected;

   b. State the amount which guests contributed to attend the brunch and the total amount of contributions raised in connection with the brunch.

9403097011 8

DOCUMENT REQUEST

Identify and produce all documents related to the brunch, and all documents related to any orders received by the Caterers, Inc., included but not limited to invoices, invitations, correspondence, employee lists, volunteer lists, contributor lists, contracts, agreements, campaign materials, etc.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debbie Todd Johnson, Treasurer
Nevada Democratic State Committee
953 Sahara #201
Las Vegas, Nevada 89104

RE: MUR 3522

Dear Ms. Johnson:

On June 8 and July 14, 1992, you were notified that the Federal Election Commission had found reason to believe that the Nevada Democratic State Committee, and you, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"), and Commission regulations.

Pursuant to its investigation of this matter, the Commission has issued the attached Subpoena and Order requiring you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Act.

You may consult with an attorney and have an attorney assist you in connection with the responses to this Subpoena and Order. It is required that you submit all answers to questions under oath and documents within 15 days of receipt.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
Subpoena and Order

9403097012O

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Debbie Todd Johnson, Treasurer
Nevada Democratic State Committee
953 Sahara #201
Las Vegas, Nevada 89104

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

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

9403097012 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 2nd day of October, 1992.

Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions/Document Requests

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to January 1, 1989.

The following interrogatories and request 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 discover or 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 respondents in this action to whom these discovery requests are addressed, including all officers, employees, agents, attorneys or volunteers 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.

9403097012 4

QUESTIONS

1. State whether the Nevada Democratic State Committee (the "Committee") was involved in any fundraising or get out the vote ("GOTV") activities during November of 1988. If the answer to question 1 is in the affirmative:

   a. State the number of activities/events undertaken during that time period;

   b. Describe the type of activities/events undertaken, i.e., fundraising, voter registration, phone drives, etc.;

   c. Provide the location(s) where each of the activities and events was undertaken, and state the approximate number of employees and volunteers present at each;

   d. Identify all persons who supervised such activities and events, and all persons who assisted with such activities and events, both employees and volunteers;

2. State whether the Committee had arrangement(s) with any other committee(s) or person(s) regarding the above-referenced activities/events. Is so, briefly describe such arrangements and identify the persons and entities with which the Committee had arrangements, including but not limited to the Friends for Bryan campaign, then Governor Richard Bryan, the Democratic Senatorial Campaign Committee, etc.

3. State whether the Committee placed or received any orders for food, beverages or catering services from the Caterers, Incorporated of Las Vegas, Nevada during November of 1988. If the answer to question 3 is in the affirmative:

   a. State the number of orders placed and received, and indicate the location to which the orders were delivered, received or accepted;

   b. State whether the Committee or anyone else paid for the orders from the Caterers, Inc.;

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c. Identify all persons who placed and received such orders;

d. Briefly describe the content of the orders;

e. Identify the contact person from the Caterers, Incorporated and/or the person from whom you placed and/or received these orders.

4. State whether the Committee was involved in a fundraising event held at the residence of Dr. Elias and Mrs. Jody Ghanem on April 24, 1988. If so, briefly describe your involvement and identify the key person(s) and committee(s) involved.

5. State whether Lou Gamage was employed by your Committee, or assisted in any capacity, during 1988. If the answer to question 5 is in the affirmative:

a. State the time period in which she was employed by or assisted your Committee;

b. Indicate whether she was a paid employee or a volunteer;

c. Describe her position and duties;

d. Indicate whether she had the authority to place orders for the Committee;

e. Indicate whether she placed any orders on behalf of the Committee. If so, identify all such orders.

DOCUMENT REQUEST

Identify and produce all documents related to the above-referenced fundraising events and activities and all documents related to the Caterers, Inc., included but not limited to invoices, invitations, correspondence, employee lists, volunteer lists, contracts, agreements, campaign materials, etc.

9403097012 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Suite 800
Washington, D.C. 20005-2011

RE: MUR 3522
Friends for Bryan and
Michael W. Kern, as treasurer

Dear Mr. Bauer:

On June 8, 1992, Friends for Bryan, and Michael W. Kern, as treasurer ("your clients") were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). On July 31, 1992, you submitted a response to the Commission's finding, and requested that the Commission take no further action and close this matter.

On September 15, 1992, the Commission denied your request to take no further action and close this matter. Moreover, pursuant to its investigation of this matter, the Commission has issued the attached Subpoena and Order requiring your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Act. It is required that you submit all answers to questions under oath and documents within 15 days of receipt.

The Commission has also issued the attached Subpoena requiring Friends for Bryan employee Lou Gamage to appear and give sworn testimony and to produce the requested documents. The date and location of Ms. Gamage's deposition are provided on the attached subpoena.

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Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $40 plus mileage. Subsequent to the deposition, Ms. Gamage will be sent a check for the witness fee and mileage. Within four days of your receipt of this notification, please confirm the scheduled appearance with me at (202) 219-3400.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell
Attorney

Enclosure
Subpoena and Order
Subpoena for Lou Gamage

24030970128

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Michael W. Kern, Treasurer
Friends for Bryan
c/o Robert F. Bauer, Esquire
Perkins Coie
Suite 800
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

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

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

2400270129

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 2nd day of October, 1992.

Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions/Document Request

94050901130

INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1988 to January 1, 1989.

The following interrogatories and request 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 or discover 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 respondents in this action to whom these discovery requests are addressed including all officers, employees, agents, attorneys, volunteers, 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.

9403097013 2

QUESTIONS

1. State whether any persons working for the Bryan campaign were involved in arranging or executing the brunch held at the Ghanem residence in Las Vegas, Nevada on April 24, 1988 (hereinafter the "brunch"). If the answer to question 1 is in the affirmative;

   a. Identify these persons, indicating whether they were paid employees or volunteers;

   b. Describe the involvement of these person(s) in arranging or executing the brunch.

2. Identify the persons from the Bryan campaign, both paid employees and volunteers, who attended the brunch.

3. Identify the contributors, public officials and candidates who attended the brunch.

4. Describe the arrangement(s) the Bryan campaign had with other persons and entities regarding the brunch, including but not limited to:

   a. The Democratic Senatorial Campaign Committee;

   b. Dr. Elias and Mrs. Jody Ghanem;

   c. Chris Karamanos and the Caterers, Inc., or any employees of that corporation.

5. Identify Lou Gamage, indicate whether she was employed by the Bryan campaign during 1988. If the answer to question 5 is in the affirmative;

   a. Describe Ms. Gamage's position;

   b. State whether she was a paid employee or a volunteer;

   c. State whether she was a full time or part time employee of your committee or campaign during 1988;

   d. Identify any other person or committee whom Ms. Gamage worked for during 1988.

6. Identify the addresses of the Bryan campaign's headquarters and offices during October and November 1988.

9403097013 3

DOCUMENT REQUEST

1. Identify and produce all documents which refer or relate to the brunch, included but not limited to invoices, invitations, correspondence, employee lists, volunteer lists, contributor lists, contracts, agreements, campaign materials, etc.

2. Identify and produce all documents which refer or relate to Chris Karamanos and the Caterers, Incorporated, included but not limited to invoices, work orders, correspondence, campaign materials, notes, agreements, etc.

9403097013 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	MUR 3522
	)	

SUBPOENA

TO: Lou Gamage
Friends for Bryan
c/o Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Suite 800
Washington, D.C. 20005-2011

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to MUR 3522. Notice is hereby given that the deposition is to be taken on October 23, 1992, in the Eight Floor Conference Room of the United States Attorney's Office at 701 East Bridger Avenue, Suite 800, in Las Vegas, Nevada, beginning at 2:00 p.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to identify and produce:

1. All documents which relate to Get Out The Vote and fundraising activities and events involving Friends for Bryan and the Nevada Democratic State Committee during 1988, including but not limited to invoices, guest lists, invitations, thank-you notes, correspondence, campaign materials, etc. See Attached Instructions and Definitions.

2. All documents which relate to or refer to the Caterers, Incorporated, included but not limited to checks, invoices, correspondence, order forms, etc.

9403097013 5

Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of receipt of this Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this 2nd day of October, 1992.

Joan D. Aikens
Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

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

Attachment
Instructions/Definitions

9403097013 6

INSTRUCTIONS

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to January 1, 1990.

The request for production of documents is continuing in nature so as to require you to submit any documents obtained or discovered during the pendency of this matter. Include in any supplemental responses the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

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

"You" shall mean Lou Gamage.

"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.

9403097013 7

"Identify" 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.

"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.

9403097013 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 9, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steve Osterhaus
c/o Gayle Wiener Catering and VIP Services
Suite 31
4850 West Flamingo
Las Vegas, Nevada 89103

RE: MUR 3522

Dear Mr. Osterhaus:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, (the "Act"). The Commission has issued the attached Subpoena which requires you to appear and give sworn testimony at the time and place indicated, and requires you to provide certain documents in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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

You may consult with an attorney and have an attorney assist you in connection with the document request and you may have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

9403097013 9

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $40, plus mileage. Subsequent to the deposition, you will be sent a check for the witness fee and mileage. Within two days of your receipt of this notification, please confirm your scheduled appearance with me at (800) 424-9530.

Sincerely,

Xavier K. McDonnell
Attorney

Enclosure
Subpoena

9403097014O

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA

TO: Steve Osterhaus
c/o Gayle Wiener Catering and VIP Services
Suite 31
4850 West Flamingo
Las Vegas, Nevada 89103

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to MUR 3522. Notice is hereby given that the deposition is to be taken on October 20, 1992, in the Eight Floor Conference Room of the United States Attorney's Office at 701 East Bridger Avenue, Suite 800, in Las Vegas, Nevada, beginning at 9:30 a.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to identify and produce:

> All documents related to any orders from the Caterers, Incorporated, which were for any political events or events at which political candidates or officeholders were in attendance during 1988-1990. See Attached Instructions and Definitions.

Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 15 days of your receipt of this Subpoena.

9403097014 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C., on this 2nd day of October, 1992.

Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

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

Attachment
Instructions/Definitions

9403097014 2

INSTRUCTIONS

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 until January 1, 1990.

The request for production of documents is continuing in nature so as to require you to submit all documents obtained or discovered during the course of this investigation and during the pendency of this matter. Include in any supplement the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

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

"You" shall mean the named non-respondent witness in this action to whom this discovery request is addressed, including all officers, employees, agents or attorneys thereof.

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

9403097014 3

"Identify" 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.

"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.

9403097014 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jody Ann Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

RE: MUR 3522

Dear Mrs. Ghanem:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, (the "Act"). The Commission has issued the attached Subpoena which requires you to appear and give sworn testimony at the time and place indicated and requires you to provide certain documents in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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

You may consult with an attorney and have an attorney assist you in connection with the document request, and you may have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $40, plus mileage. Subsequent to the deposition, you will be sent a check for the witness fee and mileage. Within two days of your receipt of this notification, please confirm your scheduled appearance with me at (800) 424-9530.

Sincerely,

Xavier K. McDonnell
Attorney

Enclosure
Subpoena

9403097014S

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA

TO: Jody Ann Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to MUR 3522. Notice is hereby given that the deposition is to be taken on October 22, 1992, in the Eight Floor Conference Room of the United States Attorney's Office at 701 East Bridger Avenue in Las Vegas, Nevada, beginning at 9:30 a.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to identify and produce:

> All documents related to political/fundraising event(s) held at your residence(s) during 1988, including but not limited to contracts, checks, invoices, invitations, photographs, correspondence, thank-you notes, guest lists, etc. See Attached Instructions/Definitions.

Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463 within 15 days of receipt of this Subpoena.

9403097014 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 2nd day of October, 1992.

Joan D. Aikens
Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

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

Attachment
Instructions/Definitions

9403097014 7

INSTRUCTIONS

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

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Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 until January 1, 1990.

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

DEFINITIONS

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

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

9403097014 8

"Identify" 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.

"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.

4207270149

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 5, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Elias Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

RE: MUR 3522

Dear Dr. Ghanem:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, (the "Act"). The Commission has issued the attached Subpoena which requires you to appear and give sworn testimony at the time and place indicated and requires you to provide certain documents in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

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You may consult with an attorney and have an attorney assist you in connection with the document request, and you may have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $40, plus mileage. Subsequent to the deposition, you will be sent a check for the witness fee and mileage. Within two days of your receipt of this notification, please confirm your scheduled appearance with me at (800) 424-9530.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
Subpoena

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 3522)

SUBPOENA

TO: Elias Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to MUR 3522. Notice is hereby given that the deposition is to be taken on October 22, 1992, in the Eight Floor Conference Room of the United States Attorney's Office at 701 East Bridger Avenue, in Las Vegas, Nevada, beginning at 1:00 p.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to identify and produce:

> All documents related to the political/fundraising event(s) held at your residence(s) during 1988, including but not limited to contracts, checks, invoices, invitations, photographs, correspondence, thank-you notes, guest lists, etc. See Attached Instructions/Definitions.

Legible copies which, where applicable, show both sides of the documents may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463 within 15 days of receipt of this Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand in Washington, D.C. on this 2nd day of October, 1992.

Joan D. Aikens
Joan D. Aikens
Chairman
Federal Election Commission

ATTEST:

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

Attachment
Instructions/Definitions

2510700042

INSTRUCTIONS

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"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.

9403097015 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 16, 1992

Steve Osterhaus
c/o Gayle Wiener Catering and VIP Services
Suite 31
4850 West Flamingo
Las Vegas, Nevada 89103

RE: MUR 3522

Dear Mr. Osterhaus:

This is to inform you that your deposition in the above-captioned matter, previously scheduled for Tuesday October 20, 1992, has been re-scheduled for Tuesday October 27, 1992, at 9:30 a.m.

Thank you for your cooperation. If you have any questions, please call me at (202) 219-3400.

Sincerely,

Xavier K McDonnell

Xavier K. McDonnell
Attorney

9403097015 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BY TELEFAX

Dr. Elias and Mrs. Jody Ghanem
2901 Augusta Drive
Las Vegas, Nevada 89109

October 19, 1992

RE: MUR 3522

Dear Dr. Ghanem:

This is to confirm the changes we discussed by telephone concerning the deposition schedule in the above-captioned matter. As agreed, your depositions will now be held on Thursday, October 29, 1992, with Mrs. Ghanem appearing at 9:30 a.m. and you at 1:00 p.m. In addition, you have agreed to submit documents responsive to the Commission's Subpoena by Friday, October 23, 1992.

Thank you for your cooperation. If you have any questions, please call me at (800) 424-9530.

Sincerely

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

4210210096

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 20, 1992

Steve J. Osterhaus
The Cater # 1 Food Service Companies
4051 S. Eastern
Las Vegas, NV 89119

RE: MUR 3522

Dear Mr. Osterhaus:

This is a follow up to our recent telephone conversation in which you agreed to appear for deposition on Tuesday, October 27, 1992, at 9:30 a.m. at the U.S. Attorney's Office in Las Vegas. I have enclosed a copy of the Commission's notification letter and Subpoena in this matter. The original documents were sent on October 5, 1992, to the last known address of your prior place of employment, but service was not accepted. The original letter and Subpoena will be forwarded to you once they are returned to the Commission.

Please be assured that the Commission does not consider you a respondent in this matter, but a witness only. As the attached letter indicates, you may consult with an attorney and have an attorney present with you at the deposition. Moreover, although you have 15 days to produce the documents requested, given the circumstances we ask that you bring any documents you possess to the deposition. Additional information regarding the deposition, including details regarding the location, is provided in the attached letter and Subpoena. When you receive this letter, please call me at (800) 424-9530. Thank you for your cooperation in this matter.

Sincerely

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Original notification letter
Subpoena

9403097015 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 29, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Suite 800
Washington, D.C. 20005-2011

RE: MUR 3522
Lou Gamage

Dear Mr. Bauer:

This is to confirm the substance of our telephone conversation in the above-captioned matter concerning the deposition of Lou Gamage. At your request, we agreed to postpone the deposition until the week of November 9, 1992. In addition, you agreed to deliver to this Office all documents responsive to the Commission's Subpoenas at least two working days prior to Ms. Gamage's deposition. You also indicated that you shall be responsible for the costs associated with Ms. Gamage's travel to Washington, D.C.

Please notify us of the date you propose to hold the deposition as soon as possible. Thank you for your cooperation. If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell (FEA)

Xavier K. McDonnell
Attorney

2700158

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1992

Robert F. Bauer, Esquire
Judith Corley, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Suite 800
Washington, D.C. 20005-2011

RE: MUR 3522

Dear Mr. Bauer and Ms. Corley:

This is to confirm that the deposition of Lou Gamage will be held at the Office of the General Counsel, beginning at 9:30 a.m. on Thursday November 19, 1992. In addition, you have agreed to deliver to this Office all documents responsive to the Commission's Subpoenas in this matter by the close of business on Monday, November 16, 1992.

Thank you for your cooperation. If you have any questions or need additional information, I can be reached at (202) 219-3400.

Sincerely

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

9400509/0159

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Debbie Todd Johnson
Nevada Democratic State Committee
4440 S. Maryland
Suite 101
Las Vegas, Nevada 89119

November 10, 1992

RE: MUR 3522

Dear Ms. Johnson:

This is in response to our recent telephone conversation, in which you informed me that a response to the Commission's outstanding Subpoena and Order would be forthcoming. You also indicated that you had recently retained counsel in this matter who would be contacting me shortly. To date, no responses have been received and the identity of counsel has not been disclosed. In light of the amount of time that has elapsed since responses to the Commission's discovery requests were due, they should be submitted immediately.

Please inform me of the status of this matter as soon as possible. I can be reached at (202) 219-3400.

Sincerely,

Xavier K. McDonnell
Attorney

9403097016O

OGC 7498

PERKINS COIE

A Law Partnership Including Professional Corporations
607 Fourteenth Street, N.W. • Washington, D.C. 20005-2011 • (202) 628-6600

November 16, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 NOV 16 PM 3:40

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

Re: MUR 3522

Dear Mr. McDonnell:

Enclosed are the documents responsive the Federal Election Commission's subpoena in the above-referenced Matter Under Review.

This will also confirm that the deposition of Lou Gamage has been scheduled for 9:30 am on Thursday, November 19, 1992, at the Commission's offices.

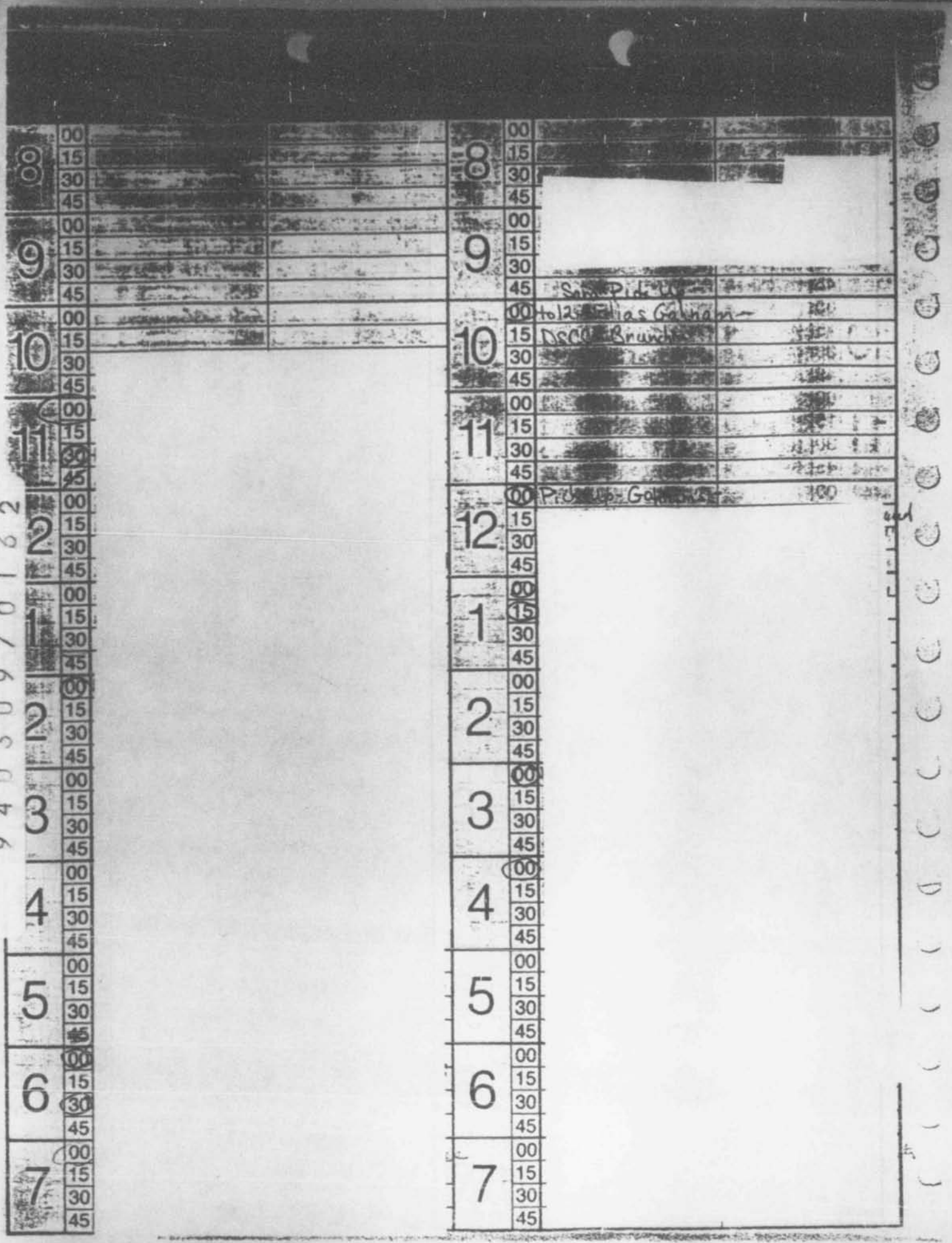
If you have any questions or need additional information before that time, please do not hesitate to contact one of the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel for Respondents

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[18065-0001/DA923210.052]


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to12 Elias Gahan
DSC Brunch
P.U. Up- Ga

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 VALLEY BANK PLAZA

300 SOUTH FOURTH STREET

LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845 (GROUP III)

FAX (702) 383-8852 (GROUP I & II XEROX 485)

SAMUEL S. LIONEL (1903-1967)
GRANT SAWYER
JON R. COLLINS (1923-1987)
ROBERT H. BUCKALEW
STEVE MORRIS
JEFFREY P. ZUCKER
PAUL M. HEJMANOWSKI
ROBERT D. FAISS
RICHARD G. CAMPBELL
DAVID N. FREDERICK
ANDREW S. BRIGNONE
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
CHARLES M. McCREA, JR.
MARK A. SOLOMON
RODNEY M. JEAN
BERT M. GOLDWATER
HARVEY WHITTEMORE
TODD TOUTON
DAVID WHITTEMORE
M. KRISTINA PICKERING
CAM FERENBACH
GREG L. JENSEN
LYNDA S. MABRY

MARK H. GOLDSTEIN
ANTHONY N. CABOT
KIRBY J. SMITH

PAUL D. BANCROFT
GARRY L. HAYES
LAURA B. ANEARN
C. CASEY WHITE
JENNIFER SMITH FLANGAS
COLLEEN A. DOLAN
JOHN R. BAILEY
JEFFREY D. MENICUCCI
KRISTIN BURT MCMILLAN
ANITA L. FUOSS
MARC N. RUBINSTEIN
GARY W. DUHON
DAVID S. RUBIN
RICK D. ROSKELLEY
ROBERT W. FREEMAN, JR.
BRIDGET E. ROBB
MARK ALEXANDER BEGNAUD
GREGORY D. MORRISON
LAUREL E. DAVIS
GORDON H. WARREN

RENO OFFICE
RICHARD G. CAMPBELL
RICHARD W. HORTON
DAN C. BOWEN
BERT M. GOLDWATER
HARVEY WHITTEMORE
M. KRISTINA PICKERING

PAUL D. BANCROFT
LAURA B. ANEARN
JENNIFER SMITH FLANGAS
JEFFREY D. MENICUCCI
KRISTIN BURT MCMILLAN
GARY W. DUHON
DAVID S. RUBIN
BRIDGET E. ROBB

WRITER'S DIRECT DIAL NUMBER

April 12, 1988

9403097016 3

Mr. & Mrs. Irwin Molasky
Paradise Homes
3111 S. Maryland Parkway
Las Vegas, NV 89109

Re: **PRIENDS FOR BRYAN**

Dear Susan and Irwin:

We would be very pleased if you could join Bonnie and Richard Bryan and Bette and myself for an informal dinner with a few friends, hosted by Mr. & Mrs. Chris Karamanos. The dinner will be held at the home of Elias Ghanem in the Las Vegas Country Club, 2901 Augusta Drive, at 7:00 PM Wednesday, April 27th.

Would you please give my secretary Lois a call at 383-8882 to advise whether or not you will be able to join us.

Sincerely,

Grant

GRANT SAWYER

GS/ls

DATE: 4/12/88

FROM: Grant Sawyer

TO: Lou Gammage
cc: Chris Karamanos
Elias Ghanem

RE: **Friends For Bryan letters of invitation**

Attached is a sample copy of the invitation letter mailed to the following people. We will advise you of the responses received.

2 BALDWIN, Robert H. & ~~Shirley~~ Angela
No BOWEN, Dan & Susan
2 BROWN, B. Mahlon & Lucille
2 CAMPBELL, Richard & Marlene
2 DUNCAN, Alan / Bedsley - guest
2 GHELFI, Craig & Stephanie
2 GOMES, Dennis & Barbara
HOGE, Mary
2 LIONEL, Samuel S. & Pat
LUCIANI, Alfred J. & Janice
2 MASTRANGELO, Nikolas & Lala
MOLASKY, Irwin & Susan
2 MORRIS, Ken & Paulette
No MORRIS, Steve
2 NITZ, Owen & Jan
2 PARSONS, Steven J / guest Kern Paid
1 PIAZZA, (Carl) & Lieko
2 PILKINGTON, John H. & Julie
2 RUDIAK, George & Gertrude
/ SAWYER, Gail
2 SAWYER, Grant & Bette
2 SCHAFFER, Gerald & Mary Jane
No SCHAFFER, Melodee
SCOTT, Frank & Charlene
No STERN, Sid & Vera
TOMPKINS, Andy & Susan
TURNER, Clyde T. & Vera
No WYNN, Elaine
No WYNN, Kenneth R.
No WYNN, Stephen A.
No ZUCKER, Jeff

Lou Gammage
R.L.B. - Bonnie
Elaine + Jodi

9403097001164

FRIENDS FOR BRYAN
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

CYCLE-22 26-OCT-1988 PROC 94-2469

150600854 10 OCT 88 0004 94-38/1224

Pay to the order of The Caterers 19 88

$15120 00/100

Fifteen thousand one hundred Twenty & 00/1000 Dollars

First Interstate Bank
First Interstate Bank of Nevada, N.A.
Tower Office 184
P.O. Box 15188
Las Vegas, Nevada 89114

For

Michael Kerr

"002469" :122400384: 184000616 3" "0001512000"

9403097016S

PAY TO THE ORDER OF
VALLEY BANK OF NEVADA
VALLEY BANK CENTER BRANCH
THE CATERER'S INC.
GENERAL ACCOUNT
FOR DEPOSIT ONLY
079575031

VALLEY BANK OF NV, LAS VEGAS, NV
20021358 0854 10-25-88 26-OCT-1988

VALLEY BANK
LAS VEGAS,
NEVADA

EARNS

0115689

CYCLE-22

9403097016 6

the CATERER'S
A FOOD SERVICE COMPANY

DATE Oct.11, 19 88

BRYAN FOR U.S. SENATE
2929 E. Desert Inn Road
TO Suite 18
Las Vegas, NV

STATEMENT OF YOUR ACCOUNT TERMS: NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
10/4/88	840 Guests @ 18.00 per person	15,120.00
	TOTAL	15,120.00

THANK YOU for allowing The Caterer's to serve your guests!

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9403097001167

9403097016 8



October 24, 1988

Steve Osterhaus
The Caterers
3431 Industrial Road
Las Vegas, Nevada

Dear Steve:

Before too much more time goes by, Bonnie and I wanted to personally thank you and your staff for the wonderful job you did for us at our October 10 dinner. Everything was perfect, and we continue to hear how much everyone enjoyed the meal and your excellent service.

The evening was a huge success, due in great part to the skill and expertise of you and your crew. Many, many thanks for yet another fine job. We appreciate it!

Best regards.

Sincerely,

RICHARD H. BRYAN

RHB/lp

Paid for by Friends for Bryan, Michael Hann, Treas.

FRIENDS FOR BRYAN
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109-0908

CYCLE-21 27-JUL-1988 PROC 94887

94-38/1224

July 27 19 88

Pay to the order of The Caterer's $ 4732 50/100

Four-thousand Seven hundred Thirty two & 50/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 184
P.O. Box 15168
Las Vegas, Nevada 89114

For 963

Mikel Kern

"001887" "122400384" 1840006163" "0000473250"

9403092701169

CREDIT TO THE ACCOUNT OF
WITHIN NAMED PAYEE

Caterer's Inc

ACCOUNT No. 0757031

VALLEY BANK OF NEVADA
LAS VEGAS, NEVADA

1107

20

CYCLE-22

1002425341189 94-72 PAY ANY BANK PEG 12240804
04-26-68 04 ANY-DEL-Wheeler AS 1662501738

9403097017 0

the CATERER'S
A FOOD SERVICE COMPANY

DATE July 18, 19 88

Governor Bryan's Birthday Party

7-C216-88

TO Governor Bryan's Birthday Party
2929 East Desert Inn Rd.
Suite 18
Las Vegas, Nevada

Attn: Lou Gamage

STATEMENT OF YOUR ACCOUNT TERMS: NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
7/15	900 Guests served @4.00 per person	3600.00
	Sales Tax	216.00
	15% Gratuity	540.00
	Happy Time Machines	319.00
	Mixes	37.50
	Glasses	20.00
	Thank You for having The Caterer's	
	TOTAL	$4732.50

THANK YOU for allowing The Caterer's to serve your guests !

Job Order 963

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9400309701171

2'111.09

Nevada Voter Contact
1810 N.W. Everett #204
Portland, Or: 97209

INVOICE NO. 9038

SOLD TO	SHIPPED TO
Nevada Democratic Party	Bryan for U.S. Senate
STREET & NO. 1155 E. Sahara #17	STREET & NO. 1055 S. Wells Avenue
CITY Las Vegas, NV. 89104 STATE ZIP	CITY Reno, NV. 89502 STATE ZIP

CUSTOMER'S ORDER	SALESMAN	TERMS	F.O.B.	DATE
3X5 Cards	P. Powell			10/26/88

6,246	3X5 Cards for Washoe Democrats (order H) w/phones only @ $50 per K		312 30
9,670	3X5 Cards for Washoe Pure R, Pure I, Pure RI HH (order J) w/phone only @ $50		483 50
11,190	+ Household select @ $4 per K		44 76
	+ shipping		111 41
	TOTAL DUE		$ 951 97

INVOICE

FORMS 704/01706

9403097017 2

Nevada Voter Contact
1910 N.W. Everett #204
Portland, Or. 97209

DIRECT DATA

INVOICE NO. 9011

INVOICE

SOLD TO	SHIPPED TO
Friends of Bryan	Same Paskey Systems
STREET & NO. 2121 E. Desert Inn Road #18	STREET & NO. 4027 Peta Ave.
CITY Las Vegas, Nevada 89121 STATE ZIP	CITY Las Vegas, Nv. 89103 STATE ZIP

CUSTOMER'S ORDER	SALESMAN	TERMS	F.O.B.	DATE
Mailing Labels	D. Powell			10/23/88

6,066	Cheshire, 5-Line MAILING LABELS for All Dem HH in Lyon, Mineral, & White Pine Counties @ $22		133 45
	+ 3 County selects		3 00
	+ shipping		12 00
	TOTAL DUE		$148 45

Please Pay Above ASAP

Thank You.

9403097017 3

04/01706

NEVADA VOTER CONTACT - November Expenses

Postage (figure includes $7,800.00 for mailing of Votergram)	$ 8,306.05
Pilot Air Freight (Votergram)	1,611.00
Utilities	93.83
CCTA - printing of doorhangers	2,182.99
Voter Contact Services	24,317.55
Election Day Expenses	
Flyer distribution - Westside	1,000.00
Dollar Rent-A-Car	1,017.54
Dorothy Johnson (lunches)	150.00
LV High Hispanic Club	200.00
KMTW (Jesse Jackson GOTV radio spot)	576.00
Westside GOTV	7,840.00
Miscellaneous	200.00
Phone bank ads	45.30
Payroll (including salaries and taxes)	26,255.42
Reynaldo Martinez (consulting fees)	3,000.00
Phones	4,919.62
Lee Wastell - expenses	136.21
George Roberts - expenses	440.75
Time Printing misc. invoices	5,162.74
Data Pros	800.52
Misc. supplies & expenses	247.81
TOTAL NOVEMBER EXPENSES	$ 88,503.33

9403097017 4

NEVADA VOTER CONTACT - December Expenses

Postage	$ 45.61
Phones	338.90
Utilities	54.85
Payroll (salaries & taxes)	8,113.76
GOTV Election Day invoices	166.91
Miscellaneous	15.84
TOTAL DECEMBER EXPENSES	$ 8,735.87

9403097O175

NEVADA VOTER CONTACT - January Expenses

Voter Contact Services	$ 4,896.00
Brown Inc.	2,039.58
Time Printing	56.69
Callahan's Printing	1,000.00
Payroll	2,299.96
TOTAL JANUARY EXPENSES (excluding payroll of 1-31-89)	$ 10,292.23

9403097017 6

OUTSTANDING INVOICES

Callahan's Printing	439.00
Access Long Distance	26.30
Nevada Power	91.42
Manpower	3,843.85
MCI Telecommunications	127.95
Oakdale Studios (advertising)	636.50
Southern Nevada Radio, Inc.	576.00
Learning Skills Inc.	217.50
Payroll (includes yearend taxes)	5,524.08
TOTAL	$ 11,482.60

1/25/89 Sara

Ted

OUTSTANDING INVOICES - Nevada Voter Contact

Oakdale Studios (advertising)	636.50
Southern Nevada Radio, Inc. KMTW (GOTV spots)	576.00
Callahan's Printing, Inc. (Reno doorhanger printing)	397.08
Manpower	3,843.85
Learning Skills, Inc.	217.50
	$5670.93

NEVADA VOTER CONTACT - January 31, 1989 expenses

PAYROLL

Unemployment taxes, 4th qtr. 1988	$ 2,104.42
SIIS, 4th qtr, 1988	269.75
Lee Wastell	1,224.11
Jan Churchill	793.95
	$ 4,392.23

Cash on hand	1,806.47
Payroll expenses	4,392.23
Cash needed	2,585.76

9403097017 7

Sara

OUTSTANDING INVOICES - Nevada Voter Contact

Nevada Voter Contact (Don Powell)	$ 6,396.00
Time Printing	56.69
Oakdale Studios (advertising)	636.50
Southern Nevada Radio, Inc. - KMTW	576.00
Callahan's Printing, Inc. (doorhangers-Reno)	1,397.08
Brown, Inc.	2,039.58
Manpower	3,843.85
Learning Skills, Inc.	217.50
TOTAL	$15,163.20

The above expenses were incurred on behalf of the Bryan campaign and billed to the Nevada Voter Contact program.

- The radio billing was for spots on GOTV for the West Las Vegas area

- Callahan's Printing was for GOTV slate door hangers to use in Reno/Carson City and type setting for these

- Manpower was for GOTV phone bank calling and some for the I.D. calling when we could not secure enough personnel through the ads in the Sun and R.J.

- Learning Skills was computer input in Reno for statistics on the I.D. calling

Lee Wastell
12/29/88

An amount of $1750 is due to members of the WLV teams in precincts that met goals set for GOTV in turning out voters in the general election. ($50.00 for each team member or 35 persons in total)

9403097 0178

OGC 7607

PERKINS COIE

A Law Partnership Including Professional Corporations
607 Fourteenth Street, N.W. • Washington, D.C. 20005-2011 • (202) 628-6600

November 20, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 NOV 20 PM 4:14

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

Re: MUR 3522 - Lou Gamage
Friends of Bryan

Dear Mr. McDonnell:

This will confirm my telephone conversation with you regarding the document production requested in connection with the subpoena for the deposition of Ms. Lou Gamage.

As I told you, Ms. Gamage did not maintain any files or documents related to the materials requested in the subpoena separate or distinct from the files of Friends for Bryan. Therefore, the documents produced as an attachment to our letter dated November 16, 1992, were responsive both to the request for production of documents addressed to Friends of Bryan and that addressed to Ms. Gamage.

If you have any questions or need additional information, please contact the undersigned.

Very truly yours,

Judith L. Corley
Counsel to Respondents

[18065-0001/DA923230.052]

9403097017 9

OGC 7608

PERKINS COIE

A Law Partnership Including Professional Corporations
607 Fourteenth Street, N.W. • Washington, D.C. 20005-2011 • (202) 628-6600

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 NOV 20 PM 4:14

November 20, 1992

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

Re: MUR 3522

Dear Mr. McDonnell:

Enclosed are the responses to interrogatories and requests for production of documents by the Friends of Bryan Committee.

If you have any questions or need additional information, please contact the undersigned.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to Respondents

JLC:jlc

[18065-0001/LETTER.01]

9403097018O

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 3522

Respondent: Friends for Bryan, Michael W. Kern, Treasurer

RESPONSE TO INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS

The responses to these interrogatories and requests for production of documents are signed by Michael W. Kern, the Treasurer of Friends for Bryan ("the Committee"). While Mr. Kern was the Treasurer of the Committee at the time of the events in question in this Matter Under Review, he does not have any personal knowledge of the information presented herein. Nonetheless, the responses to these interrogatories and requests for production of documents are correct to the best of Mr. Kern's information and belief based on information derived from a review of documents and from interviews with former staff member of the Committee.

INTERROGATORY NO. 1

1. State whether any persons working for the Bryan campaign were involved in arranging or executing the brunch held at the Ghanem residence in Las Vegas, Nevada on April 24, 1988 (hereinafter "the brunch"). If the answer is to question 1 is in the affirmative:

a. Identify the persons, indicating whether they were paid employees or volunteers;

b. Describe the involvement of these person(s) in arranging or executing the brunch.

RESPONSE

1. No person or persons working for the Bryan campaign were involved in arranging or executing the brunch held at the Ghanem residence in Las Vegas, Nevada on April 24, 1988.

INTERROGATORY NO. 2

2. Identify the persons from the Bryan campaign, both paid employees and volunteers, who attended the brunch.

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RESPONSE

2. Senator Richard Bryan and his wife
United States Senate
364 Russell Senate Office Building
Washington, D.C. 20510
(202)224-6244

In addition, Sara Besser, an employee of Friends of Bryan, dropped the Senator off and picked the Senator up at the brunch. In doing so, she entered the Ghanem residence during the brunch for approximately 10 minutes.

INTERROGATORY NO. 3

3. Identify the contributors, public officials and candidates who attended the brunch.

RESPONSE

3. Other than the individuals listed in the response to Interrogatory No. 2, the Bryan campaign cannot identify any other individuals who attended the brunch.

INTERROGATORY NO. 4

4. Describe the arrangement(s) the Bryan campaign had with other persons or entities regarding the brunch, including but not limited to:

a. The Democratic Senatorial Campaign Committee;

b. Dr. Elias and Mrs. Jody Ghanem;

c. Chris Karamanos and the Caterers, Inc., or any employee of that corporation.

RESPONSE

4. The Bryan campaign did not have any arrangement(s) with any other person or entity regarding the brunch.

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INTERROGATORY NO. 5

5. Identify Lou Gamage, indicate whether she was employed by the Bryan campaign during 1988. If the answer to question 5 is in the affirmative:

a. Describe Ms. Gamage's position;

b. State whether she was a paid employee or a volunteer;

c. State whether she was a full time or part time employee of your committee or campaign during 1988;

d. Identify any other person or committee whom Ms. Gamage worked for during 1988.

RESPONSE

5. Lou Gamage
1341 Pinto Rock Lane #101
Las Vegas, NV 89128

a. Ms. Gamage was the Special Projects Coordinator and a fundraiser for the Bryan campaign.

b. Ms. Gamage was a paid employee of the Bryan campaign.

c. Ms. Gamage was a full time employee of the Bryan campaign.

d. Ms. Gamage provided services to the Nevada Democratic State Party's Voter Contact program at the direction of the Bryan campaign and while it paid employees for three weeks during 1988.

INTERROGATORY NO. 6

6. Identify the addresses of the Bryan campaign's headquarters and offices during October and November 1988.

RESPONSE

6. P.O. Box 61288
Las Vegas, NV 89160

9403097018 3

2929 E. D.I. Rd., Suite 18
Las Vegas, NV 89121

912 S. Martin Luther King Dr.
Las Vegas, NV 89106

P.O. Box 11397
Reno, NV 89511

1055 S. Wells Avenue
Reno, NV 89502

DOCUMENT REQUEST NO. 1

1. Identify and produce all documents which refer or relate to the brunch, included [sic] by not limited to invoices, invitations, correspondence, employee lists, volunteer lists, contributor lists, contracts, agreements, campaign materials, etc.

DOCUMENT REQUEST NO. 2

2. Identify and produce all documents which refer or relate to Chris Karamanos and the Caterers, Incorporated, included [sic] but not limited to invoices, work orders, correspondence, campaign materials, notes, agreements, etc.

RESPONSE

All documents related to the two document requests above were produced for the Commission as an attachment to the letter from Perkins Coie dated November 16, 1992.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 20th day of November, 1992.

Michael Kern
Michael W. Kern, Treasurer
Friends of Bryan

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OGC 7609

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 3522

Respondent: Democratic Senatorial Campaign Committee

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 NOV 20 PM 4:

RESPONSE TO INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS

The responses to these interrogatories and requests for production of documents are signed by Thomas J. Lehner, the current Treasurer of the Democratic Senatorial Campaign Committee, Inc. ("DSCC"). Mr. Lehner was not employed by the DSCC at the time of the events in question in this Matter Under Review and, therefore, he does not have any personal knowledge of the information presented herein. Nonetheless, the responses to these interrogatories and requests for production of documents are correct to the best of Mr. Lehner's information and belief based on information derived from a review of documents.

INTERROGATORY NO. 1

1. Indicate whether the Democratic Senatorial Campaign Committee (the "DSCC") arranged, executed, or was involved in a brunch held at the Ghanem residence in Las Vegas, Nevada on April 24, 1988 (hereinafter the "brunch").

   a. Describe the DSCC's involvement in the brunch;

   b. Identify all persons from the DSCC who were involved in the brunch, including both paid employees and volunteers;

   c. Identify all persons from the DSCC who attended the brunch, and the "travelling party" referred to in your response to the Commission in this matter, dated July 31, 1992;

   d. Identify Jay Brewer.

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RESPONSE

1.a. DSCC had no records indicating involvement in this event.

1.b. See a.

1.c. See a.

1.d. Unknown.

INTERROGATORY NO. 2

2. Identify the contributors, public officials and candidates in attendance at the brunch.

RESPONSE

See 1.a.

INTERROGATORY NO. 3

3. Describe the arrangement(s) the DSCC had with any persons and entities regarding the brunch, including but not limited to:

   a. The Friends of Bryan campaign and Richard Bryan;

   b. Dr. Elias and Mrs. Jody Ghanem;

   c. Chris Karamanos, the Caterers, Inc., or any employees of that corporation;

RESPONSE

3.a. See 1.a.

3 b. See 1.a.

3.c. See 1.a.

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INTERROGATORY NO. 4

4. State whether the DSCC received/accepted contributions in connection with that brunch. If the answer to question 4 is in the affirmative:

   a. Describe the DSCC's role in receiving and collecting contributions, indicating the manner in which contributions were collected;

   b. State the amount which guests contributed to attend the brunch and the total amount of contributions raised in connection with the brunch.

RESPONSE

4.a. See 1.a.

4.b. See 1.a.

DOCUMENT REQUEST

Identify and produce all documents related to the brunch, and all documents related to any orders received by the Caterers, Inc., included [sic] by not limited to invoices, invitations, correspondence, employee lists, volunteer lists, contributor lists, contracts, agreements, campaign materials, etc.

RESPONSE

See 1.a.; DSCC possesses no documents related to any orders received by the Caterers, Inc.

9403097018Z

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 20th day of November, 1992.

Thomas J. Lehner, Treasurer
Democratic Senatorial Campaign
Committee, Inc.

94030970188

NEVADA STATE DEMOCRATIC PARTY

DEBBIE TODD JOHNSON
Treasurer
5120-B Byrne Ave
Las Vegas, Nv. 89102

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE SECRETARY
92 NOV 24 AM 9:19

November 04, 1992

Darlene Harris
Report Analyst
Federal Election Commission
Washington, D.C. 20463

Dear Ms Harris

Subject: Change of address ID #C00208991

In accordance with FEC regulations please be advised of the Nevada State Democratic Party change of address our new physical address is:

4440 South Maryland Parkway Ste 101
Las Vegas, Nv. 89119-7534

FEC inquires, information, forms etc. should be submitted to my mailing address:

5120-B Byrne Avenue
Las Vegas, Nv. 89122
(702) 898-2108

Please feel free to contact me at the above address and telephone number if you require additional information. Thank you in advance for your assistance.

Sincerely,

Debbie Todd Johnson
Treasurer Nevada
State Democratic Party

/DTJ

94030970189

FAX 7028761148 SEIU LAS VEGAS P02

NEVADA STATE DEMOCRATIC PARTY

DEBBIE TODD JOHNSON
1520-B Byrne Ave
Las Vegas, Nv. 89122
(702) 898-2108

November 06, 1992

Xavier K. McDonnell
Federal Election Commission
999 E. Street NW
Washington, D.C. 20463

Dear Mr. McDonnell

Subject: Mur 3522 conversation November 06, 1992

Pursuant our conversation the morning of November 06, 1992 this letter is a follow-up of said conversation.

(1) As I was not treasurer of the Nevada State Democratic Party during the period in question some investigation will be necessary.
(2 Your letter Dated June 8,1992 was forwarded to Mr.Richard Segerblom Chairman of the Nevada State Democratic Party to resolve.
(3) Mr. Segerblom advised me that the matter was being taken care of by an attorney in Washington.
(4) According to Mr. Segerblom, Senator Bryan was aware of the matter and would resolve it.
(5) I assumed the matter had been taken care of until recently when I received your July 14,1992 letter.
(6) On Monday November 09,1992 I will meet with Mr. Segerblom to discuss what action if any has been taken regarding this matter.
(7) Wednesday November 11,1992 I meet with Senator Bryan who could best to respond to your questions.
(8) If there is someone other than Mr.Segerblom or Senator Bryan handling this matter I will advise you.

Both gentleman are more knowledgeable; than I as to what transpired in 1988; I am sure you can anticipate a speedy response from them on your inquires.

Mr.McDonnell, please contact me at the above address and telephone number. This should help to avoid some of the mail delays I have been experiencing.

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Sincerely,

Debbie Todd Johnson
Treasurer Nevada
State Democratic Party

cc: Richard Segerblom-Chairman
Richard Bryan US Senator

/DTJ

9403097019 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 6, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debbie Todd Johnson
Nevada Democratic State Committee
5120-B Byrne Avenue
Las Vegas, Nevada 89122

RE: MUR 3522
Nevada Democratic State Committee and
Debbie Todd Johnson, as treasurer

Dear Ms. Johnson:

On June 8 and July 14, 1992, you were notified the Federal Election Commission found reason to believe that the Nevada Democratic State Committee and you, as treasurer violated 2 U.S.C. § 441b(a). On October 5, 1992, the Commission sent you a Subpoena to produce documents and an Order to answer questions about this matter. The postal return receipt document indicates that the Subpoena and Order were received by the Committee on October 15, 1992. The responses to this Subpoena and Order were due within fifteen days from the date of receipt.

In early November, you stated during a telephone inquiry by Xavier K. McDonnell that a response was forthcoming, and on November 23, 1992, you sent by facsimile a letter indicating you had no knowledge about the facts at issue, that you were to meet about this matter with Committee Chairman Richard Segerblom and Senator Bryan, and that this Office could "anticipate a speedy response from them." To date, no response has been received.

In light of the amount of time that has elapsed, a response should be filed immediately.

Should you have any questions, please contact Mr. McDonnell at (202) 376-3400.

Sincerely,

Lisa E. Klein
Assistant General Counsel

9403090162

RECEIVED
F.E.C.
SECRETARIAT
94 MAR -2 AM 11:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Friends for Bryan and	)	SENSITIVE
Michael W. Kern, as treasurer	)	
Democratic Senatorial Campaign Committee	)	
and Donald J. Foley, as treasurer	)	
Nevada Democratic State Committee and	)	
Debbie Todd Johnson, as treasurer	)	MUR 3522
Bilbray for Congress Committee and	)	
Robert Goldberg, as treasurer	)	
Elias F. Ghanem	)	
Jody Ann Ghanem	)	
William E. Bannen	)	
G&B Enterprises	)	

9403097019 3

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On May 14, 1992, the Commission found reason to believe that Friends for Bryan ("Bryan campaign"), the Democratic Senatorial Campaign Committee ("DSCC"), Bilbray for Congress Committee ("Bilbray campaign"), the Nevada Democratic State Committee ("State Party" or "State Committee"), and their respective treasurers, violated 2 U.S.C. § 441b(a) by accepting free orders of food, beverages and catering services with an apparent value of $23,055, from the defunct Caterer's, Inc., and its owner Chris Karamanous, who is deceased.[1]

The investigation in this matter included deposing Ms. Nellie Lou Gamage (hereinafter "Lou Gamage") who was "projects coordinator" for the 1988 Bryan campaign, Dr. and Mrs. Ghanem,

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1. This matter was referred to the Commission by the Department of Justice ("DOJ"), based upon evidence from the Federal Bureau of Investigation ("FBI"). See Attachment 6. The Commission also found reason to believe that Mr. Karamanous and his corporation violated Section 441b(a), but took no further action and closed the file as it pertains to them on May 14, 1992.

whose residence was used for fundraising events, and Steve Osterhaus, the former Caterer's director who worked directly for the late Chris Karamanous, and catered many of the functions at issue. Several other witnesses were contacted and informally discussed the transactions at issue in this matter. As discussed in more detail below, the various participants' testimonies reveal differing recollections about the arrangements for the catering and who was to pay for it. In any case, none of the catering orders appear to have been paid for by either the committees involved or the Ghanems. Unfortunately, important witnesses and documents related to these transactions are unavailable, which has impaired the investigation.

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II. RECOMMENDED ACTIONS IN LIGHT OF FEC v. NRA

Consistent with the Commission's November 9, 1993 decisions concerning compliance with FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed (U.S. Jan. 18, 1994) (No. 93-1151), this Office recommends that the Commission revote to open this matter, revote the findings of reason to believe made on May 14, 1992, as specified below in Section VI, and revote to approve the factual and legal analyses attached to the General Counsel's Report dated May 13, 1992.

III. APPLICABLE LAW

Corporations are prohibited by 2 U.S.C. § 441b(a) from making contributions in connection with federal elections, and the value of what may be contributed by others to federal candidates and committees is limited by 2 U.S.C. § 441a. The Commission's regulations provide that no contribution results where an individual, in the course of volunteering personal services on his

or her residential premises to any candidate or to any political committee of a political party, provides the use of his or her real or personal property to such candidate for candidate-related activity or to such political committee of a political party for party-related activity. 11 C.F.R. § 100.7(b)(4). In addition, the cost of invitations, food and beverages is not a contribution where such items are voluntarily provided by an individual volunteering personal services on the individual's residential premises, to a candidate for candidate-related activity or to any political committee of a political party for party-related activity, to the extent that the aggregate value of such invitations, food and beverages provided by the individual on behalf of the candidate does not exceed $1,000 with respect to any single election, and on behalf of all political parties does not exceed $2,000 in any calendar year. 11 C.F.R. § 100.7(b)(6); see 2 U.S.C. § 431(8)(B)(ii).

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IV. SUMMARY AND ANALYSIS OF FACTS OBTAINED

A. GHANEM EVENTS

Dr. Elias and Jody Ghanem held three pertinent fundraising events in their home in 1988, at least two of which were catered by the Caterer's, Inc. There is no evidence the corporation was ever paid for catering these events. The Ghanems testified they had only limited and general recollections of the political events in question, and stated that they simply made their home available and solicited contributions. They did not order or pay for any of the catering in connection with 1988 fundraising events, and asserted all such details were handled by the committees involved. See Dr. Elias Ghanem's Depo. (Attachment 1) at 7, 22-24 and

28-30, and Jody Ghanem's Depo. (Attachment 2) at 1-2 and 12. The three events at the Ghanem residence include: (i) a Bryan campaign dinner (ii) a DSCC brunch; and (iii) a Bryan campaign brunch.

(i) Bryan Campaign Dinner

The dinner at the Ghanem residence which is evidenced by the Caterer's $13,500 invoice made out to "Governor Richard Bryan" and marked "comp" ("complimentary") is now known to have been held on April 27, 1988. Attachment 6 at 33.[2] The evidence relating to the event was part of the materials within the DOJ referral, which included a Caterer's bookkeeping entry and FBI interviews of former Caterer's director Steve Osterhaus. Id. at 8-14, 29 and 33.

The dinner was arranged for the Bryan campaign by former Nevada Governor Grant Sawyer. See Nellie Lou Gamage Depo. (Attachment 3) at pages 69-70. The Bryan campaign produced a copy of a memo from Mr. Sawyer regarding the dinner, dated April 12, 1988, along with a sample copy of the dinner invitation signed by Grant Sawyer and printed on the letterhead of his Las Vegas law firm. Attachment 5 at 10. The invitation states that we "would be very pleased if you could join Bonnie and Richard Bryan and Bette and myself for an informal dinner with a few friends, hosted by Mr. & Mrs. Chris Karamanous . . . held at the home of Elias Ghanem . . . on April 27, 1988." (emphasis

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2. There was initially confusion about whether the $13,500 invoice related to a brunch or a dinner, due to the dates appearing on that invoice and the Bryan campaign's response to the FBI inquiry. See Attachment 6 at 17-18, and First General Counsel's Report ("FGCR"), dated May 13, 1992, at Attachment 1, page 17. The brunch, which was held three days earlier than the dinner, was for the DSCC, and is discussed, infra at pages 10-12.

added). Attachment 5 at 10-11.[3] Mr. Sawyer's memo to the Bryan campaign, which also was marked for distribution to Chris Karamanous and Elias Ghanem, contains a guest list of 51 people, 34 of whom were expected to attend the dinner. Id. at 11. Disclosure reports indicate that persons identified on Mr. Sawyer's memo contributed approximately $40,000 to the Bryan campaign in the weeks prior to the dinner.

Ms. Gamage testified that Mr. Sawyer solicited the contributions and forwarded them to the Bryan Committee. Attachment 3 at 70-72, and 158-160. Ms. Gamage further testified that Mr. Sawyer was very detailed in handling the event, and that he kept her "completely informed" about it. Id. at 70. She asserted that the event was not like the "usual" home fundraiser because nobody from the Bryan campaign other than Senate candidate Bryan attended and because contributions were given in advance rather than at the event. Id. at 70-72. Ms. Gamage stated that she provided Grant Sawyer with the Bryan campaign's memo containing the "FEC Guidelines" for home fundraisers, an undated copy of which was provided at her deposition. Id. at 73; Attachment 5 at 12-13.[4]

Steve Osterhaus offered the most complete description of the dinner: he described it as an elaborate but informal outdoor dinner with an "upscale menu," catering personnel present, a number of small round tables set out near the golf course, outdoor

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3. Bonnie is the first name of Senator Bryan's spouse.

4. This Office attempted to contact Mr. Sawyer by telephone, but was told he suffered a stroke and it is unclear when he would be available to discuss this matter.

lighting and floral arrangements. See Steven J. Osterhaus Depo. (Attachment 4) at pages 14, 31-37.[5] Osterhaus verified the accuracy of the retail price on the invoice ($13,500), which he testified he had calculated in accordance with industry practice. Id. at 50-51. Mr. Osterhaus did not know whether the $13,500 invoice was ever mailed. Id. at 55.

Nelson McKenna, a catering employee who worked the event and who this Office contacted informally, corroborated much of Mr. Osterhaus' testimony. Both he and Osterhaus stated that they believed the event may have been jointly "concocted" by Karamanous and Ghanem, with Karamanous providing the catering and Dr. Ghanem providing the use of his home. Both gentlemen also recalled that Mr. Karamanous was seated with then Governor and Senate candidate Richard Bryan at dinner that evening. Attachment 4 at 47.

Dr. and Mrs. Ghanem only vaguely recalled the outdoor dinner. Dr. Ghanem claimed that he never discussed the dinner with Karamanous, that he never saw the $13,500 invoice, and that he did not know the dinner was provided free of charge. Attachment 1 at 36-38 and 66-67; Attachment 2 at 17-21.[6]

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5. Osterhaus' recollection of the menu at the dinner, as well as other details of the transaction, varied in some ways from his 1989 FBI statements and at times conflicted with known facts. This may be attributable to the number of years that have elapsed since his FBI interviews and since the events in question.

6. Dr. Ghanem noted that the dinner was good, but stated that he would have been outraged if he had been charged $13,500, the price indicated on the invoice marked "comp." Attachment 1 at 8-9 and 64-65. Dr. Ghanem also suggested that Karamanous might have inflated his prices, recalling his receipt of an allegedly inflated Caterer's invoice for donuts delivered to his medical clinic without request. Id. at 5 and 8-9. Ghanem also indicated that he did not believe Karamanous would give any catering orders away without charge, which, as discussed later in this report, is contrary to the testimonies of both Osterhaus

The facts ascertained through discovery provide ample evidence that the Caterer's catered the elaborate dinner on April 27, 1988 free of charge. Despite the Bryan campaign's assertions, the dinner was definitely a fundraiser for the 1988 Senate campaign of Richard Bryan, notwithstanding that contributions were given prior to the event rather than at the event itself. Moreover, the Bryan Committee knew or should have known that the dinner would not qualify as an exempt home fundraiser for several reasons. Most importantly, the invitation for the dinner, which was received by the Committee, indicated that the event was "hosted" by Chris Karamanous, but held at the Ghanem residence, making it apparent that the dinner was not held in the residence of the host. The home fundraiser provision however, exempts food and beverages from the definition of contribution only when provided in the "individual's residential property." See 2 U.S.C. § 431(8)(B)(ii); 11 C.F.R. § 100.7(b)(6). In fact, the Bryan campaign's memo, prepared for distribution to persons hosting home fundraisers, states that: if an "event is held in a place other than your home or a church or a community room, all expenses incurred either count towards your individual contribution limits as in-kind contributions or if they exceed those limits, must be paid for by the campaign." Attachment 5 at 12-13. There is no evidence the Bryan campaign paid for the dinner, and it did not report receipt of an in-kind contribution

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(Footnote 6 continued from previous page)
and Gamage.

from Mr. Karamanous/the Caterer's.[7]

Second, the candidate Richard Bryan actually attended the event, and thus was presumably aware that the host was Mr. Karamanous. In fact, Karamanous and the candidate are reported to have been seated at the same small round dinner table that evening. Mr. Karamanous was well known to persons in the Bryan campaign; he was described by Ms. Gamage as a "friend" and "very good supporter" of the candidate over the years who had provided catering orders free of charge for Richard Bryan's state elections since 1982, as permitted under Nevada law. Attachment 3 at 36-37 and 83. In addition, the DOJ referral includes a hand-written letter from the candidate to Mr. Karamanous, dated May 1, 1988, which states: "Dear Chris -- The layout for the party at Elias' and Jody's home was magnificent. Bonnie and I are most grateful for your continued support." Attachment 6 at 22. This letter appears to be related to the dinner in question, as it is dated just five days later, and, although it is not entirely clear, the facts at hand suggest that the letter was a show of appreciation to Karamanous for sponsoring the dinner, rather than just recognition of the efforts of a "prominent constituent business concern," as these Respondents previously asserted. See General Counsel's Report ("GCR"), dated September 9, 1992.

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7. The Ghanems and the Sawyers had contributed their legal limit prior to the date of the event. Grant Sawyer and Bette Sawyer contributed $2,000 each to Friends of Bryan on March 9, 1988. The Ghanems had contributed the maximum amount permitted by January 11, 1988. Also, as discussed below, Lou Gamage indicated that the Ghanems had already hosted a fundraiser earlier in 1988, catered by the Caterer's.

Third, the value of the food, beverages and catering services for this dinner, as highlighted by the testimony and statements of catering personnel who were present, and as evidenced by the Caterer's $13,500 invoice, exceeded the amount permitted under the home fundraising exemption and the statute's contribution limitations. At least five Caterer's employees worked the dinner and corporate wages are not included within the exemption. See 2 U.S.C. § 431(8)(B)(ii). Here again, we note that the Bryan campaign's own guidelines for home fundraisers, like the statute and regulations, specifically limit the exemption to "food, beverages, and invitations." See Attachment 5 at 12.

Finally, Lou Gamage testified that she was so concerned that Karamanous would attempt to provide catering free of charge for the 1988 Senate campaign, as he had for many years in connection with Bryan's state elections, that she would place orders with the Caterer's only after being assured by Osterhaus that the corporation would charge the campaign for what was received. Attachment 3 at 81-83. Indeed, Osterhaus testified that Karamanous was "adamant" about giving away orders to politicians and certain organizations. Attachment 4 at 3.[8] In short, given Karamanous' known practice of providing free corporate catering, his identification as the host of the dinner in a residence not

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8. Mr. Osterhaus did recall that Ms. Gamage insisted that the Caterer's charge the Bryan campaign for two other orders which the campaign did pay for, both for events held later in 1988, but Osterhaus' recollection was that Gamage's stated reason was that "Chris" Karamanous "had already given his limit," not that corporate contributions were prohibited. Attachment 4 at 3-5, 11-12. Osterhaus thought that the Caterer's probably contributed to the Bryan campaign "cheese trays," or food for "a couple of parties," and the figure $4,000 came to mind. Id. at 4.

his own, and the presence of corporate goods and services at the event itself, it should have been evident to the Bryan campaign that the dinner was not a qualified home fundraiser.

(ii) DSCC Sunday Brunch

Six U.S. Senators were in attendance at the Ghanem residence for the DSCC Sunday brunch on Sunday April 24, 1988, reportedly stumping for then Governor and Senate Candidate Richard Bryan, and a news article discloses that $25,000 was collected. Attachment 1 at 16; Attachment 8. The Ghanems recalled the Sunday brunch and that Richard Bryan was present, but couldn't recall who catered it. They claimed the catering was handled by whatever committee was involved in such events. Attachment 1 at 63; Attachment 2 at 10. Lou Gamage stated that the Bryan campaign was not involved in this DSCC brunch. Attachment 3 at 45-46. The DSCC claimed that the "Ghanems would have hosted this function in their home with the understanding that any costs would be absorbed under the [home fundraising] exemption," and that it "does not have the obligation to monitor compliance with the exemption by the host." GCR, dated September 9, 1992, at Attachment 2, 2-3.[9] In response to the Commission's Subpoena and Order, the DSCC stated that it has "no records indicating involvement in this event," and did not answer any of the Commission's questions regarding the brunch. See Attachment 5 at 2.

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9. DSCC's assertion that it need not "monitor" home fundraisers undertaken with the DSCC's knowledge and for its benefit appears at odds with the requirements of Section 441b(a) which prohibits political committees from knowingly accepting contributions from corporations and labor unions and the requirements of Section 441a(f) which prohibits political committees from knowingly accepting contributions in excess of the limitations set forth at Section 441a.

Gayle Wiener, the former Caterer's employee who prepared the ledgers and invoices, claims to have no memories of specific orders. See GCR, dated September 9, 1992, at 6. However, the Caterer's ledger discloses an order for "Jody Ghanem" on April 24, 1988, the date of the brunch.[10] Mr. Osterhaus who testified that the Caterer's bookkeeping was "antiquated" and "not accurate," (attachment 4 at 25, 33 and 85) vaguely recalled the brunch, stated that he did not work at this event and that he doubted that the Caterer's was even involved in the function. The DOJ referral contained no invoice or work sheet for the DSCC brunch and the DOJ has informed this Office that no other related documents are available. Thus, there is no description of what was served, the value of the order is unknown, and it is unclear whether the Caterer's or another entity actually supplied the catering. It is therefore unlikely that we can obtain any further explanation or more information about the catering for this event.

In sum, there are conflicting assertions concerning this brunch with the DSCC contending that the brunch at the Ghanem's was a home fundraiser and the Ghanem's disclaiming responsibility for the catering. Although it appears that some entity provided the catering free of charge, it is unlikely that we can obtain further information given the lack of documentation, the differing

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10. There is an apparent bookkeeping error in the Caterer's records. The number on the ledger which cross references the order marked "Jody Ghanem" is #836, which is the order number on the $13,500 invoice made out to "Governor Richard Bryan" for the "Dinner at Ghanem Rsidence" (sic), discussed above. See Attachment 6 at 23 and 33. The ledger entry for the dinner, which is set out five lines below the entry marked Jody Ghanem, contains the words "Governors Party Ghanems," the date "4-27-88," and cross references an order #841. There is no work sheet or invoice in the referral materials marked #841.

recollections and the absence of corroborative sources of information.

(iii) Ghanem/Bryan Brunch

Lou Gamage testified that there was a Bryan campaign Sunday brunch held at the Ghanem residence, "in the early part of 1988," catered by the Caterer's. Attachment 3 at 40-41 and 50-52. Richard Bryan was there, as was Ms. Gamage, who testified that she met with Dr. Ghanem at his office prior to the event, instructed him on the Act's requirements, and "presented him with the Bryan campaign's "Guidelines" for home fundraisers. Attachment 3 at 48; Attachment 5 at 12-13. Ms. Gamage attended the brunch, greeted guests and collected contributions. Attachment 3 at 48-49.[11] There is no documentation from the Caterer's regarding this event. Nevertheless, as neither the Ghanems nor the Bryan campaign paid for the catering, it appears that it was provided to the Bryan campaign free of charge.

(B) ELECTION DAY ORDERS

The DOJ referral included work orders and invoices for seven orders of food, beverages, staging etc., made out and delivered to different "Bryan Campaign Headquarters" in Las Vegas on election day, November 8, 1988. The documents contained the following information:

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11. Disclosure reports reveal receipt of over $30,000 in itemized contributions on January 11, 1988, which includes $2,000 from each of the Ghanems, as well as contributions from persons identified by Mr. Ghanem as those whom he usually solicited. Attachment 9. It is unclear, however, whether these contributions were related to this brunch.

DESCRIPTION	LOCATION	ORDERED BY	JOB #	AMOUNT
325 sack lunches	phone bank	Chris K.	#1091	$1,137.50
Coffee and Donuts 500 guests by 4:30 a.m.	Headquarters	JB/CK	#1091	$1,500.00
200 guests lunches	West Las Vegas	Unknown	#1091	$ 600.00
50 sandwiches	Phone Bank	Lou Gamage	#1118[12]	$ 102.50
125 sack lunches	Headquarters	Lou Gamage.	#1119	$ 327.50
Sausage Teriyaki Swt and Sr Sausage for 400	Headquarters (parking lot)	Lou Gamage	#1120	$1,550.00
Coffee/sandwiches	Unknown	N/A	N/A	$1,000.00

Attachment 6 at 34-45. It is unclear if any of the invoices for these orders were ever mailed or received.

Ms. Gamage averred that the State Party and the Bryan campaign occupied adjoining offices, and in the weeks prior to election day 1988, she assisted the State party with its get-out-the-vote ("GOTV") efforts by organizing poll watchers and others. Attachment 3 at 92-95. Ms. Gamage testified that she placed two of the orders in question for the State Party, not the Bryan campaign, although she suggested that some portion of the food and beverages was consumed by Bryan campaign employees and volunteers, noting that it was difficult to distinguish between

12. There appears to be a mathematical error in invoice #11-C354-88, for job order #1118. The invoice indicates that the charge for sandwiches for 50 guests at $1.75 per person totals $875.00, rather than $87.50.

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them on election day. Id. at 108-110.[13]

Ms. Gamage recalled seeing additional food and beverages, which she claims not to have ordered, specifically coffee and donuts and an order of sweet and sour sausage teriyaki. Attachment 3 at 111 and 120. The Caterer's work sheet indicates that the coffee and donuts, valued at $1,500, were ordered by "Chris Karamanous and Jay Brewer." Attachment 6 at 45. The Caterer's work sheet for the $1,550 teriyaki order indicates that it was placed by Lou Gamage. Attachment 6 at 37-38. Steve Osterhaus, who recalled several of the orders in question, claimed that Ms. Gamage placed that order as indicated on the Caterer's work sheet. Attachment 4 at 62-63. Osterhaus indicated that he and other Caterer's employees served food in the parking lot of Bryan campaign headquarters on election night for the campaign's victory party. Id. at 10, 62-63.

Ms. Gamage recalled seeing the Caterer's "very fancy professional" display in the parking lot of campaign headquarters on election night, and stated that it "stuck out like a sore thumb" because she had arranged for a barbecue and a "western theme." Attachment 3 at 120.[14] According to Ms. Gamage's testimony, an employee of the Caterer's present at the Caterer's display that evening informed her that "Chris Karamanous sent food

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13. The State Party never complied with the Commission's Subpoena and Order, but rather submitted a letter indicating a response was forthcoming, but nothing further was supplied. See Attachment 10.

14. The Committee produced invoices totaling over $657.00 for its election night celebration barbecue, which was ordered and prepared by Dave Kent, a friend of the candidate, and which Ms. Gamage claimed was to feed an estimated 500-750 Democratic supporters. Attachment 3 at 113-114; Attachment 5 at 16-22.

over to the volunteers." Id. She further testified that she does not believe anyone from the State Party placed that order, and that her assistant Kitty Dees, who has since passed away, told Ms. Gamage that she did not order it either. Id. at 121-122.

Ms. Gamage testified that she did not pay the Caterer's for the orders, disclaiming any responsibility for handling the bills for the State Party. Id. at 124-125.[15] She also testified that she did not "specifically remember" informing Senator Bryan that "food was sent over" from the Caterer's on election day. Id. at 124. Ms. Gamage indicated that she thinks Mr. Karamanous probably intended that the food be a contribution to the GOTV volunteers, and noted that "trying to convince people in the community of the difference [between the State Party and the Bryan campaign] is almost impossible." Id. at 123 and 124. She claimed that when placing these orders she explicitly informed Mr. Osterhaus that they were for the State Party, not the Bryan campaign. Id. at 123.

In summary, although the facts adduced regarding these election day orders is conflicting and incomplete, it is clear that food and services were provided free of charge by the catering company to both the State Party and the Bryan campaign.

C. BILBRAY CAMPAIGN

The Caterer's ledger indicates that it comped two orders for the Bilbray campaign: one order on November 8, 1988 and another on February 21, 1989. The value of the two catering orders totaled

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15. According to Gamage, Vicki Hulbert, who is currently with Senator Bryan's office, attended to billing matters. Id. at 125.

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$2,550. As noted in the General Counsel's Report dated September 9, 1992, the Bilbray campaign has supplied the affidavits of Congressman James Bilbray, treasurer Robert Goldberg, campaign manager James Mulhal and research assistant Daniel Geary, each denying that the Bilbray campaign accepted any such orders. In addition, unlike with almost all of the other orders in this case, there are no invoices or work sheets for these two orders. In addition, although Mr. Osterhaus recalled a home fundraiser/brunch for the Bilbray campaign, his recollection was that it was at a different month and year than the order at issue, and he did not recall anything further. Attachment 4 at 78-79. Thus, there is insufficient information to draw any conclusions regarding the Bilbray Committee's receipt of these orders.

D. NEW RESPONDENTS WITH SECTION 441f VIOLATIONS

In response to the Commission's subpoenas, Dr. Ghanem and his wife Jody, both non-respondent witnesses in this matter, produced copies of personal checks in the sum of $2,000 each, issued to Bryan for Senate, and dated January 10, 1988. They also produced a $4,000 check, dated February 1, 1988, drawn on the account of G&B Enterprises, issued to Elias F. Ghanem, and marked as "Reimbursement For Political Contribution to Governor Bryan For Senate campaign." Attachment 7 at 1-4.

2 U.S.C. § 441f makes it unlawful for any person to make a contribution in the name of another person or knowingly permit his or her name to be used to effect such a contribution. See also 11 C.F.R. § 110.4(b). A contribution by a partnership shall be attributed to the partnership and to each partner either:

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(a) in direct proportion to his or her share of partnership profits; or (b) by agreement of the partners as long as only the profits of the partners to whom the contribution is attributed are reduced (or losses increased) and these partners' profits are reduced (or losses increased) in proportion to the contribution attributed to each of them. 11 C.F.R. § 110.1(e)

During the time in question, G&B Enterprises was a non-corporate partnership, with Dr. Ghanem and Dr. William E. Bannen operating as equal partners. Attachment 1 at 2. At his deposition, Dr. Ghanem acknowledged that the $4,000 check from G&B was reimbursement for his and Mrs. Ghanem's contributions to Friends for Bryan. According to Dr. Ghanem, he signed and issued the $4,000 reimbursement check from the G&B account to himself, with his partner's permission. Id. at 70-72. Thus it appears that G&B Enterprises, and Dr. Ghanem and his partner Dr. Bannen, made contributions in the name of Dr. Ghanem as an individual only, and in the name of Jody Ghanem, and that Dr. Ghanem and Jody Ghanem permitted their names to be so used, all in violation of Section 441f.[16] Both Dr. Ghanem and Dr. Bannen also made additional contributions to the Bryan campaign of $2,000 and $1,000 respectively. Thus the total amount they contributed,

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16. G&B was a 50-50 partnership but is now defunct, and there is no indication that Dr. Bannen and Dr. Ghanem had any agreement regarding the source of the funds for these contributions. 11 C.F.R. § 110.(e). In any event, even if there had been an agreement whereby only Dr. Ghanem's portion of the partnership profits or debt was affected by the $4,000 contribution, it would nevertheless appear that Dr. Bannen knowingly helped and assisted in this prohibited transaction by giving Dr. Ghanem permission to issue the reimbursement check. See 11 C.F.R. § 110.4(b)(1)(iii). We also note that G&B contributed $2,000 to the DSCC in 1988, and the contribution was reported as coming from G&B as well as from each of the partners in equal proportions of $1,000 each.

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including the $2,000 each gave through the G&B contribution, exceeds the limitations set forth at 2 U.S.C. § 441a(a)(1)(A). Given the foregoing, this Office recommends that the Commission find reason to believe G&B Enterprises, Elias F. Ghanem, Jody Ann Ghanem and William E. Bannen violated 2 U.S.C. § 441f, and that Elias F. Ghanem and William E. Bannen violated 2 U.S.C. § 441a(a)(1)(A).

V. DISCUSSION OF RECOMMENDED DISPOSITION

Although the investigation has yielded evidence that the Caterer's made in-kind contributions to the DSCC, the Bryan campaign and the State Party, the record remains unclear as to various facts. Most specifically, it is unclear who placed the Caterer's orders for three fundraising events held at the Ghanem residence, or who placed some of the catering orders provided to the Bryan campaign and the State Party on election day 1988. It is also unclear why payment was not made for any of the orders, even those that admittedly were requested.

There also are serious obstacles which will impede further investigation into these transactions. First, Mr. Karamanous is deceased, the Caterer's is defunct, and several additional key witnesses are unavailable, i.e., Grant Sawyer, Kitty Dees, and the Caterer's former business manager, the latter two whom are also deceased. Second, the corporate records at hand are incomplete, and the DOJ has informed us that no other relevant records exist or are available. In addition, the records at hand contain errors and are based upon what was apparently an antiquated and sloppy bookkeeping system. Third, given the number of years that have elapsed since the transactions occurred, witnesses have testified

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to a lack of memory. In addition, our attempts to ascertain more exacting evidence about the committees' roles in the transactions from other former Caterer's personnel have, for the most part, been unsuccessful.

Given all of the foregoing, it is unlikely that even with further investigation this Office could obtain evidence necessary to pursue this matter and thus we recommend that no further action be taken regarding these respondents. As to the respondents who appear to have violated Sections 441f and 441a by making contributions through the G&B partnership, given the number of years since the violations have occurred and the amounts involved, further pursuit of them also is not recommended. Thus, this Office recommends that the Commission, consistent with its priorities and limited resources, take no further action against these respondents as well, and close the file. This Office will include admonishments in notification letters to all respondents except the Bilbray Committee and its treasurer.

VI. RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that Friends for Bryan and Michael W. Kern, as treasurer, Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer, Bilbray for Congress Committee and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a), and that the Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

3. Approve the factual and legal analyses that were attached to the General Counsel's Report dated May 13, 1992.

4. Take no further action against Friends for Bryan and Michael W. Kern, as treasurer, Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer, Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, and Bilbray for Congress Committee and Robert Goldberg, as treasurer.

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5. Find reason to believe that G&B Enterprises, Elias F. Ghanem, Jody Ann Ghanem and William E. Bannen violated 2 U.S.C. § 441f, and that Elias F. Ghanem and William E. Bannen violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.

6. Close the file.

7. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

3/2/94
Date

BY: _____
Lois G. Lerner
Associate General Counsel

Attachments
1. Excerpts of deposition of Elias F. Ghanem
2. Excerpts of deposition of Jody Ann Ghanem
3. Excerpts of deposition of Nellie Lou Gamage
4. Excerpts of deposition of Steven J. Osterhaus
5. DSCC/Bryan responses to Subpoenas
6. DOJ referral materials
7. Ghanem response to Subpoena
8. Las Vegas Sun article
9. Disclosure reports of 1988 Bryan campaign
10. State Party response

Staff Assigned: Xavier K. McDonnell

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Friends for Bryan and Michael W. Kern, as treasurer;	)	MUR 3522
Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer;	)	
Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer;	)	
Bilbray for Congress Committee and Robert Goldberg, as treasurer;	)	
Elias F. Ghanem;	)	
Jody Ann Ghanem;	)	
William E. Bannen;	)	
G & B Enterprises.	)	

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 7, 1994, the Commission decided by a vote of 4-0 to take the following actions in MUR 3522:

1. Open a MUR.

2. Find reason to believe that Friends for Bryan and Michael W. Kern, as treasurer, Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer, Bilbray for Congress Committee and Robert Goldberg, as treasurer, violated 2 U.S.C. § 441b(a), and that the Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

3. Approve the factual and legal analyses that were attached to the General Counsel's Report dated May 13 1992, as recommended in the General Counsel's Report dated March 2, 1994.

(continued)

4. Take no further action against Friends for Bryan and Michael W. Kern, as treasurer, Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer, Nevada Democratic State Committee and Debbie Todd Johnson, as treasurer, and Bilbray for Congress Committee and Robert Goldberg, as treasurer.

5. Find reason to believe that G & B Enterprises, Elias F. Ghanem, Jody Ann Ghanem and William E. Bannen violated 2 U.S.C. § 441f, and that Elias F. Ghanem and William E. Bannen violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.

6. Close the file.

7. Approve the appropriate letters, as recommended in the General Counsel's Report dated March 2, 1994.

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

Attest:

3-7-94
Date

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., Mar. 02, 1994 11:00 a.m.
Circulated to the Commission: Wed., Mar. 02, 1994 4:00 p.m.
Deadline for vote: Mon., Mar. 07, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 10, 1994

Robert F. Bauer, Esquire
Judith Corley, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3522
Friends for Bryan and
Michael W. Kern, as treasurer

Dear Mr. Bauer and Ms. Corley:

On June 8, 1992, your clients in the above-captioned matter were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441b(a). On July 31 and November 20, 1992, you submitted responses to the Commission's reason to believe finding and subpoena in this matter.

On March 7, 1994, consistent with the decision in FEC. v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed (U.S. Jan. 18, 1994) (No. 93-1151), the reconstituted six member Commission voted again to open this matter, to find reason to believe the above-cited violation occurred and to approve the factual and legal analysis attached to the General Counsel's Report dated May 13, 1992.

After considering the circumstances of the matter, the Commission determined on March 7, 1994, to take no further action against your clients, and closed the file. Enclosed for your information is the General Counsel's Report in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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The Commission reminds your clients that accepting catering without compensation is a violation of the statute. Your clients should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MARCH 10, 1994

Dr. William E. Bannen
10 Wild Dunes Court
Las Vegas, Nevada 89113

RE: MUR 3522
Dr. William E. Bannen
G & B Enterprises

Dear Dr. Bannen:

On March 7, 1994, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f and 2 U.S.C. § 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act."). The Commission also found reason to believe that your former partnership G & B Enterprises violated 2 U.S.C. § 441f. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file in this matter. Enclosed for your information is the General Counsel's Report.

The Commission reminds you that making contributions in the names of others and making excessive contributions are violations of 2 U.S.C. § 441f and 2 U.S.C. § 441a(a)(1)(A). You should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 219-3400.

For the Commission,

Trevor Potter
Chairman

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 10, 1994

C. Stanley Hunterton, Esquire
Hunterton & Naylor
300 South Fourth Street
Suite 1110
Las Vegas, Nevada 89101

RE: MUR 3522
Dr. Elias Ghanem
Jody Ann Ghanem
G & B Enterprises

Dear Mr. Hunterton:

On March 7, 1994, the Federal Election Commission found reason to believe that Elias and Jody Ann Ghanem violated 2 U.S.C. § 441f and that Elias Ghanem violated 2 U.S.C. § 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act."). The Commission also found reason to believe that Dr. Ghanem's former partnership G & B Enterprises violated 2 U.S.C. § 441f. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file in this matter. Enclosed for your information is the General Counsel's Report.

The Commission reminds your clients that making contributions in the names of others and making excessive contributions are violations of 2 U.S.C. § 441f and 2 U.S.C. § 441a(a)(1)(A). Your clients should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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If you have any questions, please contact Xavier K. McDonnell the attorney assigned to this matter, at (202) 219-3400.

For the Commission,

Trevor Potter
Chairman

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 10, 1994

Robert Goldberg, Treasurer
Bilbray for Congress
3069 Conquista Court
Las Vegas, Nevada 89121

RE: MUR 3522
Bilbray for Congress and
Robert Goldberg, as treasurer

Dear Mr. Goldberg:

On June 8, 1992, you were notified that the Federal Election Commission found reason to believe that Bilbray for Congress ("Committee") and you as treasurer violated 2 U.S.C. § 441b(a). On July 7, 1992, you submitted a response to the Commission's reason to believe finding.

On October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed (U.S. Jan. 18, 1994) (No. 93-1151)). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

On March 7, 1994, the reconstituted six member Commission voted again to open this matter, to find reason to believe the above-cited violation occurred and to approve the factual and legal analysis attached to the General Counsel's Report dated May 13, 1992.

After considering the circumstances of the matter, the Commission determined on March 7, 1994, to take no further action against you and the Committee and closed the file. Enclosed for your information is the General Counsel's Report in this matter.

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The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MARCH 10, 1994

Robert F. Bauer, Esquire
Judith Corley, Esquire
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 3522
Democratic Senatorial Campaign Committee and Donald J. Foley, as treasurer

Dear Mr. Bauer and Ms. Corley:

On June 8, 1992, your clients in the above-captioned matter were notified that the Federal Election Commission found reason to believe that they violated 2 U.S.C. § 441b(a). On July 31 and November 20, 1992, you submitted responses to the Commission's reason to believe finding and subpoena in this matter.

On March 7, 1994, consistent with the decision in FEC. v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed (U.S. Jan. 18, 1994) (No. 93-1151), the reconstituted six member Commission voted again to open this matter, to find reason to believe the above-cited violation occurred and to approve the factual and legal analysis attached to the General Counsel's Report dated May 13, 1992.

After considering the circumstances of the matter, the Commission determined on March 7, 1994, to take no further action against your clients, and closed the file. Enclosed for your information is the General Counsel's Report in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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The Commission reminds your clients that accepting catering without compensation is a violation of the statute. Your clients should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
General Counsel's Report

94030970224

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 10, 1994

Debbie Todd Johnson, Treasurer
Nevada Democratic State Party
5120-B Byrne Avenue
Las Vegas, Nevada 89122

RE: MUR 3522
Nevada Democratic State Party
Debbie Todd Johnson, as treasurer,

Dear Ms. Johnson:

On June 8 and July 14, 1992, you were notified that the Federal Election Commission found reason to believe that the Nevada Democratic State Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a).

On October 22, 1993, the D.C. Circuit declared the Commission unconstitutional on separation of powers grounds due to the presence of the Clerk of the House of Representatives and the Secretary of the Senate or their designees as members of the Commission. FEC v. NRA Political Victory Fund, 6 F.3d 821 (D.C. Cir. 1993), petition for cert. filed (U.S. Jan. 18, 1994) (No. 93-1151)). Since the decision was handed down, the Commission has taken several actions to comply with the court's decision. While the Commission petitions the Supreme Court for a writ of certiorari, the Commission, consistent with that opinion, has remedied any possible constitutional defect identified by the Court of Appeals by reconstituting itself as a six member body without the Clerk of the House and the Secretary of the Senate or their designees. In addition, the Commission has adopted specific procedures for revoting or ratifying decisions pertaining to open enforcement matters.

On March 7, 1994, the reconstituted six member Commission voted again to open this matter, to find reason to believe the above-cited violations occurred and to approve the factual and legal analysis attached to the General Counsel's Report dated May 13, 1992.

After considering the circumstances of the matter, the Commission determined on March 7, 1994, to take no further action against you and the Committee, and closed the file. Enclosed for your information is the General Counsel's Report in this matter.

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The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

The Commission reminds you that accepting catering from a corporation without compensation is in violation of 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(b). You should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Xavier K. McDonnell

Xavier K. McDonnell
Attorney

Enclosure
General Counsel's Report

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REPORTER'S TRANSCRIPT

OF

DEPOSITION

OF

STEVEN J. OSTERHAUS

Taken on Tuesday, October 27, 1992

At 9:30 o'clock a.m.

At 701 East Bridger Avenue, #800

Las Vegas, Nevada

NEVADA CERTIFIED REPORTERS
623 South Eighth Street
Las Vegas, Nevada 89101
(702) 386-9070

REPORTED BY: MONICE KRMPOTIC, CSR NO. 312

APPEARANCES:

For the Federal Election Commission:

XAVIER McDONNELL, ESQ.
and
CRAIG DOUGLAS REFFNER, ESQ.
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

I N D E X

Examination By:	Direct	Cross	Redirect	Recross
Mr. Reffner and Mr. McDonnell	3			

E X H I B I T S

Commission	Description	Page
1	Copies of Job Orders	72
2	Copy of Newspaper Article	92

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Thereupon--

STEVEN J. OSTERHAUS

was called as a witness by the Federal Election Commission, and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. REFFNER AND MR. McDONNELL:

Q (By Mr. McDonnell) Good morning. My name is Xavier McDonnell. I represent the Federal Election Commission, and with me today is Craig Reffner, also from the Commission. I want to thank you, Mr. Osterhaus, for coming today.

Could you state your name for the record?

A Steven J. Osterhaus.

Q Before we get started, I have a few preliminary things to discuss. This deposition is being taken pursuant to 437(g) of the Federal Election Campaign Act.

Mr. Osterhaus, you are a witness here today. You're not a respondent in this matter, just for your information. Do you understand that?

A Yes.

Q The Commission would like to ascertain certain facts relating to orders and food from the catering service, Catering, Incorporated, Caterer's, Incorporated, sorry, and

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this deposition is being taken to ascertain some of those facts underlying certain transactions.

Mr. Osterhaus, are you represented by counsel here today?

A No.

Q Do you know you have a right to be represented by counsel?

A Yes.

Q Now, have you had your deposition taken before?

A No.

Q Let me go through some instructions right now about that. First of all, treat your testimony today as if you were in a court of law. You are under oath. Please give all your answers orally, not by a shake of the head or anything like that just so she can get the information down.

A Mm-hmm.

Q And if you don't understand my question, please ask me and I'll try to rephrase it for you.

A Okay.

Q And if you don't know the answer to a question, just say you don't know and that will be fine.

A Okay.

Q We'll take a few breaks throughout the course of this proceeding. I'm not sure how long it will last. If you want a break, let me know and we can do that for you.

A Okay.

Q Could you tell me what you've done to prepare for the deposition today?

A Basically I've just reviewed in my own memory, tried to think back because it's been so long ago, some of the things that was asked of me the last time when I talked to the FBI and when I talked to the Justice Department.

Q And when was that?

A I want to say it's been at least three years ago.

Q And you met with them?

A Yes.

Q Where did you meet with them?

A In the FBI office.

Q In Las Vegas?

A In Las Vegas.

Q Do you remember the names of the people who interviewed you?

A I don't.

Q I might come back to some questions about that later.

A Okay.

Q Have you reviewed any documents today in preparation?

A No.

Q Have you spoken to anybody about this deposition

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today?

A No.

Q You received a letter from us around June of this year. Do you remember that?

A Yes.

Q Have you spoken to anyone about this matter since you received that letter?

A No. Just -- well, actually just to Gayle Wiener.

Q Who is she? Could you spell that, please?

A W-i-e-n-e-r, G-a-y-l-e. She was my secretary at the Caterer's, and she had also received a letter at the same time, and as she explained it to me, she spoke to you and I was on an appointment. I'd received a letter at the same time and she told me it was not necessary for me to call you because you would call me back.

Q Okay.

A And quite honestly, at that point I more or less forgot about everything because in the transition of buying her business, it just was lost in the shuffle.

Q I see. I understand. Have you spoken to anyone else about this matter?

A Just my partner, Jackie.

Q And is that a male or female?

A Female.

Q And her last name?

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A Landolt, L-a-n-d-o-l-t.

Q What did you tell Miss Landolt about this?

A Well, she had gotten a letter. Basically just what was in the contents of the letter.

Q Now, have you reviewed -- have you looked for any documents?

A I have. I thought there was a possibility that there might have been some party sheets. When we went through Gayle's records and everything from the business, there was a file there with some orders from the Caterer's and basically what they were, they were some proposals that I had written that I wanted to save, and I thought there was a possibility there could have been something in there. There was not, however. And the only reason I even had those documents was just like I said, you know, there were -- there was verbiage that I had written and I just wanted to save it.

Q Is there any specific proposal that you thought might be within those -- that file?

A I wasn't sure. You know, it's been so long and I went through -- I didn't know what I was looking for. I thought there was a possibility -- because I remember that when I found these proposals, I thought they'd been gone a long time ago, and I was kind of surprised at the fact that there were still some around, and there were proposals and

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parties that we had done that I had completely forgotten about, and that's what made me think there was a possibility. You know, since this whole thing with the Caterer's, I've probably done 2,000 parties. So it just -- you know, I just didn't know.

Q Do you remember -- did you look back at those documents and do you remember any of the particular parties that you had saw when you reviewed them?

A Yeah. Once I saw the documents.

Q And could you tell me some of those?

A Well, one of them was -- an example, one of the very last parties we did was Air Nevada and I completely had forgotten about it and it was a -- I believe it was a travel consortium, and the people that own Air Nevada happened to host the consortium this particular year.

I've completely forgotten about the party. It happened to be the last party that everyone had worked together too, and we knew it was the last one but, like I said, it just jogged my memory, and there were a couple of others in there.

I think there was one for IBM and there was another one for the Shopping Centers of America, and they were just things that I had completely forgotten about until I saw the proposal.

Q You mentioned with the Air Nevada party, you said

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one of the last parties that you had done together. Do you know the timing, an approximate date of that party?

A I think June 3rd, and I want -- it was four or five days before Chris had killed himself, if I'm not mistaken. It might have been a week.

Q Of --

A So it might have been a week before, it might have been two weeks before.

Q What year?

A 1989. I'm not even sure.

Q All right. Did you review any documents at your own home?

A No.

Q When we had talked on the phone, you mentioned you thought you had a letter from Senator Bryan.

A Yes. And I do not have it. You know, I want to look again. I just might. It just occurred to me that there's a place where that might be.

Q Where would that be?

A It's in a notebook under GWC catering handbook.

Q GWC?

A Yes. It stood for Gayle Wiener Catering.

Q Oh, okay.

A But there's a possibility it's in there.

Q And what was that letter about?

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A It was a thank you letter for helping on his campaign.

Q And which campaign was that?

A I believe when he was running for either senator or governor. I think it was senator. I think it was a luau that we had done.

Q And is this something you did through work?

A Yes.

Q And do you remember where it was, the event?

A If it was a luau, it would have been at Harrisons' home. It might have been for a fund-raiser that was in the -- it was on the seventh floor of the Nevada National Bank Building or it might have been sandwiches or something like that that we delivered to the campaign office.

Q I see. Were all those three orders that you just referred to, were they all involving Senator Bryan's campaign?

A Yes.

Q Now, this event at the Harrisons' house, I'm not familiar with that.

A It's a large home on the west side of Las Vegas. I'm not sure the last year, which would have been the year that he was running for senator, that -- traditionally there had been a luau every year. It seems to me that there was a luau and the reason I say that is because I remember Chris

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wanting to give the whole thing, and Lou Gamage would not allow it and she insisted on paying for it, and I went above Chris' head and, you know, issued an invoice, and I know that we received a check, if I'm not mistaken, and I took it to the accounting department, and we just ran it through without Chris even knowing.

Q I see.

A Which is something that we did quite frequently on a lot of these political things because Chris was adamant about not charging for it, and the law being what it is, quite honestly they wouldn't accept it, and there were many instances that -- I believe there were many instances where we actually never received the catering order and it went to another caterer simply because there was the fear that Chris would comp it. And it was a very -- it was a great concern, and I remember specifically Lou Gamage just telling me, she said, Steve, you have to charge me for it. He cannot do this.

Q And this was for the particular luau at Harrisons' house?

A Yeah. And it just seems to me it was that last year, and I think the luau was probably in April or May.

Q Of '89?

A I think it was '89, yeah. It's been three years since he killed himself. Yeah, '89.

Q Was this a political fund-raiser as well?
A Yes.
Q It was. Okay. Now, this was in 1989, so was there any campaign that this was related to?
A He would have been running for senator.
Q I believe he ran for senator in 1988, he was elected.
A In '88. Okay. Then it was '88. That's right, because '89 was not a political -- was not a campaign year. So we're talking '88 then.
Q Do you remember the approximate cost of the order?
A $4,000 just comes into my head. I have no reason.
Q Now, you had said previously that Chris liked to give it, and just so we can clarify, what did you mean by that?
A He wanted -- he wanted to provide food, beverage, whatever, at no charge, and he was very firm on that. He just felt that he was -- he could just buy whatever he wanted to buy. He felt that he was buying favors, and I got to tell you that it was -- it was a very sticky situation many times because it had gotten to the point that, like I said, some people would just not even call anymore because they didn't want any part of it.
Q Can you think of some of those people's names?
A You know, I think Bilbray was one, Bryan was one,

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Harry Reid was one. Locally Sheriff Moran, Judge Bixler, Judge Brown. I mean, he just knew so many people, it just went from one extreme to the other.

Q Dealing with the Bryan campaign, you said you have reason to believe they may have gone other places to place orders because of this problem of Chris giving away orders. What particular evidence do you have of that?

A I don't. I don't have any evidence, it's just a feeling that I have. There's something that's saying to me inside that I think that they probably went out, went to the supermarket, did a lot of things themselves where they normally would have called, but there again, the fear that he would comp the whole thing.

Q What was the normal billing procedure? Wouldn't he bill the people at the time of receipt of the goods?

A No. The Caterer's was quite diversified. It had many food service operations. I was in charge of the social catering, and that's where all of this fell.

Q Right.

A And I treated everything as a paying client, and whenever I had a party, whenever a party came in, it was assigned a party number and Gayle did that, and we maintained records and backed everything up with an invoice, and we mailed the invoice out. If people didn't pay, we'd get on the phone and call. That sort of thing.

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And that was -- that was almost a division responsibility. The company was so large and Chris was involved in so many things that when it came to individual billings, they'd never even go across his desk unless he'd request them. And sometimes he'd find out, you know, that we were doing this or that or he'd been to an event and he'd say what did we charge him for that. I want to take care of it or something like that, and invariably many times what would happen is, you know, he'd pull the invoice, but, see, it was still on our books and we still had to account for those event numbers because the kitchen would not produce anything unless there was a party number on it.

Q Now, you stated that Chris gave things away. That was in the hope of obtaining favors; is that correct?

A Yes.

Q And do you have any evidence of him receiving any favors?

A No, I really don't.

Q So you would say this didn't -- whatever he was attempting to do did not work; is that correct?

A Who knows. He was a very complex individual and moved in circles very freely and oftentimes was able to pull off some of the most incredible things, and why, I don't know.

Q What are some of the --

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A There's some things that he just never spoke of.

Q And what do you mean by that?

A He never really spoke of what -- he always bragged about what he could get or what he could accomplish. To give you a perfect example, the day the PEPCON blew up, we just finished catering the war games on the base in San Diego, and Chris was down there.

Before anyone in the United States Government knew about it, they knew about it via Chris Karamanos. We had an open line from the Caterer's to the base. That's how the press found out about it and what we did is, you know, when it blew, we closed off all the lines, and I called San Diego, and we just left the line open. And he just -- he was a man that always was in places that were just surprising.

Q Any of those surprising stories involving Senator Bryan or his campaign?

A Not that I can really -- I can't really say that, no.

Q Was he friendly with Senator Bryan?

A He was, but I think it was a case of him feeling that he was closer to him than he really was. That was another part of Chris. He used to build himself up, and quite honestly, there were some people that just couldn't stand him, but he also had a certain amount of political

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pull in the community and -- just as a regent, and they were wary of him as well. It was you don't upset him, you just kind of go along with him.

Q Did he socialize with Senator Bryan, either while he was a governor or a senator during this time period?

A Whenever there was a political fund-raiser, they would meet, you know, regents meetings, that sort of thing. There were many instances where the governor of the State of Nevada and Chris Karamanos were at the same thing. Many, many instances.

Nevada is a very small state. Even though the governor is in Carson City, he's in Las Vegas as much as he's in Carson City, and it -- when you're dealing with only a million people, one of the shocking things that I discovered when I first moved here was the first year that I worked for Chris I met the governor, Governor Bryan and his wife, and have known them ever since, you know, on a first-name basis.

It's very, very rare and very unusual and it's not because of political favors or anything, it's just because at that time the state was so small and it was not unusual, say, if there was a political fund-raiser everybody and anybody that was anybody in town was there, and they were in the public and it just didn't matter. You don't see that today.

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Q No?
A Not at all.
Q You mentioned in addition to Harington's house there was two other fund-raisers and one of them was at the Nevada National or something.
A Nevada National Bank.
Q National Bank. Okay.
A It was on the seventh floor. It was for 900 people. I think there was eventually 880 people. It was a major fund-raiser, and I think the billing on that was $10 a person. The menu was breast of chicken Americain (phonetic). It was buffet style. We did bill for that. I do remember receiving a check for that, and I want to say it was 880 people because we originally planned on 700 and 880 is sticking in my mind and $8800.
Q 8800?
A Yes.
Q And you're certain that you received a check for that?
A Yes.
Q And was Governor Bryan there at that event?
A Yes.
Q Any other candidates?
A I can't even say.
Q And the third event you mentioned at the --

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someone's office?

A That was at his campaign office. It was the night of the election because there were these big barrels of bonfires. It was in the fall of the year. It seems to me there was a country-western band out front and basically I think all we did, if I'm not mistaken, is eat the sandwiches or we went over and helped them serve because the food was from other people.

Q Any idea who those other people were?

A No, I don't.

Q You mean other caterer companies?

A I don't think other catering companies, I think it was restaurants.

Q Oh, restaurants. You said you went over to help him. Who would that be?

A We went over to help them serve.

Q Who, the campaign --

A Yeah, the campaign office.

Q Who were some of the campaign people that were there?

A Lou Gamage, Dorothy Huffey. Those are the only two that I can remember.

Q We'll probably come back to that later. I'd like to go back to talk about the conversation you had with Lou Gamage you believe it was about the bill about the Harrison

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house. You said that she refused to allow caterers to provide those services for you; is that correct?

A Mm-hmm.

Q Can you tell me about the conversation you had with her?

A Basically how the conversation went is she said, Steve, I will give you this order, she says, and we'll do this but we'll only do it under one condition. We have to pay for this. Chris has already given his limit, and he just doesn't seem to understand, she said, so I know we're not going to be able to keep it from him, but, she said, you will cut me a bill. You will make sure that you cut me a bill and you'll hand deliver it to me, and, she said, I will take care of it. She says it has to be done.

Q When she said he had already given his limit, could you tell me how he gave his limit?

A No, I can't. It might have been a cheese tray here or there. You know, it might have been a couple of other parties.

Q So she had known that he had already given --

A Yes. Very definitely.

Q She definitely knew he had already given?

A Absolutely. Unequivocally without a doubt.

Q You don't remember precisely what he had given?

A No, I don't. $4,000 is sticking someplace but I

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don't know. I couldn't say for certain.

Q $4,000 you believe he had perhaps already given to the Bryan campaign?

A Yes.

Q And anybody else you talked to in the campaign besides Miss Gamage about this?

A No.

Q You mentioned earlier that you stated the law being what it was in the context -- let me strike that. Start over again.

In context of the conversation with Miss Gamage about this order, and specifically with providing this order free, you stated that the law being what it was, she did not want to accept any more. Can you tell me what that law you're referring to is?

A Well, I believe there's a limit to a campaign contribution that an individual or business can provide, and that's where I believe she was coming from.

Q And what law was that? Not looking for the citation, are you talking about federal law, state law?

A Federal law.

Q How did you come to know about this law?

A Through her.

Q Do you believe she told you at that time?

A Yes. When we were discussing the invoicing for the

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Harrison thing.

Q I see. Just for clarification, you believe that was in the spring of 1988 now; is that correct?

A I believe it was in the spring of 1988, and I believe this other fund-raiser at Nevada National was also in the spring. I want to say that was in April, and I want to say that both of them occurred -- they were both very large. It might seem unusual but it just seems to me that they were maybe a month or month and a half apart from each other. I want to say that the Harrisons were maybe in June and the Nevada National was in April.

Q This was actually at the bank that you put on this party, the Nevada National Bank?

A That's a good question. I don't know. It was on the seventh floor of the bank. The building had just been built. In February we had done the grand opening for Nevada National. The seventh floor was totally unfinished. I don't remember who owned the building at the time or how that particular floor came into use. I don't have any idea on any of that.

Q But you believe they were sponsoring the event?

A I can't say that. I have no idea.

Q But you're quite certain this was sponsored by Governor Bryan's campaign?

A Yes.

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Q And this was for the senate race?
A Yes.
Q Any idea who the 800 people or seven --
A 880, I think.
Q Who these people were?
A Oh, it was --
Q Generally speaking. Not the specific names.
A I mean, it was Irwin Molasky was there and Susan Molasky, Elias Ghanem and his wife. I believe the Kuhn (phonetic) family was there. It was just -- it was quite a mix.
Q Just some prominent people in Las Vegas; is that correct?
A Mm-hmm.
Q And you believe it cost -- it cost you $10 a head; is that correct?
A Yeah.
Q And that you think this was a fund-raiser: in other words, they were collecting funds for the campaign?
A Yes.
Q And you believe Lou Gamage was involved in this as well?
A Yes.
Q We kind of got right into the meat of this information, and I'd like to go back now and start going

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back to some of the basic background stuff first.

A Okay.

Q Could I get your address for the record?

A Let me give the business address. Is that all right?

Q Okay. Sure.

A 4051 South Eastern, Las Vegas, 89119.

Q Do you happen to know your social security number?

A 482-68-7023.

Q And the name of your closest relative or friend, close friend?

A Catherine with a C, Osterhaus, mother. Address?

Q Yes, address.

A 1006 Rush Street, Dubuque, Iowa, D-u-b-u-q-u-e, 51001.

Q Could you state your profession?

A Caterer, food service.

Q Are you like a chef as well?

A Chef and part owner of the business.

Q And what business is that?

A The Cater One Food Service Companies (phonetic).

Q And that's the address given; correct?

A Yes.

Q And the phone number?

A Area code (702) 732-1553.

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Q Are you a half-owner of that business?
A Yes.
Q Is there another half-owner?
A Jackie Landolt, L-a-n-d-o-l-t.
Q Any other owners?
A No.
Q Could you give me a brief chronology of your employment just starting with the most recent position? You've already stated that, but -- and then go back to when you began working for the Caterer's at least.
A Gayle and I started in -- Gayle Wiener Caterer & VIP Services in July of 1989. We worked for the Caterer's up until I believe it was June 3rd of 1989, and I believe I started at the Caterer's in June of 1985.
Q So four years; is that right?
A Yeah.
Q Are you related to Mrs. Wiener?
A No.
Q And how did you get started in the Caterer's?
A Filled out an application and I was hired.
Q Did you know anyone at the place before you began?
A No, I did not.
Q Was Gayle working there at the time?
A No, she wasn't.
Q Did you start at the same time?

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A No. Gayle started in October. She was hired as my secretary and assistant.

Q And what was your position when you began?

A Catering manager.

Q Could you describe your job starting at the beginning, and please tell me of any changes that developed as you went through your employment there.

A The catering department was not much of anything, it did not have any kind of a reputation and Chris didn't like me, and we did an 80th birthday party for Don Reynolds out at his home on North Hollywood Drive, and it was quite a prestigious party. Everybody was there. President Reagan delivered a message, George Burns was there. It was quite a thing. And it was a very prominent party.

From that point on, Chris didn't like me. He didn't want to have any part to do with me. He hired Gayle to cross my Ts and dot my Is and just left us alone, and about a year later, he realized that we were doing an incredible amount of business, and it just continued to grow up until the very end. We developed quite a reputation within the industry. And I was doing movies and work in the Los Angeles office. My own office had grown to five people, and it was a very large operation.

In terms of income in dollar sales, I can't even -- I can't even say with certain -- I'm going to say it was at

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least two, two and a half million a year, possibly three.

Q How did you land that first party, Don Reynolds?

A That had already been booked when I start.

Q And that was something Chris arranged?

A Yes.

Q Why didn't Chris like you? You know of any particular reason?

A He thought I was weak.

Q He told you that?

A Oh, yeah. And after about a year, that whole thing changed.

Q What do you mean?

A I would take care of the logistics for him, he was out on fires, run the Las Vegas office. I was playing executive chef. I was doing everything, and if there was a screwup anyplace in the company as far as the front of the house, I generally was relegated to go take care of that. It was very difficult.

He was a very difficult man to work for, and I just took it as a challenge that the old codger wasn't going to get me, I was going to get him, and that's basically the way the whole thing came down. We became very close and when he needed something, he'd call me.

Q You said the business really picked up and you got some big accounts in LA, movie business. How did you go

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about getting that business?

A Basically word of mouth, and as we did party after party after party, people started to respond, and it mushroomed. Because there had already been an office in Los Angeles, but Chris' whole image as far as food on movies, on everything, had really faltered at the time that I started. I mean, it was not very good, and just through the course of a lot of changes and doing things right, the company was growing by leaps and bounds and it was developing a quality image.

Q I see. So you already had some of those accounts prior but it was a matter of reestablishing the business?

A Reestablishing and at the same time word of mouth, which is -- in the catering business is the only advertising. It's the best advertising.

Q Would you consider most of these commercial accounts in terms of your business or would they just be your general everyday business?

A What do you mean?

Q Okay. What I'm getting at is did you have any smaller local parties that you handled?

A Oh, yes.

Q And retail business off the street?

A Oh, yes. The full spectrum.

Q Right.

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A From, you know, corporate convention to somebody calling and wanting a cheese tray for $20.

Q Is there anyone out on the road getting business?

A No.

Q Everything was word of mouth?

A Word of mouth and telephone calls.

Q Did you travel back and forth to LA?

A Yes.

Q Who was in charge out there?

A A guy by the name of Curry Dobson, D-o-b-s-o-n.

Q Who did you answer directly to?

A Chris.

Q Anyone else?

A No.

Q You supervised others?

A Yes.

Q Where would you say most of your duties were performed, in the shop?

A All over. I would go out on parties and supervise parties. We were having, you know, five, six, eight parties a day. I'd go to every party if I could, plus what was going on at the shop. Sometimes they'd call me in one of the restaurants.

Q What's that? What restaurant?

A Well, we have restaurants. We had a gourmet room

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in Vegas World Coffee Shop in Vegas World, TK Christy's in the Valley Bank Plaza, Cafe Santa Fe in the Thunderbird Hotel, and we also had a facility in the Carriage House on Harmon. It was on the top floor. I don't remember what we called it.

Q These were all businesses that Chris owned?

A Yes.

Q Did he own these in their entirety?

A In addition to the institutional accounts, which was the city jail, mental health facility, I think it was the State Mental Health facility and the juvenile center.

Q The list of restaurants that you read off, are those clients or businesses that Christopher Karamanos had an interest in?

A He had an interest in those.

Q But the former, the latter you gave me, the city jail and the State Mental Health?

A Those were all contracts.

Q Any other contracts you can think of?

A The U.S. Forest Service. I believe -- he always said this, and I don't know if it was true or not because I never saw a contract -- Clark County Fire Department, Metro, Las Vegas Metro, Red Cross. These last three I never did see a contract.

Q Never did?

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A No.
Q But you saw orders going out to them?
A No. I can't say that.
Q The fire fighters you never --
A Oh, yes. Fire fighters, yes.
Q They were a customer?
A Yes.
Q Now, stepping back to those businesses that you mentioned, the five or six businesses a few moments ago, did Christopher -- did Chris Karamanos own those in their entirety?
A Yes, I believe so.
Q Now, the Caterer's was incorporated; is that correct?
A Yes.
Q Were there any other owners in the Caterer's besides Chris Karamanos?
A I don't think so. I don't know for sure though.
Q He never discussed that with you?
A No. I don't believe that there were any other owners because he was adamant against partners in business.
Q I see. How do you know that?
A He spoke of it quite often.
Q Did anybody ever propose partnership with him that you know of?

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A Gayle did once and he absolutely refused.

Q Do you know if there was a board of directors?

A I don't know.

Q Basically you had quite a bit of client interaction; is that correct?

A Yes.

Q As far as individual residences, persons -- individuals as opposed to institutions, could you tell me some of the biggest clients that you had?

A Now, that's interesting. Elias Ghanem. I'm drawing a blank.

Q We can come back to that. You can always let me know later or I can come back and ask you again. Elias Ghanem would be one of them?

A That was one.

Q How many parties would you say you catered in your time at the Caterer's?

A Oh, through the course of the four years?

Q Right.

A 20, 25. Maybe more than that.

Q Really. Any particular year when you did more than others?

A It seems to me the last year. I don't know if it was the last year or the year before. '88 or '89. I think it was '89. I just can't say for sure.

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Q Right.

A It just seems we had a lot of activity there.

Q Were any of those political fund-raisers?

A There's one that I can remember. It was -- I think -- there again, I think it was for Senator Bryan. It was in his backyard. It was a sit-down dinner, formal sit-down dinner, and I don't remember -- it was a lot of money. I don't remember what the per person price was.

Q Right.

A I think it was like 35 or 40 people there.

Q That's the only one that you can think of that was a fund-raiser?

A Yeah. That's the only one that comes to mind. The reason that comes to mind is I remember doing the tables in blue and silver, which was state colors.

Q State colors. Okay.

A And I got permission to put a couple of lights up in a couple of trees that were on the golf course.

Q And this was at the Ghanem residence?

A Yes, uh-huh.

Q Most of these other parties at the Ghanems, were they friends that were entertaining or business?

A Friends. A lot of business -- one of the fighters, and I can't tell you which one it is, when he came to Las Vegas, Dr. Ghanem, you know, had a couple receptions. As a

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matter of fact, I think it was the last year because it seems to me we did three or four, with Mike Tyson and there was just a lot of publicity going on, you know, as far as interacting with some of the people that made decisions in the community. They were just there.

Q Was Chris at any of these dinners personally?

A Yes.

Q Was he there as a guest?

A As a guest. Almost always at Dr. Ghanem's.

Q Was he friendly with Dr. Ghanem?

A Yes, uh-huh.

Q Were they good friends?

A Very good friends.

Q Did they socialize?

A Yes.

Q Any particular evidence of that?

A Chris always talked to him. Always. And vice versa. He would call, Chris would call him. Or Chris would go over there.

Q Where's that?

A His office.

Q Did you say -- would you say he called daily?

A Oh, I'd have no idea. I'd have no idea at all. They were just frequently in touch with each other.

Q And would Dr. Ghanem come over to the Caterer's

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business?

A No.

Q Never saw him there?

A Never.

Q Did Dr. Ghanem have any interest in the business?

A Not that I'm aware of.

Q Did you ever hear of Chris talking to Dr. Ghanem about his business?

A No, no.

Q Would they do anything specific together, social events?

A No.

Q Members of any of the same clubs or organizations?

A No.

Q Did they go out for dinner together with their spouses or friends?

A I -- maybe they did. I'm not aware that they did.

Q How many employees would you say were at the Caterer's --

A 200 --

Q -- throughout the course of your tenure there?

A -- I'd say at one point. Probably 1,000, 2,000. Turnover in the catering business is quite a bit.

Q I see.

A And when we were feeding the fire fighters, we

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could have as many as two or 300 people on the payroll just on a location.

Q Would you say there were various departments within the organization?

A Yes.

Q Could you break those down for us?

A Movie catering, central commissary, social catering, government contracts, federal government contracts, which would be the U.S. Forest Service, and I also believe we had the disaster -- in other words, if there was a national disaster, he could be called on the basis of the Fire Service contract.

Q Fire Service?

A Forest Service.

Q Forest Service.

A There was REECO, Reynolds Electric. It seems we did a couple things there. That's where the thing in San Diego came from. That was a bid.

Q At the base?

A At the base.

Q That's the U.S. -- the Army or the --

A The Navy.

Q U.S. Navy. That's right. You obtained a contract with them?

A The contract, I believe, was through Reynolds

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Electric, REECO.

Q Okay.

A What else? The institutional, which would have been the jails, the Mental Health Center, the juvenile restaurant operations and what else? I think that's about it.

Q Those all seemed to be part of the customer base. Is that how everything is broken down?

A Yes.

Q Were they broken down by work process; in other words, deliveries, incoming orders, bookkeeping?

A No. The bookkeeping was very shoddy. It was quite antiquated. It was not accurate. It was a hodgepodge.

Q I see. Who was in charge of bookkeeping?

A Nicholas Comarrell.

Q Comarrell. Okay. Could you spell that for us?

A I'll take a jab at it. C-o-m-a-r-r-e-l-l.

Q Was he an accountant or --

A Yes.

Q Anyone else you can think of?

A And then his staff.

Q He had his own staff?

A Yes. He had his -- the people that worked for him. Accounting would have been another department or another division who was in the office. Barbara Walters, Maureen

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Parker, and I can't think of --

Q Those are in the bookkeeping?

A In bookkeeping. And there were a couple of others.

Q Stepping on back to the different contracts you had --

A Uh-huh.

Q -- you stated they were organized by contracts. Who was in charge of the different organizational process?

A As far as the writing of the contract, the submission of the contract?

Q Well, in the Caterer's, that's how it was broken down by who was --

A Well, that wasn't organized either. Chris rode herd over the contracts. He was the one that stayed on top of them. The actual contracts were written by a fellow by the name of Jerry Osgood, who was his business manager.

Q How do you spell that?

A O-s-g-o-o-d.

Q Okay.

A And Jerry would let Chris know if a contract was up for rebidding or something of that nature. He would also -- and he used this term lightly -- he would also research additional contracts that the company could become involved in.

Q Did he work within the building itself?

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A Yes.

Q He had an office there?

A Yes.

Q Who were some of the key people in the other departments that you mentioned?

A The general manager was R.J. Marschner.

Q Could you spell that?

A M-a-r-s-c-h-n-e-r, Richard. Jerry Osgood was business manager. Eddie Breen, B-r-e-e-n, was executive chef. Nick Comarrell was accounting. Myself, Curry Dobson was in Los Angeles. Barbara Carlisle.

Q Could you spell that?

A C-a-r-l-i-s-l-e, was the general manager of the Thunderbird Hotel. Rachel Breen, B-r-e-e-n, was the restaurant manager at Cafe Santa Fe in the Thunderbird. I don't remember who was manager at Vegas World. Tony Karamanos was -- was manager at TK Christy's. And the woman that was in charge of institutional, I can't remember her name.

Q Was Tony Karamanos related to Chris?

A Yes. He's his brother.

Q And is Rachel Breen related to Eddie Breen?

A Yes. Husband and wife.

Q Who was in charge of government contracts, specifically federal contracts?

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A I would have to say Chris.
Q Chris himself?
A Yes.
Q Was he in charge of any other such division?
A He was in charge of everything that he ever wanted to get his fingers in.
Q I see. But as far as specific organized structure --
A Specifically, government contracts.
Q -- was --
A That and the Thunderbird Hotel.
Q Do you have an idea why he would be more involved in those areas?
A I suppose because he probably knew more or because of his knowledge.
Q And how was that?
A I don't know. He just seemed to be very knowledgeable.
Q You don't know of any specific experience he had in that area?
A No. He knew -- he was a very intelligent man. He knew a contract inside and out to the finest detail and was able to quote. He just -- he had that -- that sense.
Q When you say government contracts, would that include the Forest Service?

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A Yes.

Q Was there anybody else who assisted him in those contracts?

A R.J. Marschner and Jerry Osgood. However, when it came to billings on the Forest Service, Chris was the one that basically did that himself.

Q Do you know of any instances where Chris gave away orders free to the Forest Service?

A No.

Q Any reason to think that he wouldn't give away such orders?

A There's something that is in my mind that says that Richard Denker, who was in charge out of Boise --

Q Denker?

A Denker.

Q D-a-n-k-e-r?

A No, D-e-n-k-e-r.

Q Okay.

A -- had told Chris no way --

Q And he's with the Forest Service?

A -- and they would pull the contract from him if he even attempted it. And he was in charge of the whole western region. And it's just something that says that to me, that no way.

Q Did you talk to him, Mr. Denker?

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A I talked to him once, but there were a couple of times -- but not about anything like this. I was -- I had to go up to Boise to take some papers to have him sign that all the payments from the government would go directly to Valley Bank rather than into a Caterer's account.

Q And what account --

A It was an assignment.

Q Whose account would it go to?

A It would go directly to Valley Bank. Apparently Chris had taken out a line of credit, and the collateral on the line of credit was the Forest Service contract, and the agreement was that none of the money in the -- as far as the line of credit could be used toward anything other than purchasing goods and services for actual fires, and then the bank's assurance that they were going to get paid was that the checks would be directly cut to the bank.

Q I see. Anyone else you remember from the Forest Service, individuals that you dealt with?

A No.

Q Do you know if Chris actually spoke to you about the fact that Mr. Denker would not accept any orders for free?

A I don't know that he spoke to me about it. Jerry Osgood or R.J. Marschner probably said something to me. Money was always a problem. Cash flow was always a problem

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at the Caterer's and it upset management and employees when Chris would give things away, because oftentimes we couldn't cash our check, and this would go on for months and months and months and he'd turn around to do some of the damndest things for people, and when anything came up like that, you know, it just -- oftentimes officials would work -- in other words, tell other people in the organization, you know, he can't do this.

Q Your organization?

A Yes. Because Chris would never listen. Now, he felt that, you know, he was the emperor and he could do whatever he wanted, and they just would not allow it. They just can't. Their jobs are on the line.

Q Yes. Do you know if Chris attempted to give these Forest Service any goods for free?

A He might have at one time. And it seems to me that it was a training session or something here in Las Vegas and this -- and he wasn't going to bill them for it, and they wanted to know where the bill was, and it was comped and somebody just raised a lot of hell.

Q Somebody from outside the agency, outside your business?

A Yeah. It was somebody from the Forest Service, and there's just something like that -- that's seven or eight years ago. We're talking going back --

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Q You're going back to '85, '86?
A Yes. Because there's something there that says no way at all.
Q Does price come to mind?
A No, not at all.
Q The training session, how many people were there?
A 80 or 100. Something like that.
Q Did you work at it?
A I didn't, no.
Q No, I don't mean learning how to --
A We ran out of food.
Q You ran out of food. Okay.
A That's why I remember it.
Q They had on-the-spot services?
A Yeah.
Q Meaning you -- where would political candidates and committees go within your spectrum of the structure?
A They would either call Chris personally or they would call Chris' sister or his secretary. His sister is Annie Wagner. His secretary was Louis Fischer. Now, they would simply take the messages. They give them to Chris and then Chris would farm them out to us and call us into his office and say, okay, here, here, here and here, or they would call in and ask for -- either to speak to Gayle or myself. They wouldn't necessarily ask to speak to Gayle or

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myself, they'd provide us with an order and we'd have to tell them what the cost was going to be.

MR. McDONNELL: Could we just go off the record for just a second?

(Whereupon, an off-record discussion was had.)

Q (By Mr. McDonnell) You stated that very often the political campaigns would call and specifically ask for Chris' sister, Annie Wagner, or Louis Fischer; is that correct?

A No. I wouldn't say that they'd specifically ask for them. They would call -- those were the two answering the phone.

Q I see.

A So they would take the message, and they'd in turn take the message to Chris and it would follow through the system then.

Q They weren't placed -- in other words these orders were not placed in any way different from other orders?

A The biggest difference was the fact -- I would say that maybe 15 percent of the social catering orders people would call Chris --

Q Right.

A -- and generally speaking, unless it was somebody he knew or he had an interest in himself, he would refer it to Gayle or myself and say call these people and deal with

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it. But when it came to the political things, he would actually write the menu and give it to us and let it go from there. He would make those decisions.

Q I see. Any particular campaigns or committees that you could think of where he specifically handled it that way, meaning -- by that way, I mean in which he wrote up the menu?

A Just about every one of them. Just about every one. And it kind of got to a point that -- it seems to me that last year that Gayle and I would get the calls, and they would tell us what they wanted and what they wanted to spend.

Q Right.

A And it was a big concern that, I know, we've got $100 to spend or we've got $100 to spend, what can we have for that, so then we would write a menu with that in mind. Chris did not operate that way. He'd give them caviar, you know, for $100.

Q I see. So in other words, he would not price the orders to the true cost?

A No. And oftentimes what we would do is once he gave us the order, we'd actually take and cut things off the order because he always overdid events like that.

Q And why is that that he did that with these orders?

A With him, a lot of food, a lot of flare. It was

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putting his name out there, you know. He wanted to be lieutenant governor. He supposedly was promised the Secretary of Agriculture position when Dukakis was running. He just wanted to be in the forefront.

Q You said he was thinking of running for lieutenant governor?

A Yes.

Q Do you have particular information that would lead you to believe that?

A Just from him.

Q He told you?

A (Witness nodded.)

THE COURT REPORTER: Is that a yes?

THE WITNESS: Yes.

Q (By Mr. McDonnell) And did he ever say that he was going to give these orders away in order to improve his chances of becoming lieutenant governor?

A No.

Q Did he say --

A He would never make a statement like that.

Q Did he ever say while he was in the midst of preparing an order that he hoped some day to be lieutenant governor?

A No. He was a very sharp man. He knew what to say and how to say it.

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Q I see. And as far as the position with the Secretary of Agriculture or as the Secretary of Agriculture, what makes you believe that?

A He had told me that. Dukakis was to come to Las Vegas and he wanted to throw a big event unlike the town had ever seen before, and through this conversation with planning this event, he mentioned -- or it might have been after everything was over with. As a matter of fact, I think it was because Dukakis pulled out and then I think Chris had mentioned that he'd been promised Secretary of Agriculture.

Q By anybody in particular?

A Dukakis.

Q He spoke to Dukakis personally?

A Oh, yes.

Q Did they talk often?

A He claimed that he knew him because either his cousin or his uncle is the Greek Orthodox of the patriarch, the archbishop, who was the confessor to Dukakis, and Dukakis is Greek and Chris was Greek.

Q I see. Was this a relative in Massachusetts?

A I believe so.

Q I see. And did Chris express some frustration that Dukakis was not coming to Las Vegas?

A Yes. But it was, you know, short-lived and that

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was it. It was over with.

Q Did he still hope to possibly obtain the position?

A No.

Q So in other words, when that event was canceled, he knew his chances were over?

A Yes.

Q Do you know why they canceled the event?

A Dukakis pulled out of the race, I believe.

Q Presidential race?

A Yes.

Q I don't think so.

A Okay. Well, then he canceled here for some reason.

Q Right.

A The Secret Service had sent people ahead and all of a sudden it was no more. That was it.

Q Secret Service had come to your business, you believe?

A I don't know whether they came to the business or not, but I remember Chris telling me that they had been in town planning for his arrival, you know, his visit or something like that, and it seems to me that this was maybe two weeks before he was supposed to be here. It was a very hush-hush thing.

Q Did you begin to prepare for the political event?

A We just started to talk about it, and actually I

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think we'd spent two days, not a great deal. We haven't even decided on the menu, nothing, and then it was over.

Q Mm-hmm. You had mentioned on certain occasions, especially towards the last year or so, that you were dealing more frequently with the political committees; is that correct?

A They would call, yes.

Q And ask for you or Gayle Wiener?

A Yes.

Q You mentioned earlier some of the committees, being the Bryan committee and the Reid committee. Any other committees come to mind?

A Bilbray. I think we did something for Barbara Vucanovich, and there was a lot of local.

Q How about like democratic committees or a state, local or national level?

A There was a presidential -- I don't remember what his name was. He was running in the democratic party for president. We did a couple things for him. The democratic party was billed -- the national democratic party was billed, and it seems to me it was close to $2,000, and I do know this. It took Gayle about eight months but she finally got the money for it.

Q Oh, really?

A Yeah. I don't remember what his name was.

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Q He ran for President of the United States?
A He was running for president in the democratic party.
Q Oh, president of the party?
A Yeah.
Q Like chairman you mean or was it actually president?
A President. But he pulled out. It was a short-lived thing.
Q Was he a local person?
A No. He was from back east, and I don't know from where.
Q D.C.?
A I don't even remember.
Q Did you work at that event?
A No, no.
Q Gayle worked at that one?
A No. I just remember the order, and I can't even tell you what we did.
Q Do you remember Gayle attempting to get any other bills paid that were owed from federal candidates or committees?
A We collected payment on just about everything that we were allowed to bill. I mean, we never had a problem collecting.

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Q Who are some of the people you dealt with in those campaigns that you just mentioned?

A The only one that I can remember is Lou Gamage. I just -- I don't have a clue on the other ones anymore.

Q Have you met her in person?

A Yes.

Q Did you meet her at the shop or the business?

A Yes.

Q She came in there?

A I don't know if that's when I first met her. I think when I first met her was one of the first luaus that we did, and that was out at Harrisons, and that's how I really came to know her.

Q Would you say she called frequently, sporadically?

A Sporadic. When he was running for governor and then when he was running for senator, those were the two biggest campaigns and it's the only time that --

Q Do you know which year he ran for governor?

A The year before he ran for senator.

Q Oh, really?

A He was only governor a year. It would have been his second term.

Q Oh, it would have been his second term of governor?

A Yes.

Q He served one year of the second term?

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A Yes.

Q Would that have been in '86 that he ran and then in '88 he ran for senate?

A I think it would have been '87.

Q Oh, was it? Okay. Did you ever socialize with Lou Gamage?

A No. Not really.

Q What do you mean by not really? Did you go out at all or have drinks together, go out to dinner?

A No. We -- as a matter of fact, every once in a while I still run into her. I think the last time was a year ago, two years ago November, but at events, that sort of thing.

Q Right. Have you done any business with her or those committees since the ending relationship with the Caterer's?

A No.

Q So neither with Gayle Wiener of VIP Services or your current business, have you?

A No. I don't know that we ever will.

Q And why is that?

A I don't believe that it is prudent for anyone to become involved in a political spirit that shows favoritism toward one party or the other.

Q You would find that damaging to your own business

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or --

A I would, and especially, you know, owning the business myself, I -- I'm a firm republican, and Las Vegas is democrat, and my family just would never understand. And it's just -- it's hard to swallow, and the crazy thing is in Nevada, a Nevada democratic is the same as an Eastern republican, and so it's very hard to differentiate, and it's just not good because -- because of that.

Q Right. Okay. You had mentioned earlier that I believe you stated that Chris would sometimes prepare the menus and also price the jobs?

A Yes.

Q Were there other people that were key in that and if so, who?

A I would, you know, when they called and they'd say they had a certain budget or something of that nature, or if I had to cost an event, you know, I would do that, but other than that, you know, that's about it.

Q I guess we should restrict this to political candidates and committees. Is that how you answered that question?

A Yes.

Q I didn't clarify that but I meant to.

A Okay.

Q And would that involve having frequent contacts

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with these customers and clients during that period when they were placing the order?

A No. I didn't have time and neither did Gayle.

Q I see.

A And during a heavy political season, there were the state and national levels, but in addition to that, the local level was incredible. I mean, you know, when a guy was running for street sweeper, I mean, he called, and so we just didn't have time, and I got to tell you that -- I have to almost say one of the reasons that I can't remember all of these things is because names are not important, and the other thing is that we had -- we were doing so much. I can remember, I don't know which year it was, Bob Stupak was running for mayor. Three other people were running for mayor, and that particular night we had something like 17 parties.

We were doing all the mayoral candidates from both parties, and that is how big the Caterer's got, is that we were doing it all, and it didn't matter which party it was and it didn't matter who it was, and what was happening was it had gotten to be such a big thing that these were just other parties as far as Gayle and I were concerned, and Chris was getting harder and harder to get ahold of.

So they wanted something, they had to have something, so they called Gayle or myself. They'd give us a

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budget and just like with a normal customer, we'd write a menu, and the thing was getting so big that we -- there was no room for favoritism.

The chef was not pleased about this when you've got 80 or 90 parties in one week, and, you know, your political things are always in the first part of the week and you've got your major events at the end of the week, the labor involved and you're throwing a kitchen into overtime. You're throwing chefs into overtime. It's not -- it just doesn't work from a financial standpoint.

And at the same time our restaurants that he was producing for were just going incredible. So just because of the sheer volume that we were doing, it didn't matter who was calling in.

Q I see.

A I mean, we were just wanting to get rid of them.

Q Wouldn't you have to know the identity of who you were going to bill and --

A Yes. Very definitely. But it became just another number thing. You know, you're no longer an individual, you're now a number. You're just not a party.

Q So they did have an account with you at that time in most cases?

A Las Vegas is a small town. If you know somebody, you can give them credit. Oftentimes what we would do,

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though, is we would collect a check on delivery and the bill would be on delivery.

Q You mentioned a particular week where the mayoral race was going on and many other elections. Would that be all within the same time as the federal elections?

A I don't know. I don't remember.

Q Do you know when Chris would decide basically when to comp an order? Would it be at the time the order was placed or would he make the decision subsequent to delivering it?

A He'd often do it subsequent.

Q I see.

A Because, you know, we'd say to him, well, how much should we charge for this? I'll take care of it. I'll take care of it. And he did this not just with political organizations, that was his way of doing business, I'll take care of it, and it never got taken care of until there was a crisis or after the fact, and so I would have to say generally subsequent.

Q Okay. But usually were the jobs priced before you delivered the goods or sometime after?

A Generally before.

Q Generally before. And yet you said just now that you stated that you asked him how much would you charge for this?

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A We would ask him, yeah.

Q Because he would sometimes change the prices after?

A After, right. See, two things happened. Either he would give us a menu, we'd ask him how much to charge. He may tell us, he may not tell us. But there again, when an order went out the door -- he might have owned the company but, you know, when an order went out the door, there had to be an invoice on it. We had to know what our income was, so we would create an invoice.

Sometimes he would catch those invoices and pull them back and do his thing. Sometimes we thought that the invoice actually went out and in essence they never went anyplace, they went into Chris' garbage can because he'd pull them from the mail, because our office was three doors away from his and all the mail went to the front office, and he'd go through the mail.

Q When you said our office, did you share an office with someone?

A Gayle and myself.

Q You both shared an office?

A Yes.

Q But did you actually deliver an invoice with the goods as well?

A Sometimes.

Q Can you think of any instance in which the invoice

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was delivered with the goods and in which Chris later comped and you did not receive payment?

A No, I can't.

Q I was going to ask you if you can identify a few people who I believe may have worked at the Caterer's. You mentioned Louis Fischer. Could you spell that name?

A F-i-s-c-h-e-r.

Q Was she in the bookkeeping?

A No. She was Chris' secretary.

Q Do you know where she lives?

A She still lives here in Las Vegas. Her husband's name is Jerry, J-e-r-r-y.

Q Do you know what she does now?

A She's not doing anything.

Q I see.

A I'm trying to think of the name of her husband's business but it's not coming to me.

Q And how about a -- do you know where Eddie Breen is currently working?

A Yes. He's the executive chef at the Aladdin.

Q And Linda Miller?

A Linda Miller was a bookkeeper.

Q I see.

A And I don't have any idea where she is.

Q No idea where she is?

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A No.
Q Mike Tate?
A Mike Tate is working for me.
Q Oh, he is. And what was his position at the Caterer's?
A He was a server, food server.
Q Does that mean he mainly worked out in the field?
A Yes.
Q Did he work at all within the restaurant -- I mean in the business?
A Oh, yes.
Q Preparing food?
A Everything.
Q Everything. Okay. Nelson McKenna?
A Nelson McKenna was a maitre d' in the Bacchanal Room at Caesars Palace. Nelson worked a couple of parties for Chris and Chris always thought he was the greatest server in the world.
Q You didn't share his opinion?
A No.
Q And why is that?
A Because he was a pompous idiot.
Q That's pretty direct. How about Maggie Peters?
A Maggie Bizzarro (phonetic)? She is working for Marriott Host Services out at the airport.

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Q Was her prior name Peters?
A No. It might have been.
Q What did she do at the Caterer's?
A She was the catering -- she was in my department. She was catering coordinator.
Q Annie Wagner, do you know where her location is?
A I don't know where she lives. Her husband is the controller at Bourbon Street.
Q I see. Bourbon Street, is that a restaurant?
A A casino.
Q A casino. Okay. She wouldn't go under the name Karamanos anymore at all?
A No. Her married name is Wagner.
Q How about a Susan Begnaud?
A Susan is -- she was my catering manager, and she's a housewife.
Q She works for you now?
A No.
Q She was?
A Yeah.
Q And you mentioned R.J. Marschner before?
A He's deceased.
Q He was the business manager?
A He was the general manager.
Q General manager. Okay. I'd like to talk a little

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bit now about Chris' own personal background if that's possible. Who would you say were some of his best friends?

A Elias Ghanem, his attorney, Bob Christiansen.

Q That's the attorney?

A No. He was an insurance man. His attorney. Jerry Tarkanian -- not his attorney, but it will come to me. Jerry Tarkanian was another friend. Don Charleboix.

Q Who is he?

A He's constable.

Q Charlie White?

A Charleboix. C-h-a-r-l-e-b-o-i-x. I think. Susan Molasky, M-o-l-a-s-k-i.

Q And what was she?

A A friend.

Q Do you know what kind of business she was in?

A Her husband's name is Irwin. They -- it's Paradise Development. Las Vegas.

Q What kind of development, land?

A Well, he just sold Lorimar Studios. He's a very wealthy man. He just sold Lorimar Studios which he owned. The man knew so many people.

Q Well, just the closest ones.

A Bob Stupak.

Q And who is he?

A Vegas World. He owns Vegas World. That's all

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that's coming to mind right now.

Q I see. Did he have any relatives in addition to Ann Karamanos that you know?

A Tony Karamanos.

Q Okay. His brother. I'm sorry.

A He had another brother by the name of Bill. Another sister by the name of Carol and who lives in Florida, and another sister, her name is Dolly Rentic (phonetic) and she lives in LA.

Q Did she have any interest in the business out there in LA --

A No.

Q -- or perform any services?

A No.

Q And how about did he have a wife or girlfriend?

A Did he? He had a girlfriend and I -- I don't even know what her name is.

Q Do you know what she did?

A The last year he had a lot of them.

Q Oh, okay.

A I have no idea.

Q Did he have any children?

A Yes, one. Kyle Karamanos.

Q And how old was -- is it a he?

A I think Kyle is 18 today.

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Q Oh, really?
A Yeah.
Q And you mentioned that he died of suicide. Do you have any idea why he did that?
A I don't. Just the rumors. One of the rumors was that the FBI was -- he was to be arrested the following day after they found him for bank fraud.
Q In connection with a particular circumstance?
A At I believe it was PriMerit Bank he wrote a check or overdrafted for $600,000 by writing a check on another bank account that was nonexistent, doing a deposit and pulling it out. Something of that nature.
Q I see. Anything else that you heard about --
A And double billing on the Forest Service contract.
Q You heard about that?
A Yeah. And I don't even know why I know about that.
Q When you were working there with him, do you remember anything about that double billing?
A No.
Q Do you remember any dispute with the Forest Service?
A No.
Q No problems at all, to your knowledge?
A That I know of, no.
Q Was Chris involved in any sports or -- sporting

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events or activities or clubs that you know of?

A UNLV basketball, football. Basically the whole sporting program at the university.

Q He attended a lot of games there?

A Every one.

Q Every one. He had season tickets?

A Yes.

Q And who would usually accompany him to the --

A He sat in the same seat every time. He'd take somebody different with him. I always -- Steve Wynn sat next to him, Susan Molasky was on his other side. Those were people that were in the same seats all the time.

Q What does Steve Wynn do?

A He owns -- chairman of the board of the Mirage Resorts.

Q Did you ever know him to go to the games with Dr. Ghanem or his spouse?

A Yeah. I believe so. I think they were all in that same area.

Q Oh, they had season tickets there as well --

A Yes.

Q -- the doctor and his wife?

A Mm-hmm.

Q Did you ever know him to attend the game with any politicians?

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A Not that I know of.

Q Okay. Are any of those people that you mentioned earlier, a few minutes ago, a few moments ago, friends of Chris involved in politics?

A Don Charleboix. Who else did I name?

Q And what level was he involved?

A He was constable.

Q Okay. Were any of them involved in federal politics --

A No.

Q -- or any campaigns as volunteers or anything?

A Not that I'm aware of.

Q Was he involved in something in Henderson, some sort of an event or position there --

A No.

Q -- of a personal nature?

A I don't know of anything, no. The only thing that possibly was when PEPCON blew up, we fed everyone on location for about 30 days.

Q I see. Was that paid for?

A No, it was not.

Q And PEPCON had to do with the same -- the Los Angeles -- I mean the San Diego event?

A Yeah. That's the big explosion where the government got all of its perchloride.

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Q All its what? Do you know how to spell that?

A Perchloride or perchlorate or something like that. It's the fuel that goes in the rockets. There's only two companies that manufacture it and the plant blew up.

Q That was in '88?

A I think that was in '87.

Q And that was with someone he had a contract with at that time?

A No. We just did it.

Q Were you out there on location?

A Yes.

Q And who else was out there, key persons?

A I think Mike Tate was with me. See, no one was in Las Vegas when this happened, and we were catering the Las Vegas Invitational Golf Tournament, which is a major event for us, and Mike Tate and myself are heading back -- we're coming up Industrial from the Las Vegas Country Club and there's a siren behind me and there's this big explosion that I can see. There's this big mushroom cloud. There's a siren behind me and it was a fire chief, and he was flagging me down, and he says, meet me at the Caterer's.

And at that point nobody really knew what had happened, and we mobilized right away, even though we were short on equipment here because, you know, we were feeding 3500 men in San Diego and everybody was there.

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Q Everyone was what?

A All the chefs were there, I mean Chris was there. All management was there. I was the only one here. And I mobilized two emergency units. We filled them with food and the purveyors delivered like within 30 minutes, and I was able to get through all lines. Metro let me through. I mean, it was just whenever there was a Caterer's truck, it didn't matter what it was, it went through all lines.

Q What kind of truck do you mean?

A We had mobile kitchens.

Q And where did they get to, the Caterer's business to where?

A All the way out to Henderson.

Q And that's where the main plant was?

A Mm-hmm.

Q And the explosion occurred where?

A In Henderson.

Q Okay.

A Or outside of Henderson.

Q So you were feeding 3500 people that were in Henderson. I think I'm a little bit confused.

A We fed everybody. I mean, anybody that was around. We fed the fire fighters, we fed everybody. I mean, the Red Cross, we took care of that. We fed people at the Convention Center, all over the community.

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Q I see. Do you believe that the -- these goods were given away in any way to procure a contract?

A No, that one -- and to this very day I don't understand the reason behind that and maybe that was out of the goodness of his heart. It was so incredible. I can tell you that three weeks later when, you know, the site has been secured and no one is still allowed to go on the site, I mean, it's -- you know, it's corded off. It's federal.

I would have to go and buy Kentucky Fried Chicken. I can remember one Sunday afternoon having to go and buy Kentucky Fried Chicken for 40 men and deliver it to the gate and this just went on and on and on. It didn't stop. It went for about a month, four or five weeks.

Q Do you have any idea how much money this cost the company?

A I have no idea. It was astronomical. It had to have been.

Q This was in 1987 you believe?

A I think it was '87. I can't say for sure. As a matter of fact, it's in court right now.

Q In what way?

A It's in the papers. To fix the blame.

Q I see. Nothing to do with the Caterer's?

A No.

Q Did you obtain publicity from this?

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A Not a lot. Not a great deal. Very little was said. Very little. And if anything was said, it was maybe -- maybe there was an article a year later in the Review Journal concerning it, but there was very, very little. I mean, there was nothing. Now, Chris may have received an award, come to think of it. As a matter of fact, I think he did, and I don't know who -- how he received it. He did receive an award.

Q You don't know who from?

A I think possibly the fire department.

Q The local fire department?

A Yeah.

Q I see. Any particular name of a person come to mind that was involved with arranging this with Chris?

A The PEPCON?

Q Yes. I'm sorry.

A No. The Red Cross called me and that's the only contact there was.

Q Why did they call you?

A Disaster assistance.

Q They wanted assistance from you at the Caterer's?

A Yeah.

Q And you --

A We complied, and it just -- and at that point Chris got involved because he flew back from San Diego, and he was

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on site.

Q I see. Do you know if any politician was involved in arranging this assistance to PEPCON?

A No, I don't.

Q I'd like to move on to focus on a particular event that you mentioned earlier. I believe you alluded to an event at the Ghanem residence.

A Yes.

Q That was an outdoor event, a dinner?

A Uh-huh.

Q Do you have any idea what day of the week that was, the event?

A No, I don't.

Q Did you take the order for that event?

A No. Chris took the order for that event and gave it to me, told me what he wanted served.

Q He told you what he wanted you to serve?

A I wrote the dinner menu, but I distinctly remember he wanted Beluga caviar, poached salmon, and that was for hors d'oeuvres, Russian vodka and -- and the dinner, I don't remember. It was probably Tournedo Rossini. We probably did cherries jubilee for dessert.

Q Was this the standard menu that you would have?

A It was a formal sit-down menu. There would have been a pasta course, there would have been a salad course,

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there would have been wine with dinner, red and white, sparkling water. It was just -- it was an upscale menu that we did quite frequently.

Q I see. And you said that Chris took the order. Do you know who gave the order to Chris?

A No, I don't.

Q Do you know what the purpose of the event was?

A It was a fund-raiser and for so much per person, you got to sit down with the governor and have dinner.

Q I see. So the governor was there?

A Yes.

Q And would that be Governor Bryan?

A Yes.

Q Was he running for office at that time?

A It may have been prior to his public announcement. I just don't remember.

Q Anything particular that makes you think it might have been prior to the announcement?

A The luau that I spoke of.

Q Right.

A It seems to me that was the major public announcement.

Q I believe you had said there were two events that were close.

A The luau --

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Q And this party?

A Well, now, wait a minute. There was this party too. There were basically three parties that I remember. The timing I don't remember. There was a luau, there was the Nevada National, and that was definitely public. This may have been even prior to that.

Q Okay. I'm going to introduce a document at this point maybe to refresh your memory.

(Whereupon, Commission Exhibit Number 1 was marked for identification by the Notary Public.)

Q (By Mr. McDonnell) We're back on the record. I'd like to remind you, Mr. Osterhaus, that you're still under oath.

Now, I've introduced Exhibit Number 1 here, and could you identify the first page of this exhibit?

A The first page is the luau that I've been talking about.

Q It is?

A Yes.

Q What makes you think that?

A Happy time machines, which were margarita machines, the 900 guests. It was always between 700 and 1,000 people.

Q I see.

A July. It's just --

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Q It was July --
A Yes.
Q -- of 1988?
A Yes.
Q And what does this say in the to column on that receipt?
A Pardon?
Q On the invoice, can you identify who it's made out to?
A Governors Bryan's birthday party.
Q Was this birthday party the time for the luau every year?
A Yes. Well, no. I don't know. Sometimes when Gayle made out invoices she was not exactly accurate when it comes to addressing especially in events. I mean, how would you ever find a post office address like that? But I think it was his birthday.
Q You mentioned a post office box. I'm not sure what you mean by that.
A What I mean is you certainly would never take and send somebody a bill made out that way.
Q Oh, to the birthday party?
A That should be a reference, not as part of the address. After many years of having worked with Gayle, I can read her English and figure it out.

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Q So you're quite certain that Gayle made this invoice out?

A Yes.

Q And do you think this invoice was sent to the governor's office?

A Yep.

Q And was this the invoice -- was this the event in which you had earlier testified that you spoke to Miss Gamage about?

A Yes.

Q And you had indicated at that time that Miss Gamage insisted that she pay, she being the campaign, pay for this bill?

A Yes.

Q And do you know if at the time that you spoke to her -- was that prior to the event or after?

A It was prior to the event.

Q So she was laying down the rules before you even did it?

A Yes. Because I remember Chris wanting to comp this and I said, no, you can't.

Q I see.

A And he still understands, but we did put it through the system without him even knowing.

Q And can you turn to page number 2, please? And do

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you recognize that document there, a copy of a check?

A Yes.

Q Do you think you saw this check before?

A Yeah. What I'm looking at and what made me hesitate, I'm looking at the date of July 18th and the date of July 21st.

Q I see.

A And that just confirms what I had told you that Lou Gamage had told me before the event that it must be paid.

Q I see. And you're quite certain that you took the order yourself personally from Miss Gamage?

A On this one here?

Q Yes, yes.

A Yes, uh-huh.

Q And you believe that's the accurate price for the event as far as your normal retail price?

A Yes.

Q Can you turn now to page 3? Can you identify that document?

A That was the fund-raiser at Nevada National.

Q Nevada National. Okay.

A And I think I told you 880 at $10 per person.

Q I think you did, right.

A I guess it was 18.

Q Do you remember speaking to Miss Gamage about this

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order?

A Yes.

Q You do? Anything in particular about that conversation or that transaction that comes to mind?

A No.

Q Do you believe you received payment for this order?

A Yes.

Q Is that from anything else other than memory from that years ago?

A If we hadn't received payment for it, I would have remembered that we hadn't received payment, especially an amount that large.

Q I see.

A Cash flow was tight.

Q At that time?

A At all times.

Q All right. I meant to ask you, the earlier document number 1, do you know if that was in relation to Governor Bryan's senate campaign?

A I think so.

Q The luau?

A I think so.

Q Okay. If we could turn to page 4 then. And can you identify or do you recognize that document?

A No.

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Q You don't. I'm referring to the check.
A I don't remember ever seeing that particular check, you know, and I didn't pay too much attention. Gayle would tell me she got the checks. I was on to something else.
Q Okay. I'd like to turn now to page number 7. Can you read those? Are they marked? The numbers should be down on the bottom.
A Oh, okay. This was at Elias Ghanem's.
Q Page number 7?
A Yep.
Q What makes you say that?
A $300 per person, 45 guests.
Q Do you know if you received payment for this?
A I don't know.
Q You don't know?
A I have no idea.
Q Do you know if this invoice was ever sent out to the recipient?
A Yes.
Q It was?
A Yes.
Q Are you quite certain of that?
A Gayle would have definitely sent it. There's no doubt.
Q And who would she have sent it to?

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A Just as she's addressed it.
Q To Governor Richard Bryan; is that correct?
A Uh-huh.
Q Do you remember speaking to Gayle about this order as far as the mailing of the invoice?
A No.
Q Do you remember speaking to Chris Karamanos about this order?
A No.
Q Can you turn to page number 8? And on -- let's see number 13 on that very difficult to read ledger, can you identify the name there and the invoice?
A Jody Ghanem.
Q On number 13?
A Yeah.
Q And the date?
A 4-24-88.
Q Do you think this is the same order that was referenced on page 7?
A No, I don't, and I'll tell you why. Number one, she wouldn't have made it out to Jody Ghanem. She would have made it out -- if it was, she would have made it out probably to Dr. Elias.
Q I see.
A She wouldn't have made it to his wife. Now, Jody

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would call quite often and order party trays or, you know, like 20 or 30 stuffed mushrooms, something like that, and she would do that herself and Gayle would record that -- if I'm not mistaken, that's the way Gayle would record that.

Q Yet if you look straight across on that number you see 836 as the job order on Jody Ghanem, and if you look at the invoice on page 7 down at the bottom in between the thank you and the address, it says job 836.

A That's a good point. Maybe it is. You'd have to ask Gayle.

Q But you have no recollection of --

A No, I don't.

Q -- Jody Ghanem calling in for this on this particular order?

A No. That definitely came from Chris. That's where I don't understand Jody Ghanem being on there. This order here was definitely from Chris.

Q You mean he initiated this order on his own --

A Yes.

Q -- without any outside conversations or interactions?

A He told me what he wanted.

Q I see.

A Okay. He told me what he wanted and so we did the menu. And, you know, let me tell you something else. Is

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there a date on this? All right. Let me tell you something else about this. This had to have been the date of the event, give or take one or two days, and this is the reason why.

Q Which has to be the date?

A May 16th, and I'll tell you why. I -- the Panasonic -- the golf invitational up until this particular year, 1988, held 1988, was held in the first week in May, ended on Sunday. We did all of the catering on the golf course of the Las Vegas Country Club. We did all the hospitality tents, we did everything.

This party was after that because I remember having met the groundskeeper at the Las Vegas Country Club and the manager at the Las Vegas Country Club, and Dr. Ghanem's backyard is right on the course, and there was an oil spill in one of the lakes and fish had died at the country club, and it was done by the concessionaire caterer that they brought in from San Diego, and I reported it to the country club. And to make a long story short, I got on their better side. I really did them a big favor.

Q The country club or the Ghanems?

A The country club. When this party came up, there was not enough room because of the pool in Dr. Ghanem's backyard for this, and I wanted to move it onto the golf course, which was on the other side of his wall.

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Q I see.

A Okay. And there were trees there that I put lights in. And in order to do that, I had to secure permission from the groundskeeper and from the manager of the country club, and I called, and I secured permission.

Q Right.

A And I knew exactly who to talk to and it was one of the things because I remember people just going, you know, that's just something that Chris would do, okay, and I remember doing that, so this had to have been the date. This date on here, this is what I don't understand. This date of 4-24-88 was before the golf tournament. I doubt that we would have known that this event was even going to take place.

Q You sure it couldn't have been --

A On the other hand, I don't know why she's got job order 836. I can't explain that either. I will tell you one thing for certain. What this date may be, may be the date that the order came in, because if you'll notice here -- well, it's kind of hard to tell, but one never knows, as I said, how Gayle does her bookkeeping. It's her own.

But I do know for a fact that on this party I had to secure permission to go onto the golf course and I knew exactly who to talk to, and the reason I did is because it

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was after the fact.

Q It couldn't have been a year earlier in '87?

A No, no. Definitely not. It just came to me, why don't we just call, boom, boom, and we did. So I can't explain that.

Q Do you remember the politicians that were at the event at the Ghanems' residence in addition to Governor Bryan?

A I really don't.

Q Do you think there were other politicians there?

A All I can remember being there was Dr. Ghanem, Irwin Molasky and Chris Karamanos.

Q Do you know of any other -- I think I asked you this earlier, but do you know of any other event that you catered in Dr. Ghanem's house in which Governor Bryan was in attendance?

A This was the only one.

Q You're sure?

A Yes.

Q Is the Caterer's open on Sunday to take orders?

A Oh, yeah.

Q Is it possible that this event could have been a brunch?

A This here?

Q Right.

A No. Now, this one here might have been.

Q A brunch? Do you think they might have these two events at the Ghanem residence within two weeks?

A Oh, definitely. That would not be --

Q Does this look like -- this order marked here on -- that's marked Jody Ghanem on page 8, does that look like that might have been comped?

A It probably was. It still doesn't explain if it was comped -- you know, what I -- what I think -- I know what this sheet is here. This here might have been a work sheet.

Q I see. Who would have written this out?

A Gayle.

Q This page number 8, the handwritten portion?

A Yeah. You know, Gayle, like I said, had her own way of doing things, and believe me, I know.

Q Okay. Could I just step back into talking about the preparation for the event at the Ghanem residence? Can you tell me a little bit what you went through as far as preparing for it?

A It was all silver. It was all crystal, china. I remember buying silver lame' tablecloths as overlays.

Q Okay. Where did you get those, do you remember?

A Tablecloth company out of New Jersey.

Q I see.

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A And I think the floral centerpieces, I think we had battery packs in them with miniature lights, and it was a very nice party. And I had two spotlights -- I had two halogen spotlights that we diffused. Maybe there were three or four in the trees and they were shining up. It was quite a party.

Q When did you first begin to prepare for the event as far as the decorations at the residence?

A The day before.

Q So you went out there the day before?

A Actually we set the whole party that day.

Q You set the whole party up that morning?

A Actually that afternoon. It wasn't that big of a deal because it was a sit-down dinner. I mean, it was just a matter of setting tables, and I can remember I couldn't set those on the course. I think the last tee off was at 6:00 o'clock at night, and it was dark by the time they were out on the course eating and hors d'oeuvres were in the house.

I didn't do an ice carving for the caviar. I just embedded it. You know, we did a seafood display on ice and had the -- had the caviar and the blinis (phonetic) there. And then we had the salmon and canapes out on the patio and that was about it. It was very quiet, relaxed party. It was very quiet.

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Q I see. It was definitely night?
A Definitely. Very definitely.
Q You said you determined that there would be a problem with the space.
A Yes.
Q And you determined -- and you contacted someone at the --
A Country club.
Q -- country club. When was that in relation to the party?
A Two days before.
Q So you had gone up --.
A So I had gone out there and talked it over with Jody, and I think they wanted to go with tabling around the pool, and I just knew that it wouldn't work because people would fall in the pool. There wasn't enough room.

It seems to me the weather was very warm too, and you don't want people to be that close to each other and it wasn't ideal for eating outside, but because of white carpeting in the house and cocktails and hors d'oeuvres beforehand, the room was not there, so I came up with this grand scheme to go out on the golf course. As a matter of fact, I promised it before I had even had a handle on it.
Q You promised it to who? Oh, to the Ghanems?
A Yeah, to Jody. I rarely on any events at the house

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rarely ever -- I can't ever think of once, actually, that I spoke to Elias.

Q Never spoke to him?

A No.

Q How about at the shop, at the Caterer's business, did he ever call in there to place orders with you?

A He would, and if Gayle -- I generally have Gayle take care of it.

Q And that would be for his personal residence or for his business as well?

A Yes.

Q Both?

A Both.

Q Did you cater many parties to his business?

A Probably 12, 15. Well, 20 a year. Whenever there was a birthday party in the office, one of the girls, something like that.

Q And what was the name for his business?

A Las Vegas Medical Center.

Q And is he the owner of that business?

A Yes.

Q Does he have any partners?

A I don't know.

Q Don't know. Okay. Did Miss Ghanem have any other input as far as preparation for the dinner?

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A This particular event she was not involved with.

Q Except to the extent with determining where you were going to have the tables set?

A No, nothing. Oh, Mrs. Ghanem? I was thinking Lou Gamage. Now I remember this. She did not have anything to do with this.

Q Lou Gamage?

A No. Nothing at all.

Q Was she at the event?

A I do not believe so. I want to say that she was not there because it was after this that she contacted me for the luau; is that right?

Q That would be right. That's correct.

A And that's when she -- it was prior to that that she told me it definitely had to be paid for.

Q And you mentioned earlier there was a previous order you thought was I believe worth about $4,000 that she had -- maybe through that order Chris had maxed out?

A Yeah. That would have been the luau and she made the statement to me that Chris had already done his thing.

Q Right. That would that be in reference to this party?

A I wonder. I don't remember, to tell you the truth.

Q I'm trying to get a handle on who was giving this party. Who was giving this party?

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A I don't know. I really don't.
Q Do you think it was something with Chris Karamanos and Dr. Ghanem together?
A Yeah.
Q Anything in particular that makes you think that?
A Lou Gamage was not at this party, and I remember now she didn't have anything to -- she had nothing to do with it.
Q Right.
A This could have been concocted by Dr. Ghanem and Chris.
Q Were there any other members of any committees there or --
A I don't remember who was there. I do remember it was -- they were all heavy hitters though.
Q Who's that, the guests?
A They were very important people, the guests that were there.
Q Any names?
A I don't even remember. I can't even see faces.
Q Do you remember discussing with anyone that there might have been a price paid to attend this event?
A Chris had told me there was a price.
Q I see.
A And that's why it had to be extremely elegant. He

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said that -- he said nothing like you've done so far. He says you have to outdo yourself on this.

Q And do you remember ever speaking to Lou Gamage about the price that people were paying to attend this event?

A No.

Q Do you remember discussing it with anyone else besides Chris Karamanos?

A Possibly Gayle, but it was -- this may seem hard to believe, but it was not significant to me and I don't think it was significant to anyone else because it was just another one of Chris' things, and each one had to be bigger than the last.

Q I see.

A And we just sometimes never knew where Chris was coming from because the bullshit would flow.

Q I see. When you made this order up, was there anything that made you think that this might not be paid for?

A No.

Q You believe you'd received payment?

A I think we did.

Q You think you did?

A See, I have no reason to believe that we didn't.

Q I see. Well, can you see what it says?

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A You know, I see something else on here too that's strange.

Q What's that?

A Under the date, 4-24.

Q Right.

A I don't believe this was in April. I got to tell you I don't believe it was.

Q Okay. Can you turn -- while we're on that subject, could you turn to page number 6, which is the page before that? Can you identify that document?

A The first time I ever saw this was when the FBI showed it to me.

Q When was that?

A Three years ago.

Q So you have seen this before?

A Yeah. That's the first I ever saw of it.

Q Right. Can you read the first paragraph? I'm not sure. I may have to give you another version of it.

A The layout for the party at --

Q You can't make that out?

A No.

Q Can you read the rest of it?

A Someone's home was magnificent. Bonnie and I are most grateful for your continued support. On a personal note, let me congratulate you for the splendid response you

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took at Henderson. It was a real -- I can't read those last two.

Q Professional maybe?

A It was a real professional operation. That would have been PEPCON.

Q Would that be in that same time period, May of '88?

A Is that May 1st?

Q That's what it says, yeah.

A See -- see, you know, PEPCON blew up in May during the golf tournament. Now, you know what. I wonder if this is the year -- it would be very easy to find out. This is what you want to find out. You want to find out when the Panasonic Invitational was in Las Vegas in 1988. It perhaps was the last week in April --

Q Right.

A -- ending on the 1st or 2nd of May.

Q Right.

A Okay. It could have been that way. I've always looked at it in the first week of May but it may have been a week earlier.

Q So in other words, it could have happened earlier that year and therefore this party might have been earlier as well?

A It could have been on the 24th, but that seems awful early. That just doesn't seem right.

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Q If we could just turn back to that page, I obviously don't want you to agree to something you don't see there, it's very illegible, but the word is Ghanems' house. I would like to introduce another exhibit, Exhibit Number 2, and this might be helpful to straighten out these dates.

(Whereupon, Commission Exhibit Number 2 was marked for identification by the Notary Public.)

Q (By Mr. McDonnell) Steve, could you just take a look at these two and focus on this article here and it continues on the next page? Take your time and read it.

THE WITNESS: That was probably at the Las Vegas Country Club. We had nothing to do with that.

Q (By Mr. McDonnell) You don't believe you had anything to do with this?

A No, not at all.

Q It was Sunday, April 24th, 1988.

A April --

Q The paper is a Monday morning.

A Yeah. And you know, number one, it wouldn't have been at the country club if the golf tournament was going on and so if Sunday was April 24th, the following Sunday would have been May 1st. I just -- I just really, truly believe that that party at Ghanems was after the golf event.

Q You say the golf event may have occurred earlier

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that year?

A No, I don't think it did. I can't believe it actually happened -- in other words, if this happened on the 24th of April at the Las Vegas Country Club, which it did, they could not have an event like that at the country club because that Sunday, April 24th, would be the biggest day. It would definitely not be on the 17th, a week before. A week later would have been May 1st and I just -- I just don't -- I just have my doubts.

Q But you don't doubt this fund-raiser that they mentioned on this?

A That was definitely at the Las Vegas Country Club. We had nothing to do with that, nothing at all that I can see with, you know, complete certainty.

Q Right. Okay. I see you looking at page number 6, the letter from Senator Bryan to Chris Karamanos. Was the letter you received possibly similar to this one?

A No, no. Mine was a regular form letter. It was typed.

Q I see.

A Is it possible that in the photocopy here that that could be another number in front of the one?

Q No. This photocopy is poor, I admit, but we have the original in the office and the date is May 11th and it says clearly Ghanems' home.

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A I mean up here.

Q Yes, that part too. Both parts are very clear on the original we have but, unfortunately, I didn't bring it. Well, are you --

A I don't know. I'm confused.

Q You're confused. Okay. Let's move on to another area then. Let me ask you a series of names of people and I want to know if they were at the event at the Ghanem residence. These are not friends or associates, these are people who work for committees. One's name is Bob Baver, B-a-v-e-r?

A I don't know.

Q Jay Brewer, B-r-e-w-e-r?

A I can't say yes or no.

Q Something about it sounds familiar to you?

A Yeah. It's possible.

Q All right.

A But I can't -- you know, I can't say with certainty.

Q Robert Chlopeck, C-h-l-o-p-e-c-k?

A I don't know who that is.

Q How about people that worked at the event from the Caterer's, that worked at the event or assisted during that event?

A Eddie Breen, Mike Tate, John Edwards, Susan

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Begnaud, myself. That's all I can remember.

Q Nelson McKenna?

A I don't believe so. I don't believe that I would have had him work.

Q How many hours of work would you say went into preparing for this and servicing this event?

A 120.

Q 120 hours?

A (Witness nodded.)

Q And who paid for the services of the employees?

A The Caterer's.

Q The Caterer's did. Did you receive tips from the Ghanems?

A I don't know if we did or not.

Q Did Chris sit with the guests?

A Yes.

Q Do you remember that definite?

A Very definitely.

Q Did he sit at the head table?

A There were round tables. He sat with the governor.

Q He sat with the governor?

A Mm-hmm.

Q Did he -- did anyone deliver any speeches or make any announcements?

A I think so, but it -- I don't remember any details.

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It was -- it just seems to me it was the same old story, you know.

Q Do you remember Chris making any announcements or talk?

A I don't think he did.

Q No.

A I think that, if I remember right, it was getting very, very late, and the -- Governor Bryan just got up and he said a few words and that was about it. It was more like -- it just seems to me it was like a thank you or something, you know.

Q You don't know who he thanked, though?

A No. Because I'll tell you what, it was getting so late and the thing got so drawn out, and like I said, it was a very quiet -- people talking amongst each other, that we just let them be finally. I mean, there was just the point that you just couldn't give them any more service, just get out of there, and so we went to the other side of the house. I mean, they had enough coffee, they had enough water, they had enough everything. There was no point in being in there and we looked stupid just --

Q Standing around?

A Yeah.

Q Did you have any mobile kitchens set up?

A I don't believe we took one -- yes, we did. We

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took one over, parked it on the street, but basically we served everything from the side of the house.

Q I'm getting confused because just now you were alluding to the fact you were inside the building. Now, earlier you said the party was outside.

A The party was outside.

Q The whole entire time they were in there?

A Hors d'oeuvres and cocktails were in the house, onto the patio and they ate the dinner meal on the golf course.

Q And then afterwards did they stay outdoors?

A They left.

Q You said you went to another part of the house?

A We went to the front.

Q That's the outside?

A Yeah.

Q And then you cleaned up?

A Yeah.

Q Was it all done that day, do you know?

A Yeah.

Q It was. Did Chris ever discuss it with you, how it went?

A Oh, he was thrilled.

Q Yeah. And why is that?

A I think the next day he mentioned it. He called

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Eddie and myself into the office, and we just -- you know, we didn't pay any attention because that's the way we'd been doing parties, you know. I mean we were busier than hell. We could not be -- and this may be something that may be hard to understand. We couldn't be concerned with his political aspirations. I mean, we had work to do. You know, while he was out there playing, somebody had to run the business, and that -- that's basically a very good way to put it, and we just went to the next party.

Q I see. Now, I know you stated earlier on this point, but at that time, did he ever mention that he was going to make this a political contribution, this event?

A No. He never mentioned nothing to me.

Q Do you know if any of the other senators besides -- well, Governor Bryan was there as a senate candidate, but do you know if any other senators were there, such as Senator Reid, Senator Inouye, Senator Kerry, Senator Melcher or Senator Conrad?

A I don't know. I don't think Senator Reid was there.

Q I see. You note the price on the invoice is $13,500; correct?

A Yes.

Q Do you have any reason to believe that maybe that price was not the normal retail price?

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A No.
Q Do you know if you priced that job?
A Yes.
Q You did?
A I'm almost sure that I did.
Q I see.
A We probably had a food cost of $3,000.
Q I see. The linen was $200 and labor was maybe 1500, $2,000.
Q 1500 including tips?
A There was no rental. Tips, I don't know what happened there.
Q Did you have any reason to think that Dr. Elias Ghanem was billed for this event other than this document that's before you now that indicates otherwise?
A I don't know.
Q Did it ever occur to you that maybe Dr. Ghanem was putting on this event since it was at his house?
A It seems to me that Chris and Dr. Ghanem were doing this jointly. I know that Chris was very involved with this one.
Q I see. Was he involved with the committees, do you believe, in arranging this?
A Yes, I think he was.
Q And what makes you believe that?

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A This was -- this particular party was something that definitely came from Chris. It was, Steve, you know, this -- you're going to do this, this and this. This is very important, very political and it's a no bullshit thing. Probably called the chef in --

Q Eddie Breen?

A -- Eddie Breen, and he said, now, listen, what are you guys going to do? I don't care what you do but it has got to be above and beyond whatever you've done. And I remember going ahead and ordering the silver lame' tablecloths and they came in, and he says to me, what have you got those for? And I said, well, we have to do something special, spectacular, so I said, silver being the state color, and he said, that's a very good idea, very good idea.

Q You had the authority to order those?

A So this was something that was his thing and the details after that I really can't say for sure.

Q Did you ever discuss whether payment was made on this event with Gayle Wiener?

A Not that I can remember. This particular one I probably stayed away from and Gayle probably did too, and probably what we did with it is just turned it over to Nick and said here. This is Chris' thing. Now, I don't want to sound contradictory, but you have to understand something.

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There were at the Caterer's certain things out of respect or out of deference to Chris you just stayed away from. In other words, you knew where you could push and where you could collect money and what you could get, but there were certain times that he would want something and it was his business.

Q Yeah.

A And at that point it was his thing to deal with. This could have gotten to that point.

Q And you said Nick would have gotten involved then, his brother?

A Yes. Because we would have had to have told Nick. Let's say this money didn't come in or whatever. We'd have to -- he'd want to know where the heck the money was.

Q Nick Comarrell?

A Nick Comarrell. If there was some difficulty getting this by Chris or who was to be billed or whatever, we would have turned it over to Nick and said, here, you deal with it. This is the amount of money we've got to have. Whatever you do with it beyond that, you know.

Q Looking back on that page number 7, do you see something handwritten across the bottom that's a little hard to read? Can you make out what that says?

A No, I can't.

Q Could it say political contribution?

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A It could.

Q But you don't recognize it at all? Do you recognize the possibility that that's what it says? Do you see any letters that form that?

A Well, I can see political contribution after you say it.

Q Right. Right. That's what it looks like it says?

A Yeah.

Q Do you know if you ever instructed anyone to write political contribution on there?

A No.

Q Do you know if that's your handwriting?

A No, that's not.

Q Do you know whose handwriting it is? Do you recognize who it might be?

A Gayle's.

Q It might be Gayle Wiener's?

A She makes her C's like that when she's upset.

Q Yes. Is that the normal procedure for that comp to be written across, political contribution to be written across like that?

A With billing copies retained within our office, yes.

Q Okay.

A That was just within our own office because we

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retained a complete set of billings; okay? As far as the accounting office, I have no idea what their procedure was.

Q I see.

A Okay. And if Gayle wrote that, she wouldn't have written that unless she was instructed.

Q By who would that be?

A Either Chris or Nick.

Q I see. You wouldn't have been the one instructing her?

A No. Absolutely not. No, I would never comp $13,500.

Q Is it possible that Chris had intercepted the original of this invoice before it was sent out?

A It's possible. It's quite possible. And the reason, there again, it's made out to Governor Richard Bryan, State Building, 2501 East Sahara. Obviously this was mailed. It would have been put in the mail. It would not have been a hand delivered invoice, and he could have intercepted it because -- I'll tell you this right now. If he saw that on an envelope and a bill going out, he would have pulled it.

Q He would have?

A There's no doubt about it. It could be for $2. The amount isn't what matters, but if he saw anything going to Governor Richard Bryan from our office, he would have

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pulled the envelope.

Q And just to change the subject a little bit, what is the security like at the country club, the Las Vegas Country Club? Is it strict security? Do you have to sign in?

A No. I don't know.

Q Okay.

A I don't have a problem getting in.

Q I see.

A But I don't know if it's because they know me and -- so that's about all I can say.

Q Do you know who greeted the guests at the party, at the dinner?

A No, I can't say for sure.

Q Do you know who set the price for the fund-raising tickets or whatever price to attend the event?

A No, I don't.

Q Did you know if there was any invitations mailed out from your businesses?

A I never saw any. And I saw the mail going out and I was in there -- in the front office often enough when Annie and Louise were doing that.

Q Did you ever send out invitations to parties or events that you were hosting?

A No.

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Q Did Chris ever have any parties at his own house?
A No, no.
Q Now, we're going to move on to speak about Election Day 1988. I know that's a while ago, and you probably don't remember. You did mention earlier --
A I remember the bonfires.
Q Yes, the fires. That's right. Okay. Do you know if on Election Day 1988, if you delivered any orders or catered any parties for federal candidates?
A I think just Governor Bryan.
Q Governor Bryan. And where was that to?
A His campaign office on Desert Inn.
Q Desert Inn Road?
A Yeah.
Q And you remember that order specifically? I mean not everything specifically that was given.
A I remember sandwiches.
Q It was in the afternoon?
A It seems like it. It was no big deal.
Q I see. Who were the people that were recipients of the food?
A I think it was just the campaign workers.
Q Was it outdoors or indoors?
A I think indoors.
Q Indoors. Okay. Do you know who placed that order?

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A No, I don't.

Q Do you remember taking any orders or filling any orders that were made by Lou Gamage?

A She might have been the one that called.

Q Did you take any orders that day at all or -- I mean not that day, but in regard to that day?

A Yeah. It seems that I did.

Q Was Chris involved in filling those orders or arranging for the deliveries?

A No.

Q Who would have been involved in that?

A He was -- you know, he was out of town or something. There were several of them and he found out after the fact that I had taken sandwiches over there.

Q He did find out?

A Yeah.

Q And what -- do you remember anything about that?

A No.

Q How do you know he found out after the fact you had taken sandwiches?

A I think there was a billing or something, and he saw it. Whatever. There was a letter. I remember we made a lot of sandwiches that day. It didn't stop.

Q Let's see if we can turn to the attachment number 1, I mean the Exhibit Number 1. And let me turn to a few

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pages, point a few pages out to you. One of them, page number 5. If you can put your finger on page 5 and at the same time turn to number 10 and hold them both so you can go ahead and take a look at them. Do you recognize the order -- the order sheet on number 5?

A Yeah.

Q Do you recognize that?

A Uh-huh.

Q Do you see what it's for?

A Yeah.

Q What is that?

A 50 assorted ham, roast beef and turkey sandwiches, tray on disposables.

Q And do you see who placed the order over on the upper left?

A Lou Gamage.

Q Right. And the date is November 8, 1988?

A Right.

Q Which is a Tuesday, Election Day?

A Right.

Q Do you see the amount of people to be served?

A 50.

Q And the time?

A 10:00 a.m.

Q Okay. And the place, the location of delivery?

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A East Sahara.
Q Do you know what that building is?
A Oh, this was a phone center.
Q Okay.
A Okay.
Q Do you remember anything about that?
A No.
Q Do you know who was working there?
A No. To tell you the truth, I think there was another one.
Q Well, we'll get to that, I think. Again, the invoice, the one on page 10 does seem to match the work order, the numbers and everything?
A Yeah, 1118.
Q And you think that's an accurate reflection of the price --
A Yes.
Q -- of the goods in the normal course of your business?
A Yes.
Q That wasn't an inflated price?
A No.
Q And you see what's written across the invoice there?
A Comp.

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Q And what does that mean?
A That means that it was complimentary.
Q And do you recognize the handwriting on that?
A That's Gayle's.
Q It is. And is this the first you've known that this order was comped at this time?
A Mm-hmm.
Q All right. Turn to page number 11 and page number 12 of attachment 1, Exhibit 1. That's one of those not so legible copies. Do you recognize the order form?
A Yeah. 400 people. Sausage teriyaki, sweet and sour meatballs, fresh vegetables and something. Ham sandwiches, cheese and crackers, no beverages.
Q Do you remember this order at all?
A Yep.
Q You do?
A Yep.
Q You remember placing this, I mean taking this order?
A Yes.
Q Okay. And is this the order on -- this was delivered to East Desert Inn?
A Yeah.
Q To the parking lot?
A To the parking lot.

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Q It says it's 6:30 p.m. That would have been in the evening and dark at that time of year?
A Yes.
Q You remember that order?
A Yes.
Q And it says down here silk from office. You added silk?
A Silk flowers.
Q And staging as well in the buffet tables?
A Yeah.
Q Was this something catered; in other words, were there people on site?
A Yeah. We had servers there.
Q Do you know who the servers were?
A No, I don't.
Q Who would have been your primary servers at that time? Any of the same people that were serving at the Ghanem residence?
A Possibly Mike Tate. This particular day we had a lot of parties going.
Q And this order was requested by who?
A Lou Gamage.
Q You remember doing this?
A Right.
Q Do you remember receiving this call from her?

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A Yeah.
Q You do?
A Yeah. I remember being at this party.
Q She specifically requested this party, you were at the party yourself?
A Mm-hmm.
Q And what did you do there?
A Just basically supervised.
Q So this was the biggest event of the evening; is that correct?
A No. We had other things going too.
Q Do you remember any of those other things?
A No, I don't. There was a lot of local stuff going too. This menu, though -- I don't know if I wrote that menu or if Chris did. I don't know that he was too involved with this, though.
Q He wasn't?
A I don't think he was.
Q You don't think he made this order up on his own?
A No. As a matter of fact, I think I did and where it could have come from -- well, at this time we had like six or 700 cases of this sausage that came back from a fire or for ten months all we did is use it, the same with meatballs, and every political gathering got sausage teriyaki.

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Q But the price was the normal industry price that you charge, it wasn't inflated or anything?

A No. Now, you know the staging rental, the staging, we had the staging. They needed a stage, and we owned it, so, okay. Yeah.

Q Do you remember who requested that?

A I think Lou.

Q Did you go over there and check out the location prior to setting up?

A I don't know if I did or not.

Q Could you turn now to page number 12? We already did 12. You see something on the bottom of 12 seems to be written across it. Do you recognize --

A Comp.

Q So did you know this order was comped until this time?

A No.

Q Does it surprise you that it might have been comped?

A Yes.

Q Do you think that the invoice was delivered to the recipients of this?

A That night, no.

Q Do you think -- was there any other catering done at that premise -- the premises where you made your delivery

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from another catering service?

A Yeah. There were other -- there was other food there all around the parking lot. There were beverages there. It was the whole parking lot and it just seems that there were different restaurants or something. We were not the only ones that had food there.

Q You're quite certain that this food was ordered, it wasn't delivered without being ordered?

A Yeah, it was ordered.

Q It was ordered. And you think that Chris might have been out of town at this time?

A I don't know that he was too involved. That's what I'm saying.

Q All right.

A Not necessarily out of town, but I don't know he knew about this.

Q What makes you think that?

A Because he wanted to -- he called me -- it seems to me he called me that night and wanted to know where I was, and I said, I'm at Bryan headquarters waiting for you. And he said, what are you doing over there? Are we doing something for them? This was common. He'd call me at all hours of the night, what are you doing.

Q He called you up at headquarters?

A On my beeper and I'd call him back, and I -- it's

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just something that he didn't know anything about this.

Q Okay. And the goods were consumed by the workers.

A Yes.

Q Do you think there were campaign workers or employees?

A There were campaign workers. It was open to the public too.

Q Oh, it was?

A Yeah.

Q Was there voter encouragement, a voter registration drive there?

A I don't know if there was earlier in the day but basically, I mean, that whole parking lot of that whole complex was just -- it was wide open to whoever.

Q This is where the governor's campaign offices were only not his regular offices?

A No.

Q Just for the senate seat?

A Yes. Just his campaign offices.

Q Can you turn to page 13 now, and if you grab ahold of 16, I think they'll match up? Do you recognize that order form or can you at least identify what it is?

A I don't really recall this one. You know, it probably was --

Q Do you see what time this order was placed -- I

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mean, when it was to be delivered, the goods?
A 4:30 a.m.
Q Okay. And do you see who it was requested by?
A Jay Brewer and Chris Karamanos.
Q And actually that is -- is that who it was requested by or is that something different?
A That's who wrote the order. That's who --
Q I see down below there's a portion where it says party requested by Chris. Is that just for internal purposes only? In other words, is that normally the way it was done?
A The party requested by is the client's name.
Q Oh, it is?
A Yeah. And you'll notice billed to is Chris Karamanos.
Q Do you know who Jay Brewer is?
A Yes.
Q You do. How do you know him?
A Chris, through the union.
Q What union?
A Teamsters, I believe.
Q Is he a friend of Chris'?
A Yes.
Q Was he involved with any of the campaigns?
A I don't know. What way do you mean?

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Q Was he a volunteer or was he involved in organizing any of your --

A I have no idea.

Q All right. Do you recognize the building where this is located, I mean the address of the location?

A Yes. It's the same address.

Q And the special instructions, do you see what they could be for?

A Take a long table. Disposable cups. Yeah.

Q Okay. Any knowledge about this order on your part, the earlier morning order?

A Yeah. We probably -- I doubt very much that we sent it out as 500 people. I mean, that's totally ludicrous.

Q For 500 people?

A Yes. It's almost impossible. The homeless don't even -- I mean, that's an excessive number.

Q So you think this might be inflated then?

A Yeah.

Q Do you know any reason why this would be inflated?

A Because of Jay Brewer and Chris Karamanos.

Q What do you mean by that?

A What I mean by that is that they had a tendency to write an order for more than -- we never would have sent out that much. We would have had to bill it for the 500 or

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they'd want to know why we only sent out for 200 or 300. I probably never sent more than 15 gallons of coffee, and I would have made the coffee myself.

Q Would you have filled this order yourself, made the coffee at 4:30 in the morning?

A Yeah.

Q You think you might have done this one?

A Yeah. Most likely because -- no doubt.

Q Okay. An invoice on page number 16, do you see what it says handwritten across the invoice?

A $1500 or comp.

Q Yes, comp.

A Comp.

Q Do you believe that price is an accurate reflection of the cost?

A Yes.

Q You do, even though --

A It's hard to tell. I doubt very much I sent out for 500. I probably sent for 300 and sent somebody back over there at 7:00 o'clock or something like this to see, you know, what the situation was.

Q Did they make their own doughnuts?

A No, no. Those would have come from probably John's Bakery. And that would be a good indication -- but see, we'd always fill in, so that's the whole point. Instead of

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sending food out for people at 4:30 in the morning, which is totally stupid, because there's not going to be anybody there in November, it would have been just as easy to go over and check it.

Q Any idea who would have been the recipient of these as far as the campaign workers or the public?

A I have no idea.

Q Okay. Now, this would have been the same location that you referenced earlier, the campaign headquarters?

A Yes.

Q And the East Sahara location, do you have any idea what was there?

A Apparently there was a phone center.

Q Have you ever been inside there?

A No.

Q Ever been to a phone center at all, a campaign phone center?

A No.

Q Do you know anyone that works for a state party committee --

A No.

Q -- or volunteers?

A No.

Q Just for the record, I think I might have asked you, of people who worked for the committee, I think I asked

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you who Jay Brewer was who worked for the union.

A You asked me if he was at a party at Dr. Ghanem's.

Q Oh, you mean those people -- I meant to ask you also the identity of those people. I'm going to go back to that then.

And then on pages 15 and 17 -- we're coming down to the end of this portion of the deposition. We're almost done.

A 15 and 17?

Q Right.

A You know -- all right. I believe there was a screwup this day.

Q Oh, really?

A Yeah. Lou Gamage called me with these two orders, the sandwiches for the phone center and the thing at night, but --

Q The 6:30 at night one?

A Yeah. I just can't remember the details, but it just seems to me that there was a mixup somewhere along the line. She didn't know that there were 325 sack lunches or -- I don't know. I just can't remember. I don't even remember the details. And I got to tell you I don't know -- here's another thing. It's possible that invoicing was done prior to the physical execution of the event itself.

Q Right.

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A Gayle did that sometimes.

Q You notice that the date of request is October 26th, which is exactly four years ago and a day?

A Wow. So I -- I just -- you know, I don't know -- she might have invoiced them beforehand.

Q Yes.

A But it's something. I don't remember 325 sack lunches going out.

Q No?

A But maybe they did. As I said, it was a crazy day. And I, you know --

Q Do you remember anything about deliveries to precinct workers under get-out-the-vote polls?

A Maybe that's what these sack lunches were. We would have taken them to one place; otherwise, it would say different --

Q Do you remember any orders for drivers, get-out-the-vote drivers?

A No.

Q Is it possible there could have been eight different orders delivered to the Caterer's on that day, I mean from the Caterer's to the campaign headquarters in the different locations?

A Eight?

Q Right.

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A How do you come up with eight?
Q Well, I think there should be --
A I've got four.
Q You have the order for $1500?
A Yeah.
Q There's more, and I think we haven't gotten to all of them.
A See, it seems to me there's duplication.
Q Okay.
A From that one I didn't know what the other -- in other words, Jay Brewer and Chris didn't know or -- there were major screwups that day, and what happened and what didn't happen.
Q I see.
A You know, in other words, which orders were executed and which orders were not. And invoicing could have been done beforehand to give me an estimate of income for that particular week because I always wanted to know before the week started what my sales were estimated for the coming week.
Q Mm-hmm.
A And as far as I was concerned, everything was cash, you know, and I had to have a ruler to run the business.
Q Right.
A And contributions just didn't cut it. I mean,

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there's no money there.

Q Do you remember -- I know you spoke to Lou Gamage on that day, at least once or maybe twice?

A Maybe twice.

Q Do you think she intended to pay for these orders at the time that she ordered them?

A The ones that she placed?

Q Yes. With you.

A Very definitely. What's going through my mind is maybe suddenly all this food showed up and she wanted to know where it was coming from.

Q Orders she didn't place?

A Yeah.

Q But she did place some orders?

A She placed one for the 400 and the sandwiches for the phone center.

Q But the others.

A These other -- I dare say that she didn't even have a clue.

Q But it appears some of those were ordered by Jay Brewer?

A And Chris, yeah.

Q And Chris. And the other orders I was referring to, I think if you turn to page 18, there's another order or I think that's -- there's no job order number on there for

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coffee and sandwiches.

A All right. I remember that one.

Q You do?

A Yeah. I got a phone call late in the afternoon. There were some precinct workers. There was something and they came and picked them up. They picked them up from the Caterer's.

Q And who ordered them?

A Lou Gamage.

Q She did?

A Yeah.

Q So you think she ordered three orders that day?

A Yeah. She called late, and I remember I had to go back to the kitchen and it hadn't stopped yet.

Q Pardon?

A The whole day went this way. The whole day was crazy, and we were back there, Gayle was back there. I had the girls in the offices making sandwiches. Everybody was making sandwiches. It was something that had happened at the precincts or something. I don't know. I didn't pay any attention. I remember that one now. That one I definitely remember.

Q What makes you remember this one?

A Because after having worked 18 hours, you always remember those, and it was one of those I want it right now.

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Q Could it be for the drivers GOTV, which is get-out-the-vote drivers?

A I don't know.

Q And then last we'll turn to pages 19 and 20.

A That one I don't remember.

Q Don't remember this one? Party request, it says by Lou Gamage though?

A (Witness nodded.)

Q 10:00 a.m. party. It was at the East Desert Inn Road location?

A Uh-huh. It would have been their lunch and then there was the delivery in the evening. So there would have been four orders. I'm just wondering if it --

Q I think you said four prior but we added two more since then.

A Yeah.

Q Oh, four orders that you're saying that you took?

A That went through our office.

Q But that you knew about?

A Yeah.

Q I have six all --

A There's six all together. The one with the sack lunches and the coffee is vague.

Q Yes. There should be seven invoices here all together, but I don't know if we've gone through them all.

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We might have to go through them really quickly, just examine them for the record. We have the first one -- well, let's stick to invoices. The first one I guess we have on page 10 is for $890.

A Okay.

Q Then the second one on page 12 for 1550.

A Okay.

Q The third one on page 14 for 600, fourth one on page 15 for 1137.50.

A Which page?

Q Page 15.

A Okay.

Q Fifth one on page 18 for $1,000.

A Okay.

Q Sixth was on page 19 for 327.50.

A Okay.

Q We've got six only on this. We do have eight all together but six only that are attached here.

Okay. Why don't I ask you a few other names of people who might work for some of these committees. Bob Baver. Do you know a Bob Baver?

A No.

Q Robert Chlopeck?

A No.

Q And Jay Brewer you said you definitely know him?

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A Yes.

Q Other people -- it shouldn't be too much longer. Shelly Berkley?

A No. I know the name.

Q Okay. Any idea where from?

A Politics, but I don't --

Q You don't remember which committee?

A No.

Q Janet Nitz, N-i-t-z?

A No.

Q Charles Johnston, J-o-h-n-s-t-o-n?

A No.

Q Sarah Besser, B-e-s-s-e-r?

A No.

Q Gigi, G-i-g-i, Lay, L-a-y?

A No.

Q Did you deliver any orders to the Bilbray campaign on Election Day?

A I don't know.

Q Did you cater any parties for the Bilbray campaign?

A We catered a brunch. It was on a Sunday in June. I think it was 1988.

Q Was he already a congressman then?

A Yes.

Q And where was that held?

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A I can't remember. It was in a private home.
Q Was it at the country club?
A No.
Q Anything else that you did for them?
A No. That was it.
Q Do you remember an order in February of 1989 that might have been catered to the Bilbray campaign?
A No.
Q Priced about $1500?
A I wonder if that was the brunch. The brunch I think was in June.
Q Anything on Election Day 1988?
A I can't remember. There might have been relish trays or something like that but I just -- I can't --
Q Did you ever talk to Congressman Bilbray?
A No.
Q Don Geary, G-e-a-r-y?
A Dan I believe it is, no.
Q Dan. Robert Goldberg, G-o-l-d-b-e-r-g?
A No.
Q Do you know if Chris was friends with Congressman Bilbray?
A I don't think they were real close because I just -- I just don't recall that much. You know, at all, period.

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Q What do you mean? I'm not sure -- you mean you don't recall that much between them or recall much in general?

A In general. You know, it's just -- I just don't know that there was any kind of a relationship there at all.

Q You don't remember ever calling up the business?

A If he did, it was insignificant. You know, it just was nothing except for this one brunch that we did.

Q Going back to the Ghanem brunch or the Ghanem dinner, do you remember when the governor left the brunch in relation to other people?

A No, I don't.

Q Do you know if he left with Chris Karamanos?

A I don't know.

Q Do you know if he was accompanied by his wife?

A Yes.

Q He was?

A Yes.

Q And her name?

A Bonnie.

Q How do you remember that?

A I just see her sitting next to him.

Q Next to the governor?

A (Witness nodded.)

Q Were they at the head table?

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A They were round tables.
Q Round tables?
A So there was really no head table.
Q And was Chris there as well?
A Yes.
Q Do you believe from your being at the event that the governor thought that this was a -- that Chris was putting this on in his behalf?
A I don't know.
Q Do you know why this event would have been put on for anyone else besides Governor Bryan?
A No. I think it would have had to have been put on for him.
Q Do you know if Dr. Ghanem ever loaned any money to Chris?
A I was told that he had.
Q He had? And who was that by? Who were you told by?
A Chris mentioned it a couple times, that he owed Elias this or that.
Q The amount?
A 10,000. It's real vague in my mind.
Q I see. Is that for a personal loan or business?
A I don't know how he moved his money. I don't know.
Q Referring back to your letter that you received

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from Governor Bryan, you said you believe that may have been in connection with the event at the -- no, the luau event?

A Either the luau event or at the bank.

Q Do you know why he sent that letter to you in particular?

A I probably asked for it for a testimonial letter.

Q I see. Did you receive any other correspondence from the governor --

A No.

Q -- while he was senator other than --

A While he was governor three or four letters.

Q In your capacity as a constituent or personal?

A Personal.

Q Personal. For what nature was that?

A Just complimentary as far as the job we'd done, that sort of thing.

Q I see. For different events?

A Yes.

Q And these were events that were usually paid for?

A Yes.

Q And they were through the Caterer's; right?

A Yes.

Q Did Chris receive similar letters?

A I believe a carbon copy always went to him.

Q Of your letters?

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A Yes.

Q How about in his own capacity, did he ever receive any other than the one we saw today?

A I don't know.

Q All right. Did you ever do any volunteer work for any federal campaigns?

A No.

Q Did you make contributions to any federal campaigns?

A No.

Q Do you know if Chris made any contributions to federal campaigns?

A He always said he did. Whether he did or not, I don't know.

Q Did he do any campaign volunteer work for campaigns, Chris?

A I don't know.

Q Did anybody else at the catering business do any volunteer work for the campaign, any of these federal campaigns that we've talked to --

A No.

Q -- and made any contributions?

A No.

Q Did Chris ever solicit contributions to any federal campaigns at work?

A No.

Q Did he ever lend any corporate goods to the campaigns other than the -- through the orders we discussed today?

A No.

Q Nothing?

A No.

Q Okay. I think we're almost done but I'd like to take a short break before we conclude. Let me step outside for a minute and I'll be right back.

(Whereupon, an off-record discussion was had.)

Q (By Mr. McDonnell) I have one more little area. I'm not sure if you'll know any of these people, but I want to see if you recall if any of these people were at the events at the Ghanem residence. Thomas Rendell, R-e-n-d-e-l-l?

A No.

Q Joseph Bradley, B-r-a-d-l-e-y?

A No.

Q Same spelling of last name, Bill Bradley?

A No.

Q Diana -- no, scratch that. Norman Dianda, D-i-a-n-d-a?

A No.

Q Do you know him?

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A No.
Q If you know any of these people will you let me know? Ethel Morvay, M-o-r-v-a-y?
A No.
Q George C. Swartz, S-w-a-r-t-z?
A No.
Q Vern Christensen, C-h-r-i-s-t-e-n-s-e-n?
A No.
Q Janie Greenspun, G-r-e-e-n-s-p-u-n?
A Yes.
Q You do. Did she go to the event?
A I don't know if she did or not. I can't remember.
Q And how do you know her?
A The Greenspun family.
Q They're famous, I mean well known?
A Yes. The Las Vegas Sun.
Q They own it?
A Yeah.
Q And she works for the paper, does she?
A Janie is Hank Greenspun's daughter who's deceased.
Q Diana, D-i-a-n-a, Fauci, F-a-u-c-i?
A No.
Q Michael Fauci?
A No.
Q Linda Lund, L-u-n-d?

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A No.
Q Robert McMonigle?
A No.
Q M-c-M-o-n-i-g-l-e.
Q Isobel Pfeifer, P-f-e-i-f-e-r?
A No.
Q Linda Sterling?
A No.
Q Antonio C. Alamo, A-l-a-m-o?
A No.
Q Richard B. Banis, B-a-n-i-s?
A No.
Q Alvin Baron, B-a-r-o-n?
A No.
Q James J. Chaisson, C-h-a-i-s-s-o-n?
A No.
Q Frank Fertitta, F-e-r-t-i-t-t-a?
A Yes. I don't know if he was at the party though.
Q You do know him from how, from where?
A Palace Station.
Q And what's his --
A He owns it.
Q He owns the Palace Station. Okay. Charles Frias, F-r-i-a-s?
A No.

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Q Fletcher Jones, Jr.?
A I don't know him.
Q You've heard his name?
A Yeah.
Q James Joyce, James A. Joyce?
A I met him, but I got to tell you, I don't know if he was there and if he walked in right now, I couldn't recognize him.
Q Arthur Marshall?
A No.
Q James E. Nave, N-a-v-e?
A No.
Q Frank A. Schreck, S-c-h-r-e-c-k?
A No. I can't say that I know him.
Q Did you recall earlier you testified that Mr. Karamanos had an attorney that you couldn't recall his name. Do you know --
A Yeah, and I'll give it to you.
Q It was somewhere on there or you wrote it down?
A No. I didn't write it down. I ran across a name here and it came to me. Chuck Thompson.
Q Chuck Thompson. Is he with a firm?
A I don't know. That's not the same as Judge Chuck Thompson.
Q It's different?

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A It's different.
Q No relation?
A I don't know if it's a relation or not.
Q Was he at the Ghanem brunch?
A No.
Q Dinner. It was a dinner?
A Dinner.
Q Mike Sloan, Mike H. Sloan, S-l-o-a-n?
A I think Mike Sloan was there.
Q Okay. He's the first person you really --
A Because, you know, Mike Sloan is a big guy.
Q Big guy. How do you mean?
A Big man.
Q You mean big in size?
A Yeah.
Q And he owns something?
A He's Circus Circus. I believe he's corporate president or director of security. Something like that. He's up there.
Q Okay. Do you know a Kenneth J. Sullivan, Jr.?
A No.
Q I think I might -- William E. Bannen, B-a-n-n-e-n?
A No.
Q Did you ever hear of a G&B Enterprises?
A No.

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Q I think that's it. I guess that's it for me. Thanks very much for coming today. We really appreciate it. We'll be paying you a witness fee of $40 plus mileage, 25 cents per mile. How many miles will it take you to go round trip today?

A Five.

Q Five miles round trip. And would you like to sign this deposition transcript? You have a right to read it and sign it and they'll send it to us.

A Yes.

Q Can you come by the office, her office of the Nevada Certified Reporters? We can take care of that afterwards. They'll call you when it's done.

A Okay. Can somebody else pick up or do I have to pick it up?

Q I believe you have to pick it up.

I'd also like to remind you that there's a confidentiality provision under the Federal Election Campaign Act that requires that no one talk about any of this underlying substance.

By the way, I wanted to ask you, when was the last time you've talked to Dr. Elias Ghanem or his wife Jody?

A Not since the Caterer's.

Q Have you heard from them in any form at all, a letter or phone call?

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A No.
Q How about --
A I shouldn't say that. Two years ago I talked to Jody at a party in Las Vegas.
Q Do you remember where that was?
A It was at the Hart mansion, H-a-r-t, and it was for the Nevada opera.
Q You were working there or were you attending?
A We were doing a party, and she was on the committee.
Q I see.
A And Gayle had tried to get their business for quite some time, and --
Q The Ghanems' business?
A Yeah.
Q I see.
A And just -- I've never been interested in it, to tell you the truth.
Q Because of the reasons you stated prior, political involvement?
A Yeah. And there is some skeletons I think in the closet there that as far as insurance contracts and that sort of thing that he's got that -- that I don't know that it's good to associate.
Q I'm not sure that I follow the insurance contracts.

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A He owns a very large health maintenance organization and provides medical care under contract with some of the union, specifically the culinary, and all sorts of things that to me just sound iffy. I just don't want to be involved.

Q Have you ever -- you said you talked to Lou Gamage about a year ago; is that correct?

A As a matter of fact it was at the same party that Jody Ghanem was at.

Q Oh, really?

A Yeah. And we just said hi in passing.

Q Did you ever speak to her at all about any of these orders that we discussed today --

A No.

Q -- since the time that she placed them?

A No.

Q Nobody from either the Bryan campaign or the senatorial campaign or the democratic state party have attempted to contact you in regard to any of these transactions?

A No, not at all.

Q And have you not discussed this with them, with any of those committees or personnel?

A No.

MR. McDONNELL: Well, thanks so much for coming

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today.

Do you have any questions?

MR. REFFNER: No.

MR. McDONNELL: Okay. And thanks a lot. We'll convene this deposition at this time.

* * * * *

(Whereupon, the deposition was concluded.)

9405097/03366

CERTIFICATE OF DEPONENT

I, Steven J. Osterhaus, deponent herein, do hereby certify and declare the within and foregoing transcription to be my deposition in said action; that I have read, corrected and do hereby affix my signature to said deposition.

_____
STEVEN J. OSTERHAUS, Deponent

Subscribed and sworn to before me this _____ day of _____, 1992.

_____
Notary Public

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CERTIFICATE OF REPORTER

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Monice Krmpotic, a duly commissioned Notary Public, Clark County, State of Nevada, do hereby certify:

That I reported the deposition of Steven J. Osterhaus, commencing on Tuesday, October 27, 1992, at 9:30 o'clock a.m.

That prior to being deposed, the witness was duly sworn by me to testify to the truth. That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes.

I further certify that I am not a relative or employee of counsel of any of the parties, nor a relative or employee of the parties involved in said action, nor a person financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal in my office in the County of Clark, State of Nevada, this 19th day of November, 1992.

Monice Krmpotic

MONICE KRMPOTIC, CSR NO. 312

NOTARY PUBLIC
County of Clark-State of Nevada
MONICE KRMPOTIC
My Appointment Expires Dec. 19, 1993

940309/0368

Attachment ONE

the CATERER'S
A FOOD SERVICE COMPANY

DATE July 18, 19 88

7-C216-88

TO Governor Bryan's Birthday Party
2929 East Desert Inn Rd.
Suite 78
Las Vegas, Nevada

Attn: Lou Gamage

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
7/15	900 Guests served @4.00 per person	3600.00
	Sales Tax	216.00
	15% Gratuity	540.00
	Happy Time Machines	319.00
	Mixes	37.50
	Glasses	20.00
	Thank You for having The Caterer's	
	TOTAL	$4732.50

THANK YOU for allowing The Caterer's to serve your guests !

Job Order 963

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9403090703289

Commission EXHIBIT 1 FOR IDENTIFICATION
DEPOSITION OF S. Ostrehan
DATE 10-27-92
MONICE REPORTING
NEVADA CERTIFIED REPORTERS

9403097037 0

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

1887

94-38/1224

Pay to the order of The Caterer's July 21 19 88

$ 4732 50/100

Four-thousand Seven hundred Thirty two : 50/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Town Office 184
PO Box 15188
Las Vegas, Nevada 89114

For

Michael Kerr

⑈001887⑈ ⑆122400384⑆ 184000616 3⑈

July 18, 19 88

216-88

Party

ET CASH

CHARGES	
3600.00	: person
216.00	
540.00	
319.00	
37.50	
20.00	

Attachment B

the CATERER'S
A FOOD SERVICE COMPANY

DATE Oct.11, 19 88

BRYAN FOR U.S. SENATE
2929 E. Desert Inn Road
TO Suite 18
Las Vegas, NV

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
10/4/88	840 Guests @ 18.00 per person	15,120.00
	TOTAL	15,120.00

THANK YOU for allowing The Caterer's to serve your guests!

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9403097037 1

(3)

Oct. 11, 19 88

CHARGES 15,120.00

CASH

TAL 15,120.00

to serve your guests!

(702) 731-0802 • (702) 734-3587

2469

FRIENDS FOR BRYAN 9-87
SPECIAL ACCOUNT
3800 HOWARD HUGHES PKWY. STE. 1600
LAS VEGAS, NV 89109

94-38/1224

Oct 20 19 88

Pay to the order of The Caterers $15120 00/100

Fifteen thousand one hundred Twenty & no/100 Dollars

First Interstate Bank

First Interstate Bank of Nevada, N.A.
Tower Office 184
PO Box 15188
Las Vegas, Nevada 89114

For

Michael Kerr

⑈002469⑈ ⑆122400384⑆ 184000616 3⑈

9403097037 2

...DQUARTERS
...IAL ROAD
...V 89109

CATERER'S

NATIONWIDE FOOD SERVICE

JOB ORDER # 1178

LAS VEGAS 737-2802
TOLL FREE 1-800-332-0802

DATE OF REQUEST _____ BY _____

BILL TO _____ PARTY LOCAT. GOVERNOR BRYAN'S GROVE CENTER

ADDRESS _____ ADDRESS 953 EAST SAHARA STATE STREET SIDE UPSTAIRS #214 & 215

CI.ST.ZI _____ CI.ST.ZI L.V. NEV 89104

TEL # _____ TEL # _____

PARTY REQUESTED BY LOU GAMAGE OCCASSION ELECTION DAY

PARTY DATE NOVEMBER 8, 1988 tuesday FINAL GUARANTEE DATE _____

EST. # TO SERVE (AS OF DOR) 50 # OF CHILD/ADULT _____

DELIVER ONLY AT 10:00 A.M.

FOOD DEPART TIME _____ SET UP TIME _____ GUEST ARRIVAL TIME _____

COCKTAIL TIME _____ FOOD SERVE TIME _____ DEPART PARTY _____

(NOTE) IF THE CATERERS ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE WORKING THE PARTY.

SET UP AREA & STAGING _____

SERVING AREA _____ EXIT /ENTRY _____

#1 PERSON CONTACT RE. DETAILS _____ TEL # _____

#2 PERSON CONTACT RE. DETAILS _____ TEL # _____

CONTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON) _____

SPECIAL INSTRUCTIONS (SERVICE) DELIVER AND TAKE TO STE 214 AT 10:00 A.M.

ENTERTAINMENT PROGRAM-SPEECHES ETC. _____

DIRECTIONS TO PARTY _____

TYPE OF SERVICE _____ SERVE ON _____

TABLE REQUIREMENTS _____ CHAIR REQUIREMENTS _____

LIQUOR REQUIREMENTS _____

~~FLORALS & AMENITIES~~

SPECIAL INSTRUCTIONS (FOOD) _____

MENU: 50 ASSORTED HAM, ROAST BEEF AND TURKEY SANDWICHES

TRAY ON DISPOSABLES

$ 3.54 pp

see p 10

(5)

9403097037 3

RICHARD H. BRYAN

May 1, 1975
Las Vegas

Dear Chris —

I do regret in the party at [redacted] as there was misunderstanding & I am most grateful for your continued support

Once again let me congratulate you for the splendid response but work at Henderson. It was a real professional effort —

Regards —

Dick

P

9403097037 4

the CATERER'S
A FOOD SERVICE COMPANY

DATE May 16, 19 88

4-C111-88

TO Governor Richard [redacted]
State Building
2501 East Sahara
Las Vegas, Nevada

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
	Dinner at [redacted] Residence	
4/24	300.00 per person, 45 Guests	13,500.00
	TOTAL	$13,500.00

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 836

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9400309703375

the CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

11-C354-88

TO Governor [redacted] Phone Center

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	50 Guests @1.75 per person	875.00
	Delivery	15.00
	TOTAL	$890.00

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1118

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

[redacted]

See PAGE 5

10

9403097037 6

9403097037 7

the CATERER'S

NATIONWIDE FOOD SERVICE

HEADQUARTERS
[illegible] ROAD
[illegible] 89109

JOB ORDER # 7750
LAS VEGAS 731-0802
TOLL FREE 1-800-332-0802

[illegible] QUEST [illegible] In BY LOU GAMAGE

BILL TO [illegible]

ADDRESS [illegible]

CI.ST.ZI [illegible]

TEL # [illegible]

PARTY LOCAT. BRYAN HEADQUARTERS

ADDRESS 2929 EAST DESERT INN ROAD PARKING LOT

CI.ST.ZI LAS VEGAS, NEVADA

TEL # 731-1988

PARTY REQUESTED BY LOU GAMAGE OCCASSION ELECTION DAY

PARTY DATE NOVEMBER [illegible], 1988 TUESDAY FINAL GUARANTEE DATE

[illegible] TO SERVE (AS OF DOR) 400 # OF CHILD/ADULT

FOOD DEPART TIME BE THERE BY 6:30 P.M. SET UP TIME [illegible] GUEST ARRIVAL TIME

[illegible] TIME FOOD SERVE TIME DEPART PARTY

NOTE: IF THE CATERER'S ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE WORKING THE PARTY.

SET UP AREA & STAGING PARKING LOT

SERVING AREA [illegible] PARKING LOT EXIT /ENTRY

#1 PERSON CONTACT RE: DETAILS LOU GAMAGE TEL # 731-1988

#2 PERSON CONTACT RE: DETAILS TEL #

CONTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON)

SPECIAL INSTRUCTIONS (SERVICE): DISPOSABLE PLATES, NAPKINS, FORKS

BUFFET TABLES, BLUE SKIRTING & BLUE OVERLAYS, 3 SETS LARGE STAGING
2 SETS LOW STAGING

ENTERTAINMENT PROGRAM-SPEECHES ETC.

DIRECTIONS TO PARTY

TYPE OF SERVICE BUFFET SERVE ON DISPOSABLES

TABLE REQUIREMENTS NONE CHAIR REQUIREMENTS NONE

LIQUOR REQUIREMENTS NONE NOTHING TO DRINK AT ALL

FLORALS & AMENITIES OUR SELF FROM OFFICE

SPECIAL INSTRUCTIONS (FOOD)

MENU: SAUSAGE [illegible]

SWEET & SOUR [illegible]

FRESH VEGGIE [illegible] SPECIAL

HAM & [illegible]

CHEESE AND [illegible]

NO BEVERAGES [illegible]

1037 SJO

self Ask
12

11

[redacted]

the CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88
11-C350-88

TO [redacted] Headquarters
2929 Desert Inn Rd.

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	400 Guests @3.50 per person	1400.00
	5 Staging Rental @30.00 each	150.00
	[redacted]	
	TOTAL	$1550.00

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1120

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

[redacted]

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[redacted]

sent p11

[redacted]

12

...TAL ROAD
39109

CATERERS

NATIONWIDE FOOD SERVICE

LAS VEGAS [illegible]
TOLL FREE [illegible]

DATE OF REQUEST OCTOBER 26, 1988 BY JAY BREWER & CHRIS KARAMANOS

BILL TO CNR PARTY LOCAT. BRYAN CAMPAIGN HEADQUARTERS

ADDRESS ADDRESS 2929 E. DESERT INN RD. #18 ALAMOSA P
CORNER OF DESERT INN & PECOS, ACROSS

CI.ST.ZI CI.ST.ZI LAS VEGAS, NEVADA

TEL # TEL #

PARTY REQUESTED BY CHRIS OCCASSION ELECTION MORNING

PARTY DATE NOVEMBER 8, 19[illegible] TUESDAY FINAL GUARANTEE DATE

EST. # TO SERVE (AS OF DOR) 500 # OF CHILD/ADULT

FOOD DEPART TIME SET UP TIME by 8:30 A.M. GUEST ARRIVAL TIME

COCKTAIL TIME FOOD SERVE TIME DEPART PARTY

(NOTE) IF THE CATERERS ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE WORKING THE PARTY.

SET UP AREA & STAGING

SERVING AREA EXIT /ENTRY

#1 PERSON CONTACT RE. DETAILS TEL #

2 PERSON CONTACT RE. DETAILS TEL #

CONTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON)

SPECIAL INSTRUCTIONS (SERVICE) TAKE LONG TABLE THEY'LL
DISPOSABLE CUPS FOR C[illegible]
STIR STICKS [illegible]

ENTERTAINMENT PROGRAM-SPEECHES ETC.

DIRECTIONS TO PARTY

TYPE OF SERVICE SERVICE #

TABLE REQUIREMENTS CHAIR REQUIREMENTS

LIQUOR REQUIREMENTS

FLORALS & GUENITIES

SPECIAL INSTRUCTIONS (FOOD)

MENU: COFFEE & 1 URN OF DECAF.

DONUTS FOR 500 GUESTS

CREAM & SUGAR, SWEET & LOW

NAPKINS

9403097037 9

Sep 16

13

[redacted]

the CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

11-C339-88

TO [redacted]est Las Vegas Headquarters

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	200 Guests @3.00	600.00
	TOTAL	$600.00

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1091

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

[redacted]

[redacted]

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The CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

11-C339-88

TO Bryan Main Headquarters

STATEMENT OF YOUR ACCOUNT TERMS: NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	325 Guests @3.50	1137.50
	TOTAL	$1137.50

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1091

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0502 • (702) 734-0587

See P17

1 of

9403097003882

The CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

11-C339-88

TO Bryan Headquarters

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	500 Guests @3.00	1500.00
	TOTAL	$1500.00

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1091

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0902 • (702) 734-9587

16

...ARTERS
...AL ROAD
... 89109

CATERER'S

NATIONWIDE FOOD SERVICE

...'S ORDER # 1241
LAS VEGAS 731-3802
TOLL FREE 1-800-332-3802

...TE OF REQUEST OCTOBER 26, 1988 BY JAY BREWER & CHRIS KARAMANOS

...ILL TO _____ PARTY LOCAT BRYAN HEADQUARTERS

...DRESS _____ ADDRESS 2929 E. DESERT INN RD. #18 CORNER OF DESERT INN & PECOS/MCLEOD

...T.ST.ZI _____ CI.ST.ZI LAS VEGAS, NEVADA

...EL # _____ TEL # _____

...RTY REQUESTED BY CHRIS OCCASION ELECTION DAY

...ARTY DATE NOVEMBER 8, 1988 TUESDAY FINAL GUARANTEE DATE _____

...ST. # TO SERVE (AS OF DOR) 325 # OF CHILD/ADULT _____

...OOD DEPART TIME _____ DELIVER ONLY AT SET UP TIME 9:30 A.M. GUEST ARRIVAL TIME _____

...CKTAIL TIME _____ FOOD SERVE TIME _____ DEPART PARTY _____

...OTE) IF THE CATERERS ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE ... PHING THE PARTY.

...T UP AREA & STAGING _____

...RVING AREA _____ EXIT /ENTRY _____

... PERSON CONTACT RE. DETAILS _____ TEL # _____

... PERSO. CONTACT RE. DETAILS _____ TEL # _____

...NTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON) _____

...ECIAL INSTRUCTIONS (SERVICE) DELIVER ONLY AT 9:30 A.M.

...TERTAINMENT PROGRAM-SPEECHES ETC. _____

...RECTIONS TO PARTY _____

...PE OF SERVICE _____ SERVE ON _____

...BLE REQUIREMENTS _____ CHAIR REQUIREMENTS _____

...QUOR REQUIREMENTS _____

...ORALS & AMENITIES _____

...ECIAL INSTRUCTIONS (FOOD) _____

325 SACK LUNCHES

...NU: TURKEY & HAM SANDWICHES ONLY 1 PER SACK LUNCH

APPLE

CHIPS

COOKIES

NAPKIN

...337 530

17

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the CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

TO Governor [redacted] Election Night

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
	Coffee & Sandwiches	
11/8		1000.00
	TOTAL	$1000.00

THANK YOU for allowing The Caterer's to serve your guests!

3431 INDUSTRIAL RD. • Job Order LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

[redacted]

18

[redacted]

[redacted]

[redacted]

the CATERER'S
A FOOD SERVICE COMPANY

DATE November 8, 19 88

11-C357-88

TO [redacted]

STATEMENT OF YOUR ACCOUNT TERMS: NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
11/8	125 @2.50 per person	312.50
	Delivery	15.00
	[redacted]	
	TOTAL	$327.50

THANK YOU for allowing The Caterer's to serve your guests!

Job Order 1119

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

9403097038 5

[redacted]

Suppose 20

19

MENU: ASSORTED HAM, TURKEY, ROAST BEEF SANDWICHES [illegible]

CATERER'S
NATIONWIDE FOOD SERVICE

DATE OF REQUEST _____ BY LOU GAMAGE

BILL TO _____ PARTY LOCAT. BRYAN HEADQUARTERS

ADDRESS _____ ADDRESS 2329 EAST DESERT INN RD. STE

CI.ST.ZI _____ CI.ST.ZI LAS VEGAS, NEVADA

TEL # _____ TEL # _____

PARTY REQUESTED BY LOU GAMAGE OCCASSION ELECTION DAY

PARTY DATE NOVEMBER 8, 1988 TUESDAY FINAL GUARANTEE DATE _____

EST. # TO SERVE (AS OF DOR) 125 # OF CHILD/ADULT _____

DELIVER ONLY BY 10:00 A.M.

FOOD DEPART TIME _____ SET UP TIME _____ GUEST ARRIVAL TIME _____

COCKTAIL TIME _____ FOOD SERVE TIME _____ DEPART PARTY _____

(NOTE) IF THE CATERERS ARE REQUIRED TO STAY LONGER THAN THE DEPART TIME-THERE WILL BE AN ADDITIONAL CHARGE OF $10.00 PER HOUR PER EMPLOYEE WORKING THE PARTY.

SET UP AREA & STAGING _____

SERVING AREA _____ EXIT /ENTRY _____

#1 PERSON CONTACT RE. DETAILS _____ TEL # _____

#2 PERSON CONTACT RE. DETAILS _____ TEL # _____

CONTINGENCY PLAN FOR BAD WEATHER (OR OTHER REASON) _____

SPECIAL INSTRUCTIONS (SERVICE) DELIVER AT 10:00 A.M.

ENTERTAINMENT PROGRAM-SPEECHES ETC. _____

DIRECTIONS TO PARTY _____

TYPE OF SERVICE _____ SERVE ON _____

TABLE REQUIREMENTS _____ CHAIR REQUIREMENTS _____

LIQUOR REQUIREMENTS _____

FLORALS & AMENITIES _____

SPECIAL INSTRUCTIONS (FOOD) _____

MENU: ASSORTED HAM, TURKEY, ROAST BEEF SANDWICHES 125

COFFEE, MILK, SUGAR & SWEET & LOW

TRAY ON DISPOSABLES

9403009703886

see p19

(p89)

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ORIGINAL

FEDERAL ELECTION COMMISSION

)
) MUR 3522
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RECEIVED
FEDERAL ELECTION COMMISSION
93 JAN 15 PM 3:53

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REPORTER'S TRANSCRIPT

OF

DEPOSITION

OF

JODY ANN GHANEM

Taken on Thursday, October 29, 1992

At 9:30 o'clock a.m.

At 701 East Bridger Avenue, #800

Las Vegas, Nevada

NEVADA CERTIFIED REPORTERS
623 South Eighth Street
Las Vegas, Nevada 89101
(702) 386-9070

REPORTED BY: MARY KATHRYN DUFFIN, CSR NO. 59

APPEARANCES:

For the Federal Election Commission:
XAVIER McDONNELL, ESQ.
and
CRAIG DOUGLAS REFFNER, ESQ.
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

For the Deponent:
C. STANLEY HUNTERTON, ESQ.
Hunterton & Naylor
300 South Fourth Street
Suite 1110
Las Vegas, Nevada 89101

I N D E X

Examination By:	Direct	Cross	Redirect	Recross
Mr. Reffner and Mr. McDonnell	3			

E X H I B I T S

J. Ghanem	Description	Page
1	Copy of Newspaper Article	29
2	Copy of Photograph	61
3	Copies of Checks	62
4	Copy of Invoice	66

Thereupon--

JODY ANN GHANEM

was called as a witness by the Federal Election Commission, and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. McDONNELL AND MR. REFFNER:

Q (By Mr. McDonnell) Good morning, my name is Xavier McDonnell. With me today is Craig Reffner. We represent the Federal Election Commission here today.

This deposition is being taken pursuant to 437(g) of the United States Code, Section 2, which gives the Commission jurisdiction to take depositions of witnesses. This deposition is being taken in relation to certain catering orders by a company called the Caterer's that were in connection with some political fund-raising events.

Will you state your name for the record?

A Jody Ann Ghanem.

Q Are you represented by counsel here today?

MR. HUNTERTON: Yes.

THE WITNESS: Yes.

MR. HUNTERTON: Stan Hunterton, H-u-n-t-e-r-t-o-n.

Q (By Mr. McDonnell) I would like to tell you, first of all, you are a witness in this matter, you are not a respondent.

Have you ever had your deposition taken before?

A No.

Q I will go over some ground rules about the deposition. Please give an oral answer, not just a gesture; okay?

A Okay.

MR. HUNTERTON: I forgot to tell you that you say yes and no rather than uh-huh or shake your head, because the court reporter can't take a head shake.

Q (By Mr. McDonnell) He did a better job than I did in explaining it.

If you don't understand the question, just say so, let me know, and I will try to rephrase it for you.

A Okay.

Q If you don't know the answer, just say so at any time. We will be taking some breaks throughout the course of this deposition. Hopefully it won't go too long.

What have you done to prepare for this deposition?

A I spoke to Mr. Hunterton and just -- you know, I think on the subpoena mentioned about any political

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things in the year of 1988. We tried to discuss and try and remember things.

Q Who was with you besides Mr. Hunterton; anyone else?

A Just Mr. Hunterton.

Q And your husband?

A And my husband.

Q That's all. Did you review any documents for today's deposition?

A I have no documents.

Q You didn't review any documents?

A I don't have such documents to review. I have no documents.

Q Did you talk to anyone besides your attorney and Dr. Ghanem --

A No.

Q -- about this matter?

A No.

Q Okay. You received a letter from us in June of this year. Do you remember that?

A Anything that came through was sent over to my husband's office. I think I recall reviewing something, but I can't --

Q Since that time, receiving that letter, have you talked to anyone from any campaign committees?

9403009703391

A No.
Q Federal campaign committees?
A No.
Q Former employees of the Caterer's, Incorporated?
A No.
Q Have you received any correspondence or sent any correspondence to any federal candidates or committees since that time?
A No.
Q In relation to this I mean.
A No.
Q I am not --
A Yeah.
Q I am not including like if you sent a note to a presidential candidate or contribution, just these particular --
A No.
Q -- matters. Okay. Would you give me your address?
A I live at 2901 Augusta Drive, Las Vegas, Nevada 89109.
Q Thank you. And how long have you lived there?
A I'm there five years.
Q Okay. And are you employed?
A No.

Q Do you own any businesses?
A No.
Q Okay. Are you a partner in any business?
A No.
Q Okay. Do you know someone named Chris Karamanos --
A Yes.
Q -- or Christ. How do you know him?
A Just from years ago, you know, people talking about him. I think I met him a few times.
Q Uh-huh. Were you friends with him?
A Personally, no. Not me, no.
Q Was your husband friends with him?
A I think years ago maybe. I am not sure.
Q Not sure?
A I know he knew him.
Q Right. Did he socialize with him?
A Not that I know of in my time, in my relationship.
Q You were married back in 1988 to Dr. Ghanem?
A I was married in 1983.
Q Okay. You said you met Chris a few times?
A Uh-huh.
Q Where would that have been?
A Oh, just being out and about. We are involved

in a lot of community and social happenings in Las Vegas. I have seen him there.

Q Have you ever been out to dinner with him?

A No.

Q And have you attended any sporting events with him?

A No.

Q Have you used the Caterer's, the company that he owned? I would like to establish, you know, that he owned a company.

A Yes.

Q The name of it, can you tell --

A Is it the Caterer's? Okay.

MR. HUNTERTON: We were trying to remember that this morning. I couldn't remember the name.

Q (By Mr. McDonnell) Have you used the catering business called the Caterer's before?

A Yes.

Q And back in 1988 did you use the services of the Caterer's?

A I recall either one or two events where the Caterer's catered at our home --

Q Okay.

A -- that I can recall of.

Q And are you talking about those events -- what

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type of events were they?

A Political.

Q You think two events?

A As far as I can recall, yeah.

Q Did you ever use them for any other kind of events you had in your house or parties, social gatherings?

A No, unt-uh.

MR. HUNTERTON: I would just like a point of clarification here, and at any time you want to add something, go ahead. And when you say did you yourself use them, my review of the records, at least, indicates that the Ghanems did not employ the Caterer's, didn't pay the Caterer's. It would -- my supposition is that whatever campaign event was being held in their home was paying for that. I just wanted to make the distinction between, yes, they brought food to the home and they provided for the party, but you didn't call them, you didn't make the arrangements, you didn't contract with them?

THE WITNESS: No.

Q (By Mr. McDonnell) You did not call them?

A No.

Q Is that speaking for you and your husband, or do you know or --

9403097039 5

A I can't speak for my husband because everything is done through his office. Maybe the secretary had spoken to them. Basically everything goes through --

Q Did you do any catering -- have any catering companies operate in your house during 1988 besides the Caterer's, Incorporated?

A During '88 I can only recall the Caterer's. I can't recall if we used another company or not. If we did, it was the Caterer's.

Q Do you entertain fairly frequently at your house?

A Yes, I do.

Q Did you in 1988 entertain fairly frequently?

A A few, yes.

Q I am saying in addition to the political events that we talked about that you mentioned.

A Yes, I had a wedding in June of '88, personal, that was in the home.

Q Did you entertain any business associates or neighbors during that time in your home?

A No.

Q Okay. What company did you use for the wedding you had in your home in June of 1988?

A I think it was the Caterer's.

Q You used them?

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A I think so. I can't recall, though.
Q Did you pay for that wedding or --
A Yes.
Q You did? Okay.
A That was a cousin of ours that I am pretty sure that my husband would -- his office would know that information.
Q They would. How many people were there, estimate, at the wedding?
A 80 people.
Q Was Christopher Karamanos present at the wedding?
A No.
Q Did you have catering servers there actually on site; catering servers?
A Yes.
Q Any other occasion that you can think of, fairly large gathering of maybe 25 or more people at your house during 1988?
A Not during 1988. I can't recall.
Q So, did you yourself call the Caterer's for that event, the wedding, do you think? Did you make the arrangements with them?
A I think Dawn did, my husband's office.
Q Dawn?

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A Uh-huh.
Q Who is that?
A My husband's secretary.
Q Do you know her last name?
A Carson Smith.
Q Carson Smith. C-a-r-s-o-n?
A Yes.
Q Smith?
A Smith.
Q Okay. Something particular makes you think that she arranged it?
A Uh-huh, because usually anything that we have at our home Dawn will always organize. I am the one that has the house ready. I am a gracious hostess. She does all the detail work, the menu or whatever. I go -- I will tell her what they would like and she follows through with it and arranges it.
Q For the wedding did you tell her what you would like --
A Uh-huh.
Q -- as far as food?
A Uh-huh.
Q Did she take care of preparing invitations?
A That was done through -- I don't think there were any invitations for that. That was done through

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family. And my cousin's wife's family did phone calls as far as I recall.

Q Okay.

A There were no invitations for that.

Q Did you have any special requests of foods that you ordered through the Caterer's as far as the menu itself?

A I don't remember. I don't remember back that --

Q Do you know if the Caterer's was used by your husband in connection with his business?

A I don't understand.

Q Okay. First establish -- is your husband -- your husband is a doctor; correct?

A Correct.

Q Does he own any businesses?

A Well, he has his medical center.

Q He owns the medical center?

A Uh-huh.

Q Do you know if he used the Caterer's for any -- for any parties or gatherings that he had at his medical center?

A I don't know that answer.

Q Okay. Did you attend -- during 1988 did you personally attend any parties at his business?

A During 1988?

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Q Yes, at his medical center.

A I don't know if it was 1988.

Q You did attend --

A Las Vegas Medical Center II was remodeled, and they had a little opening for it, but I don't know what year.

MR. HUNTERTON: When you say center, there are actually five centers. They are 24-hour-a-day walk-in clinic type centers.

Q (By Mr. McDonnell) The name is Las Vegas Medical Centers?

A Correct.

Q Did you ever go to the Caterer's, the business itself called the Caterer's, Incorporated?

A No.

Q Do you know any employees from the Caterer's, people employed by the Caterer's?

A No.

Q Did you ever -- do you know Steve Osterhaus?

A I don't know him personally. I heard the name, though, before.

Q Do you know who you heard mention his name or in what context it was made?

A I just heard his name through -- I don't know if it was a bartender or something at one of the functions

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or not.

Q One of the functions at your house?

A No. I think it was for a black tie affair that we went to for Nevada Dance Theatre or something.

Q All right. How about a Gayle Wiener, W-i-e-n-e-r?

A I heard of her, but I don't know her personally.

Q You don't know her. Nelson McKenna?

A No.

Q Mike Tate?

A No, no.

Q Annie Wagner?

A No.

Q Okay. I would like to focus a little more on the 1988 political events. You mentioned at least two that come to mind; is that correct?

A Uh-huh.

Q Could you tell us about those two?

A There was one -- one I remember. Again, I am not sure of dates or exact time. I think it was like in 1988 time where they had six senators come to our house, and I recall one for Al Gore.

Q Right.

A Now, I don't know --

Q At your house?

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A Yes, at my house. I am not sure if there was one for Richard Bryan or not for the senate. Those are the ones that --

Q So, you remember it, those two at least. There may be a third?

A Yes.

Q Could be possible that the one for Senator Bryan was also either the one where Al Gore was present or the six senators were present?

A I am not sure if he was present at the one for the six senators or not.

Q You are not sure?

A Al Gore was.

Q How about Senator Bryan who was then governor, I believe, if we have the time straight?

A I don't remember.

Q Do you remember the six senators; their names?

A I don't remember their names. Inouye, and I don't remember the others.

Q Senator Inouye from Hawaii?

A From Hawaii. I don't recall the other ones. I would have to --

Q Do you know how you and your husband got involved in hosting that event?

A No.

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Q You don't remember?
A No.
Q Was that --
A I was just -- like I said, his office said -- let me know that there was going to be a function at my home.
Q His office did?
A Yes. Everything goes through his office.
Q I see.
A And I just made sure the house looked pretty and arrange everything that has to do with the home and be a gracious hostess. But how it started, I don't know.
Q Do you know if it was your husband's idea to have the event?
A I don't know, no.
Q Do you remember an event with the six senators?
A Uh-huh.
Q Do you remember what kind of event it was? In other words, was it a dinner, brunch, breakfast?
A I don't recall. I don't remember.
Q Did you make --
MR. HUNTERTON: Four years ago.
THE WITNESS: I don't know if it was a lunch or dinner.
Q (By Mr. McDonnell) Did you make arrangements

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for the actual event, though, with Dawn, the secretary?

A Dawn set everything up.

Q She did?

A Uh-huh.

Q Did you call back and forth to her to arrange the details of what was to be served or what was -- when the guests were going to come, who was going to be contacted?

A No. She usually does the contacting of the people.

Q The guests?

A They don't go over that with me, no.

Q They don't?

A No.

Q Did you have any input at all in who was going to be invited to the event?

A No.

Q Were any of your friends there?

A Not that I know of as far as friends.

Q Personal acquaintances?

A No.

Q Neighbors?

A No, not that I can recall.

Q Family members besides your husband?

A No, not that I recall.

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Q Okay. Tell me about the event itself, the day of the event, what you recall about that.

A I really seriously can't remember, because I don't remember the time frame of it, if it was a brunch or even who was really there.

Q Were you fairly excited to have six senators in your house?

A Uh-huh, yes.

Q Do you remember telling other people about that, friends and family members of --

A I usually don't discuss what is going on at the home.

Q Why is that?

A Like I said, I just -- they tell me this is going to happen, and I go and prepare for it, have everything ready.

Q What are some --

A I usually don't -- you know, if it is a political event happening at the house, I really don't get involved in it. It goes through again like the office.

Q To the extent you were involved, what is it that you did to prepare during the day?

A To have the house ready, clean. Basically, you know, making sure -- having the house ready for it,

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presentable.

Q I see.

A That's all I have ever -- that was all I ever do for any function that happens unless it is personal.

Q Were you considered the host of the event?

A Me?

Q Yes.

A Yes.

Q You greeted the people you said?

A Uh-huh, yes.

Q Did you have a guest list?

A Not of -- you would have to go through the -- you know, my husband.

Q Did you have any kind of sign-in log at your house for people who visit?

A Not at that time.

Q Didn't at that time. You do now?

A Yes.

Q You live at the country club; is that correct?

A Yes.

Q Is it inside the security gate?

A Yes.

Q Do people have to sign in in order to enter?

A You have to have a list for them to come through.

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Q You gave them a list for that particular event?
A Yes.
Q How much work do you think you did to get ready for the event?
A Myself?
Q Yeah.
A Not much. I mean --
Q Now, you were told of who was coming before they arrived; is that correct?
A No. I usually don't know.
Q You didn't know how many guests were coming either?
A Well, I would know how many guests, but at that time of that affair I cannot recall how many guests were in my home.
Q But usually you would be told --
A Yes.
Q -- how many were there?
A Yes.
Q You were provided a list of people who were coming?
A It is usually typed up from the office, and then they will send them to the gate. Sometimes it goes to the gate, I don't even even see it. I just know that 40 or 50 people are coming for the home, and I prepare it

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for the amount of people who are going to be there.

Q Was this a fund-raiser event? In other words were contributions collected or --

A I can't remember if it was or not.

Q Do you know anyone from Senator Bryan's campaign --

A No.

Q -- besides Senator Bryan?

A No.

Q Campaign workers you don't know?

A No.

Q How about from the democratic senatorial campaign committee?

A No.

Q Do you know someone named Lou Gamage?

A I heard of the name. I have seen her, you know, like again if we are out socially, but I don't know her personally. Maybe it is hello, and that's as far as my relationship --

Q You would know her if you saw her, though?

A I think. Yeah, I would recognize her.

Q What does she do?

A Doesn't she head -- I can't answer that question. I don't remember who she is with. She is with Harry Reid's -- no, she is with Senator Bryan. I really

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don't know these people personally.

Q I just want to --

A Just social hello, how are you.

Q Okay. How about J. Brewer?

A No.

Q Never heard of him?

A No.

Q Robert Chlopak?

A No.

Q Okay. Was Lou Gamage ever at your home?

A Not that I recall.

Q Focusing back on the date when the six senators were there, do you remember security people being there?

A No, not that I can remember.

Q Do you remember security people coming before the party began looking over your residence or anything?

A No.

Q Do you remember that ever happening at all?

A No.

Q Do you remember anybody from the Caterer's company coming out to your house prior to any parties that you had in 1988 to -- excluding the wedding -- to make any arrangements for the event?

A If they did, I can't remember who it would be.

Q Is there a pool at your house?

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A Yes.

Q Did you ever have either one of these parties out -- Al Gore party or party with the six senators -- held outside or --

A Yes.

Q -- near the pool? You remember that part?

A Yes, now, but I can't recall which party it was for. Yes, there was one outside. I don't know if it was -- I can't remember which one it was for, though.

Q I see. And were there tables out there?

A Yes.

Q Do you remember anything about that other than tables?

A We had tables outside on the golf course.

Q Do you know where you got the tables from?

A That's the Caterer's.

Q They brought the tables?

A Yes.

Q Did you help them set up --

A No.

Q -- or did you inform them where you would like to have the tables set up? Do you remember discussing that with anyone?

A No. They said they would like to do it out on the golf course, and they prepared those preparations for

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it --

Q Okay.

A -- to be able to do it on the golf course.

Q Do you remember --

A If they could do it, that would be fine. And they said they had the okay to do that. So, they set them up.

Q Where did they get the okay?

A I am not sure, because you have to go through the Las Vegas Country Club. So, I don't know who was contacted there. That was the Caterer's responsibility to do that.

Q Did you help them set up other than you just mentioned? Anything else you did to help them set up?

A No, I never help anybody set up.

Q Do you remember people being there and setting up the party, though?

A I remember them putting tables and chairs on the golf course.

Q How many people were there doing that?

A I don't know.

Q Five to ten?

A I don't know.

Q Would it be over 20 people?

A I don't think so.

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Q Probably less than 20?
A Probably.
Q Can you say usually it was less than 20 people?
A I can't be exact on that.
Q You can't be sure it was less than 20 people?
A Honestly, I don't recall.
Q Do you think it was more than five people?
A Probably more than five people.
Q Okay. How many tables were there?
A I don't remember.
Q Do you remember the shape of the tables?
A I think we had round tables out there.
Q Just trying --
A Could be round or square. I don't know.
Q You thought it was round?
A I think they were round tables.
Q I am trying to jog your memory.
A Sure, but I can't remember how many.
Q Was it day or night?
A That was -- I remember being out on the golf course. That was nighttime, early evening, nighttime.
MR. HUNTERTON: Less dangerous that way.
THE WITNESS: Huh?
MR. HUNTERTON: Less dangerous than being on the golf course in the daytime.

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THE WITNESS: I am trying to think. Yes, it was. Sun was down.

Q (By Mr. McDonnell) Was that around the time they had a tournament at the country club?

A Okay. I don't know if there was a tournament. All's I know is that, you know, sprinklers go on at a certain time.

Q At night?

A And they said everything was under control so I didn't have to worry about anything. And I guess they went through the Las Vegas Country Club to get the sprinklers off.

Q So, it was definitely evening; okay. Did people -- guests swim that night?

A No.

Q No one swam?

A No.

Q Do you remember anyone taking pictures?

A No, I don't remember pictures.

Q Taking pictures of the senators?

A I don't recall if there was a photographer or not.

Q Do you remember if there was any speeches made?

A I think the senator said a few words.

Q Senator Bryan?

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A I think that was one for Senator Bryan.

MR. HUNTERTON: I thought the questions related to the event held for the six senators.

Q (By Mr. McDonnell) The six senators were present?

A No, not at that affair.

MR. HUNTERTON: That's what I thought. Are you saying Dick -- do you recall whether Dick Bryan was there?

THE WITNESS: Not at that political fund-raiser that I can recall.

Q (By Mr. McDonnell) Maybe I should introduce an exhibit, might refresh your memory.

A I am just saying there was a few. So, I might be getting mixed up who was at which one and --

Q Do you remember a Chris Karamanos, the owner of the Caterer's, being present at any of the parties, political parties?

A No, I don't.

Q Let me introduce an exhibit here.

MR. REFFNER: Do you want to go off the record while we get the exhibit ready?

MR. McDONNELL: That's okay, unless somebody wants to say something off the record.

I would like to introduce -- mark this as

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Exhibit 1, please.

(Whereupon, J. Ghanem Exhibit No. 1 was marked for identification by the Notary Public.)

MR. HUNTERTON: I can't read a date on this.

MR. McDONNELL: On this one here we can see the -- this one should be better. This is from the reel of the news, April 25. I know it is not the best legibility.

MR. HUNTERTON: This is Exhibit 1?

MR. McDONNELL: Right. Yes.

MR. HUNTERTON: Unless there were two of these events that year, you may take it that the event involving the six senators took place on April 25th or the day before or day after, right in there.

Q (By Mr. McDonnell) Okay.

A I remember there were definitely six senators.

Q And in response to Commission subpoena you have provided us with a letter from Senator Inouye; is that correct? I can -- I will introduce that.

Do you remember receiving a letter from Senator Inouye?

A No, not to me.

Q Okay.

MR. HUNTERTON: The record will reflect that Dr. Ghanem was the addressee, and it was sent to his office,

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not to his home.

THE WITNESS: Right.

Q (By Mr. McDonnell) This document number 1 sort of clarifies that it is most likely that the event in which the six senators were present was in relation to Governor Bryan's 1988 senate campaign; is that correct?

A Senator Bryan's, yes.

Q Okay. Back to the day of the event. Do you remember there being a press conference held at your house?

A No.

Q Or near your house or --

A No, I don't recall.

Q You don't recall that. Okay. Do you remember anything about the menu the day of the event?

A No.

Q Although this might sound tedious, I want to go over some food and see if it may have been served that day, some food and beverages, wines; okay? Dom Perignon champagne. Far Niente chardonnay, 1984 cabernet sauvignon. Does that ring a bell?

A I have no idea what wines were served at my home.

Q Would it be something you would -- Dom Perignon, is that a champagne you would fairly frequently serve at

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your home?

A I don't usually serve it. Special times I serve Dom Perignon, but I don't know if it was served at that time or not.

Q Okay. Pate', Beluga caviar?

A I don't eat caviar. So, I wouldn't know if that was served or not. Not my interest.

Q Do you remember the day of the party the Caterer's -- their catering personnel?

A I am getting confused on two different political events that you're talking about. About the six senators now?

Q Six senators, April 24th.

A That was different than the one with the tables up in the backyard. I think that was for Bryan.

Q You are saying the six senators was the one different for Bryan?

A This is where I am confused.

MR. HUNTERTON: You think when the tables were set up on the golf course, that was for Dick Bryan?

THE WITNESS: As far as I can remember. I think the senators was a different setting, but I can't recall.

Q (By Mr. McDonnell) The six senators?

A I know I am getting confused.

Q Singular, Senator Bryan, okay. Still, how about

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the Al Gore one, the Al Gore event at your home? That is a different one?

A Right.

Q So, there's three you said?

A I think there would be three.

Q Which one should I ask about first?

A That is why I am getting confused.

Q The one with the tables in the backyard?

A Uh-huh.

Q Were their personnel serving there?

A Yes.

Q In other words --

A That is what I can recall of.

Q And would it be more than ten people serving, less than ten?

A I think it was less than ten.

Q Less than ten. Was there someone cooking there too as well?

A I don't recall.

Q Was there any loud music, live music --

A I don't remember.

Q -- live music at any of these three events that you can recall?

A Live music?

Q Yes. A band or --

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A Not that I recall.

Q Do you remember ever having live music at your house in 1988?

A I know for the wedding there could have been, and yes, I don't remember. I don't know.

Q Okay. Let's focus on the event that was in the backyard that was at night near the golf course.

A Right. Yes.

Q Okay. Did you know at that time that the food was catered by the Caterer's, Incorporated?

A Yes.

Q Okay. And did you -- how -- who did you perceive was the recipient of the food? In other words, when you ordered something from a company --

A Right.

Q -- somebody is the recipient. Who did you consider the recipient of the food? Were you the recipient, you and your husband?

A I -- that's the time -- that's the one where I think we were going to go out of town, and I had a phone call that I was having a fund-raiser at my home. So, everything would go through my husband on that one. The one that was tables set up at night, really nothing comes -- anything that is discussed on a political level or unless it is personal would go through my husband.

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Q I am asking your impression from either your conversation with your husband or other people.

A I had no -- I had no idea what was being served that night or who was coming to my home. I just know that I was having something at the house.

Q You have an idea what was served, but not beforehand, you mean?

A Not beforehand. But I can't recall.

Q You can't recall the others --

A No.

Q -- not that you didn't know?

A I can't recall.

Q All right. Do you know -- did you believe your husband was paying for these parties? Say, for instance, the party in the backyard. Did you believe he was putting on that party?

A No. I don't know at that time who was putting on that party. I think he was asked, but I don't know who.

Q It was asked?

A I don't know.

Q I am not sure what you mean by that. Asked by who?

A I don't know.

MR. HUNTERTON: He was asked to host the party.

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THE WITNESS: By someone, but I don't know who, to have the party at the house.

Q (By Mr. McDonnell) Do you know if it was someone from the committee or a friend or --

A I have no idea.

Q Do you know a Frank Schreck?

A Yes.

Q How do you know him?

A I know his wife, his two children. I know the family.

Q Do you socialize?

A Socially.

Q Do you go out with him to dinner or --

A Once in a while. We have been out with them.

Q Have you ever had them over to your house?

A Yes.

Q You go over to their house?

A Yes.

Q For political events?

A Yes.

Q I see. Did Mr. Schreck ever solicit a contribution from you?

A Contribution?

Q To a federal candidate or committee.

A Yes.

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Q He has?

A I think so.

Q What do you recall about that during 1988?

A Well, I don't recall exactly what I know. Politically we have been to their home where a -- both political and personal. If there were any checks or anything, that would go through my husband.

Q You would sign the checks?

A I have signed a couple checks for --

Q Okay. Do you know if Mr. Schreck would occasionally call either you or your husband to solicit contributions?

A Nobody ever called me personally about any political contributions.

Q Okay. Do you know whether your husband was solicited on your behalf to make a contribution to a federal candidate or committee from Frank Schreck?

A I don't know if Frank personally called. I mean you would have to ask Elias that.

Q In other words, Mr. -- your husband, Dr. Ghanem, never informed you that Frank Schreck had called him and requested a contribution?

A No, no.

Q The event with Al Gore that you had at your home, what time -- do you know what time of year it was?

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A I don't recall.

Q How many people were at that event; do you recall that?

A I don't know.

Q Okay. How about the outdoor party at night? How many guests would you say were there? Let me say do you think it was less than 50 or more than 50?

A I would -- more than 50.

Q More than 50; okay.

A I think anything is about 50 people that I have had. I don't know. I don't recall.

Q How about the event that you think was separate for Senator Bryan? Would you tell me what you remember of that event? Was that -- first of all, was it day or night?

A That's the one where I think it was the tables outside on the golf course.

Q I am sorry. The six senators event, do you think that was day or night?

A I think it was nighttime.

Q That was nighttime too?

A I am confused.

Q Do you see in article 1 where it says -- second to last paragraph on the second page of that document, the fund-raiser --

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A Morning.

Q Sunday morning. Do you believe that?

A Could have been a brunch. I really -- I cannot answer that because I don't remember.

Q All right. I am just trying to determine whether by you reading this paragraph, does that refresh your memory of the event?

A I don't remember if it was a brunch at my home.

MR. HUNTERTON: Just for clarification, there is no mention in this article of the Ghanems' home or --

MR. McDONNELL: That's right.

MR. HUNTERTON: -- or this being the fund-raiser. They may have engaged in more than one event. So, I don't see it as necessarily associating the reference to this paragraph to a Sunday morning fund-raiser with the Ghanems. Yeah, logically that could be it, but they may have been somewhere else that morning.

THE WITNESS: I don't recall if it was morning or afternoon.

Q (By Mr. McDonnell) This does nothing to help refresh your memory?

A No.

Q Do you think you may have had a brunch at your house in connection with a political event?

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A Could have been a brunch, but I can't say it was. I don't remember.

Q The event with Gore, you don't remember what time of year that was either?

A No.

Q Do you remember what office he was running for?

A Wasn't he running for President? Presidential? Was Gore running for President in 1988?

MR. HUNTERTON: You are indicating that you are not sure.

THE WITNESS: I am not sure. I am not sure.

Q (By Mr. McDonnell) What do you remember of that event?

A Nothing. I don't remember.

Q Okay. Do you remember meeting Senator Gore?

A Yes.

Q Anyone else do you remember meeting?

A No.

Q Was his wife there?

A No, not that I recall. She could have been. I don't know.

Q Was any other senator or congressman there, U.S. senator?

A Not that I remember. I don't know, can't remember. I really can't remember. I don't even

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remember who was at my home.

Q Do you remember generally pretty good, or would you consider yourself to have a very good memory or poor or just average?

A Average going back that far.

Q Do you remember since that time discussing with anyone when any of these senators came to your home?

A No.

Q Were you excited about the parties, having these politicians at your house?

A Yes.

Q Do you remember calling people up afterwards, or did you call up people afterwards to tell them about the event?

A No.

Q Do you have any children?

A Yes.

Q Do you remember, did you tell your children about the event or discuss it with them?

A I don't discuss it with my children.

Q Okay. The one with the six senators, was that a sit-down dinner or buffet?

A If I recall it was. I don't remember six senators.

Q Well, you had the round tables; right?

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A I am pretty sure that one was for the senators.
Q It was at night?
A That was sit-down, like a buffet sit-down, if that's the one with the tables outside on the golf course.
Q What is --
MR. HUNTERTON: That was for Dick Bryan.
MR. McDONNELL: Okay.
MR. HUNTERTON: I want to make sure she is answering about the party you are asking about because sometimes you are saying senators, and she is answering senator, singular.
Q (By Mr. McDonnell) Okay. Okay.
A Repeat your question.
Q Had to do with the thing about -- I will rephrase it. The party with the round tables -- oh, you said a sit-down buffet. I am not sure what that means.
A I don't know if it was a sit-down or a buffet. It could have been a buffet, could have been sit-down. I don't recall.
Q Okay. You said something about you were going to go out of town and then you had -- you called up and were informed you were going to have this party?
A I had a -- a phone call. Somebody said they were coming to my home, and I said I didn't know about

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the party because everything goes through my husband's office. We were supposed to be going on a trip. That's why I said I really don't know sometimes what is going on. My husband, his secretary, or if someone has asked him to do something political, they didn't come and call me or ask me. Sometimes I really don't know what is going on.

Q You were planning on going out of town. Where was that you were planning to go?

A I think we were going to Mexico.

Q You and your husband?

A My husband.

Q Anybody else?

A Parvin and Ted Jacobs, Susan and Irwin Molasky.

Q Six of you?

A Uh-huh.

Q Were they friends?

A Yes.

Q Did they come to your fund-raiser events?

A No.

Q Who called you up to tell you you were having the events, Dr. Ghanem or --

A No, I can't remember who it was. I just remember -- you know, I don't remember who it was that called.

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Q Okay. Now, the two different events, we have the one with the six senators --

A Right.

Q -- we have the one with Senator Bryan.

A Right.

Q Were these closely related in time, close proximity in time?

A I don't remember.

Q They are both within 1988 though; right?

A If I recall correctly, I would say it was in 1988.

Q The event -- evening event, do you remember if it was very warm out or cool or --

A I don't remember the weather. I can't recall the date exactly.

Q Did it rain at any of the events that you can recall?

A Not that I know of.

Q Were any of the events held inside your house, any of the three?

A Yes.

Q Do you remember which one?

A All of them are held inside my house.

Q Inside as well as -- some were outside as well as inside, but all -- how about one that was the --

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dinner was served inside or the food, whatever it was?

A Repeat your question.

Q Well, the one for Senator Bryan, I think I got it straight now, was outside?

A Right.

Q The dinner was served outside, part of it inside?

A Cocktails and dinner.

Q Dinner was inside as well as outside?

A Cocktails and dinner outside on the round tables.

Q And then the other parties, were they indoors or outdoors or both?

A Depending on weather. Inside, outside, I don't remember. I don't remember.

Q Do you remember if any of the parties were just cocktail parties as opposed to having dinner?

A I don't remember. Usually have some sort of food.

Q Now, you said that Dr. Ghanem usually let you know let you know about these parties. Who was it that contacted him to --

A I don't know. You have to ask him.

Q Was it some person or entity requested he hold these parties?

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A I don't know.
Q Did he volunteer to have these parties at your house?
A I don't know.
Q Okay. Never discussed that with him?
A No.
Q Is your husband politically active?
A Yes.
Q You say that -- you are referring to the fact they hold parties at your house.
A Yes.
Q And you attend a lot of political events?
A Yes.
Q A good deal of them?
A Uh-huh.
Q During 1988 did you attend a good deal of political events?
A During that year, yes.
Q Okay. I think --
MR. HUNTERTON: What you are saying, as a general rule, over the years since you have been married you have gone to a lot of these events with Elias, but you can't separate out 1988 from '87 or '90; is that fair?
THE WITNESS: Yes.

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Q (By Mr. McDonnell) It was a year where Senator Bryan ran for senate, I believe; is that correct?
A I mean -- I have to -- yes.
Q Did you know 1988 was an election year for president?
A Right.
Q You know that. Do you think you went to any events in connection with the presidential election?
A Not that I recall for president, no.
Q Do you think because it was the year of the presidential election that you may have attended more events than in other years?
A That I attended more?
Q Yes.
A No. I go to a lot.
Q Who were some of the people who your husband and you socialize with at these events?
A People that are at the home. We usually -- Elias and I and usually Frank Schreck comes to our home and his wife, Mike Sloan and his wife.
Q Mike Sloan?
A Uh-huh?
A The rest are guests and --
A I don't recall people -- all the people at my home.

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Q Not just your home, all these different functions that you attended frequently, that you frequently see at these events. Mike Sloan is one of them?

A Correct.

Q What does he do?

A He works for Circus Circus I think.

Q He works there. Do you know his position?

A I don't know his exact position.

Q Does he own Circus Circus?

A No.

Q Do you know who owns it?

A Yes.

Q Who is that?

A William Bennett, Mr. Bennett.

Q How do you know him?

A Just he is a friend of ours.

Q Personal acquaintance?

A Personal.

Q Does he ever come to any of these events at your home?

A No, no.

Q All right. And who else do you see about at these places?

You can't recall?

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A (No audible response.)

Q You are saying you don't know?

A I don't know.

Q I understood it, but I don't know if the reporter got it. So, do you remember meeting Senator Reid at your home?

MR. HUNTERTON: He has now switched.

THE WITNESS: Oh, gosh.

MR. McDONNELL: Pardon me?

THE WITNESS: Harry Reid?

MR. HUNTERTON: You just said Harry Reid.

I said, he has now switched.

THE WITNESS: To Harry Reid.

MR. HUNTERTON: This is the first time Reid has been mentioned.

Q (By Mr. McDonnell) Okay. I am sorry. Alluded to in the article. Okay. Fine. Did I say Harry Reid or Senator Reid? I think I said Senator Reid.

Do you remember meeting him at your house?

A Yes. He's been at my house.

Q More than once?

A I can't recall how many times, once or -- I don't know. I don't know.

Q Okay. Another senator. Do you remember Senator Kerry, Bob Kerry? Do you remember meeting him?

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A Yes, he was at the house with the six senators and I -- it came back to my memory when I saw his name.

Q Kent Conrad?

A I can't put a face.

Q How about James Exon?

A No. I can't put a face to it.

Q We already mentioned Senator Inouye; you remember that?

A Yes, I remember Inouye and Kerry. The face I could see.

Q Back now to Senator Gore. When he was running for president in 1988 and you said you met him at your home, did you ever socialize with Senator Gore?

A No, no.

Q Were contributions collected at your home at any of those events?

A I don't recall.

Q Do you remember contributions ever being written or collected at your home?

A Not that I recall.

Q Did you receive any mail from persons attending these events at your home in 1988?

A No.

Q Never did?

A No.

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Q Did you receive any phone calls from people, either guests who were requesting directions or --

A No. Like I said, that would all go through the office. Nobody ever that I can recall calls me at home about anything home unless it was personal, no.

Q All right. In addition to your husband and Dawn, do you know anyone else who handles these events on behalf of your husband?

A No.

Q Did you have input on the menu of what was to be served at these events?

A Not that I recall.

Q Didn't call you and ask you to -- what you would like to have or anything like that?

A No.

Q Not that you recall?

A Not that I recall. Like I said, usually the office handles that.

Q Okay. Does your husband have an active involvement in what is going to be served?

A Yes.

Q He does?

A I guess. I would say so.

Q I notice some laughter. Is there something about that or --

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A No. I don't know.

MR. HUNTERTON: I was laughing because I think Elias is far too busy to be worrying about what is on the menu.

Q (By Mr. McDonnell) Okay. Let's -- I would like to take a short break now. I don't think we are going to be, you know, much longer. So --

A Okay.

(Whereupon, a recess was had.)

Q (By Mr. McDonnell) Back on the record.

I just wanted to clarify about the wedding. Was it a June wedding 1988?

A June, uh-huh.

Q You might have said this already, but did you receive a bill from the Caterer's?

A Not that I know of.

Q Went to your husband?

A Yes.

Q Do you remember your husband ever discussing with you the cost of any events catered by the Caterer's, Incorporated?

A No, no.

Q I would like to introduce -- well, first I am going to read off a few names of people who may have been at some of the events at your home, wondering if you

could tell me whether you know these people.

A Okay.

MR. HUNTERTON: For clarification, when you say events, are we talking about the three events which have been the subject of the questioning?

Q (By Mr. McDonnell) That's correct. Three political events; right.

Antonio Alamo, A-l-a-m-o?

A Yes.

Q Do you know him?

A Uh-huh.

Q How do you know him?

A Just from acquaintance, meeting him, just from -- you know, I think he works at one of the hotels.

Q He works at one of the hotels?

A I am not sure.

Q Circus Circus?

A I don't think.

Q Did he ever go to an event at your home, any of the three events that we are discussing?

A I don't recall if he did or not.

Q Okay. Do you know a Richard Banis, B-a-n-i-s?

A I have met him, yes.

Q In what regard did you meet him?

A I know him from being out socially.

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Q Has he ever come to your house?
A I don't recall if he has been there or not. I don't remember.
Q Do you know if he -- obviously, you didn't know if he came to the political event?
A I don't know. I can't remember.
Q Have you ever seen him at any other political events involving federal candidates?
A No. Just socially.
Q How about Alan Barron, B-a-r-r-o-n?
A No.
Q You don't know him?
A No.
Q James --
A I can't recall the name.
Q James Chaisson, C-h-a-i-s-s-o-n?
A No.
Q Frank Faretta (phonetic)?
A No.
MR. HUNTERTON: Fertitta.
THE WITNESS: Oh, oh.
Q (By Mr. McDonnell) I was about to say -- F-e-r-t-i-t-t-a?
A Yes.
Q You do know him?

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A Yes.
Q How do you know him?
A Just socially, community affairs.
Q Has he ever been to your home?
A Yes. Senior or junior are you talking about? There's two.
Q He works or he owns the Palace Station Hotel & Casino, or do they both?
A I don't know if it is senior or junior.
Q Frank J. Obviously Frank J -- they are both Frank J.
A Senior has never been to my house that I recall.
Q Not senior. I could look up -- would you know his address?
A No.
Q Okay. Do you know if they have attended those political events we are talking about today?
A Not that I recall.
Q Charles Frias, F-r-i-a-s?
A No.
Q No, you don't know him at all?
A I don't recall the name.
Q Okay. How about Fletcher Jones, Jr.?
A Never been to my home. I don't remember.
Q You just know him generally?

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A Yes.
Q James A. Joyce?
A No.
Q You don't know him at all?
A No.
MR. HUNTERTON: Jim Joyce Advertising?
THE WITNESS: Yes. Sorry.
Q (By Mr. McDonnell) Is he a friend?
A Just social acquaintance.
Q Has he been to your home?
A Not that I recall.
Q So, obviously you didn't know if he came to the 1988 events?
A No.
Q Arthur Marshall?
A Yes.
Q Do you know his name?
A Yes.
Q Has he been to your home before?
A Yes.
Q Was he at any of the three political events?
A I don't recall if it was those three.
Q Did you see him at any other political events you have attended over the years?
A Yes.

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Q You have?
A And a neighbor, too.
Q Oh, he is?
A I see him.
Q Do you know his wife?
A Acquaintancewise, yes.
Q Did you ever invite them over to your home, you personally ever invite them over for any parties or events or get-togethers?
A No.
Q Your husband may have?
A May have, yes.
Q James Nave, N-a-v-e?
A Yes.
Q Do you know him?
A Yes.
Q Has he been to your home?
A Yes.
Q Is he politically active, attended political events?
A Yes.
Q Could he have been at the political event at your home? Was he at a political event at your home in 1988?
A I can't recall that. My husband would.

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Q Mike Sloan. You say he was there at the event. No, you didn't say he was there.

A No. I can't recall who was at that time at my home. I know that they are -- you asked me I think socially before.

Q Right. Okay. Kenneth Sullivan?

A Yes.

Q Do you know him?

A Yes.

Q And how do you know him?

A He is a friend.

Q A friend. Is he a neighbor as well?

A No. A friend.

Q Has he been to your home for dinner --

A Yes.

Q -- or anything. Okay.

Was he involved -- did you see him at various political events over the years?

A He doesn't go to many, no. I know him as a friend.

Q Do you know if he was at any of the three political events?

A I can't recall if he was there or not.

Q William E. Bannen, do you know him? B-a-n-n-e-n?

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A Is that Dr. Bannen?
A Yes.
Q Bill. You know him?
A Yes.
Q How do you know him?
A He was a partner with my husband.
Q He was. Okay.
A Las Vegas Medical.
Q Las Vegas Medical Center?
A Uh-huh.
Q Has he been to your home?
A Yes.
Q Does he go to political events very often?
A Not often.
Q Have you seen him at some over the years?
A Not that I recall.
Q Okay. Was he at your house at that event?
A I can't recall that.
Q Any of these three events of 1988. Okay. Next one. Dr. Elias Ghanem.
A That's my husband.
Q I am pretty sure he was there that day; right?
A Yes.
Q Michael Gaughan, G-a-u-g-h-a-n?
A Yes.

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Q You know him?
A Yes.
Q And how do you know him?
A Acquaintance, social.
Q Have you seen him at any political events?
A Yes. Yes. I can't recall --
Q Can't recall the particulars. Okay. And you recall whether he was at any of the three events at your home?
A I don't know.
Q A few more people. I will move on to the exhibits, which will be the last portion, just going over some of the exhibits that you have produced for us or your attorney has. Okay.
Thomas Drendel, D-r-e-n-d-e-l?
A No.
Q Don't know. Jack Bradley?
A No.
Q William O. Bradley?
A No.
Q William O. Bradley, two different --
A No.
Q Bill Bradley?
A No.
Q Norman Dianda, D-i-a-n-d-a?

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A No.

MR. HUNTERTON: Bill Bradley? Not the United States senator?

MR. McDONNELL: I don't believe so. He is from Reno.

MR. HUNTERTON: Probably not.

Q (By Mr. McDonnell) Okay. Ethel Morvay, M-o-r-v-a-y?

A No.

Q George Swarts?

A No.

Q Okay. Janie Greenspun?

A Janie?

Q Yes.

A Yes.

Q You know her?

A Yes.

Q How do you know her?

A Acquaintance.

Q Do you know what she does?

A No.

Q Does she work?

A I don't know. I don't remember.

Q Have you seen her at political events?

A Not that I recall.

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Q Has she ever been to your home?
A Not that I remember, no.
Q Vern Christensen?
A Vern Christensen? Is that --
Q Do you recall?
A The name sounds familiar. I don't recall.
Q Diane Fauci, F-a-u-c-i?
A No.
Q Michael Fauci, F-a-u-c-i?
A No.
Q Linda Lund, L-u-n-d?
A No.
Q Robert McMonigle?
A No.
Q Isobel Pfeifer, P-f-e-i-f-e-r?
A No.
Q Linda Sterling?
A No.

MR. McDONNELL: Okay. I was going to introduce a few exhibits here and see if you can identify them. Okay.

Can you mark this Exhibit 2, please?

(Whereupon, J. Ghanem Exhibit No. 2 was marked for identification by the Notary Public.)

Q (By Mr. McDonnell) Mrs. Ghanem, do you

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recognize this document?

A I think that went to Elias' office. Didn't come to the home.

Q What makes you think that?

MR. HUNTERTON: By way of explanation we found this yesterday in Dr. Ghanem's office.

Q (By Mr. McDonnell) Okay. When you were reviewing in preparation for the subpoena?

A Right.

MR. HUNTERTON: Right.

Q (By Mr. McDonnell) Okay. And does that -- do you recall being at that event?

A No.

Q Did you ever hear of the Opryland Hotel?

A No.

Q Okay. Did you ever go to Tennessee for any kind of fund-raiser?

A No.

Q Nashville?

A No.

Q Okay.

A I've never been to Tennessee.

(Whereupon, J. Ghanem Exhibit No. 3 was marked for identification by the Notary Public.)

Q (By Mr. McDonnell) Do you recognize these

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documents?

A Yes.

Q Do you?

A Yes.

Q Oh, yes. I am sorry.

A Yes.

Q Could you identify what they are?

A This check here I am pretty --

MR. HUNTERTON: Referring to 1299.

MR. McDONNELL: 1299.

MR. HUNTERTON: We have a lot of checks here. We will refer to them by numbers.

That is your signature on that one?

THE WITNESS: Yes, it is my signature.

Q (By Mr. McDonnell) Did you write out this check?

A Yes.

Q Is it to the Senator Bryan Campaign --

A Yes.

Q -- dated January 10th, 1988?

A Correct.

Q Okay. In the amount of $2,000?

A Right.

Q Do you remember making this contribution?

A Yes.

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Q Okay.

A Signed it.

Q Did someone ask you to make this contribution?

A That was when they had the -- my husband and I wrote the check. I wrote the check.

Q Was this in connection with any kind of fund-raising event?

A I think that is the one that I was talking about, Senator Bryan.

MR. HUNTERTON: You associate this check with the party out on the golf course?

THE WITNESS: Yes, yes. That's what I --

Q (By Mr. McDonnell) Could it be that the party was in January of 1988?

A If I recall. I mean I don't remember dates. I thought that was in reference to that --

Q Okay.

A -- fund-raiser or dinner, whatever. I don't know what it was.

Q All right. I am from the East Coast. I am not familiar with the weather here. Is it pretty warm here in January that you could have an outdoor party in the evening? Generally speaking. I know it is hard to remember details.

A In January it's cool.

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MR. HUNTERTON: Let me tell you a little bit about the high desert weather. It is cooler here in the winter than people think. A lot of tourists come with their short sleeve shirts, they get cold out on the Strip at night. But I have also been waterskiing Christmas and New Year's. So, you know, kind of depends on your tolerance for the cold and how the weather is going, although I would say in all candor you probably wouldn't schedule an outdoor nighttime affair in January. It's apt to be brisk.

THE WITNESS: I don't recall dates.

Q (By Mr. McDonnell) Okay. And can you turn to the third page of this document, Exhibit No. 3. Do you recognize any of these checks?

A I don't know about these checks.

Q Okay. And do you know G&B Enterprises?

A That was the partnership with my husband and Dr. Bannen.

Q Is that no longer in existence?

A No.

Q It is still in existence?

A No.

Q It's not?

A No.

Q Did you have any partnership interest in this

business?

A No.

MR. McDONNELL: Okay. I would like to produce one more exhibit, Exhibit No. 4.

(Whereupon, J. Ghanem Exhibit No. 4 was marked for identification by the Notary Public.)

MR. McDONNELL: Okay. I will help you out a little bit then. On the second page look about halfway down there is an order number 836.

MR. HUNTERTON: Where?

MR. McDONNELL: On the second page.

MR. HUNTERTON: Okay.

MR. McDONNELL: It is very difficult to read, I know.

MR. HUNTERTON: Okay. Over to the left says Jody Ghanem, and the date is 4-24-88.

MR. McDONNELL: Okay.

Q (By Mr. McDonnell) Then if you look at the -- look at the other page of that document --

MR. HUNTERTON: The first page?

Q (By Mr. McDonnell) Yes. The first page purports to be an order from the Caterer's dated May 16, 1988 made out to Governor Richard Bryan, Las Vegas, Nevada.

Do you see inside the description, what it says

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inside the description in here?

A Yeah.

Q Can you read the date?

MR. HUNTERTON: Dinner at Ghanem residence.

THE WITNESS: 4-24. April 24.

Q (By Mr. McDonnell) The amount?

A The amount, 13,500.

Q Right. And do you know at the bottom between where it says thank you and the address of the business it has job order number?

A Uh-huh.

Q And can you read that job order number?

A 836.

Q Back to the second page. We identified where your name is handwritten on this document.

A Right.

Q And can you read the job order of that?

A 836.

Q Okay. I know you testified earlier that you did not place any orders?

A No, I did not.

Q Okay.

A I did not.

Q Do you have any idea why your name would be on this ledger?

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A What is that up there?
Q Down payment?
A Down payment.
MR. HUNTERTON: Job order, that is the number. Down payment, okay, like maybe $6,750 for this.
THE WITNESS: I don't know why my name is on there. I didn't place the order for the food.
Q (By Mr. McDonnell) Okay.
A It is not my writing.
Q Can you read what it says across the page there sort of handwritten?
MR. HUNTERTON: The part that's been scratched out?
Q (By Mr. McDonnell) It is a copy of a portion that has been marked, highlighted, doesn't copy. So -- well, I don't know if you can make out what it says. If you can, tell us. If you can't, then that's fine.
A I can't figure that out.
Q Okay.
MR. HUNTERTON: Can you read it?
MR. McDONNELL: It says political contribution.
MR. HUNTERTON: Oh.
MR. McDONNELL: Well, okay. I would like to now just break for a very short recess. Be back in a minute; okay?

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THE WITNESS: Fine.

(Whereupon, a recess was had.)

MR. McDONNELL: Before we wrap it up, Craig has a few questions for you; okay?

Q (By Mr. Reffner) What I want to do is kind of recap a few things and ask you a few questions.

A Sure.

Q We were talking about three events hosted at your house in 1988.

A Right.

Q That would have been for Senator Bryan. The other would have been an event which six senators attended.

A Right.

Q The third being an event for Al Gore.

A Right.

Q Now, you had looked at a contribution check, check on the account for you and your husband that you made to Senator Bryan's campaign dated in January of '88?

A Right.

Q Now, I am trying to get a sense of the time frame here. Do you think that the Gore event could have occurred in 1987? If we could put these events in sequential order, chronological order, which event do you think would have occurred first?

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A If I recall I would say the Al Gore event was first, but I really can't remember the date.

Q That's fine. And which one do you think would have occurred second?

A The senators, six senators, and then I would say it would be Bryan.

Q Bryan. Now, the invoice from the Caterer's is dated May of '88?

A Uh-huh.

Q Would that have been for the six senators, that being the second one in chronological order?

A 45 guests? This would be the 45 guests. I think that's the -- that would be. I think that is that dinner out on the golf course.

Q Being for the Bryan campaign?

A Yeah.

Q So then the newspaper article which is dated April --

MR. McDONNELL: 25.

Q (By Mr. Reffner) -- April 25, that would have been for the six senators?

A Right.

MR. HUNTERTON: Logically, the invoice, which is Exhibit 4, would be for the six senators if the newspaper article is April 25.

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THE WITNESS: Right.

MR. HUNTERTON: That doesn't mean it's so.

THE WITNESS: Yep.

MR. HUNTERTON: That is one reason to match them up.

THE WITNESS: Okay. I think this is for that one outside.

Q (By Mr. Reffner) Now, in the case of the Al Gore event, do you recall contributing to Al Gore's campaign?

A I don't recall.

Q Do you know if you did?

A I don't remember.

Q If you --

A I don't remember.

Q If you had contributed and you had -- and if you had contributed by check, do you know who would have signed the check; you or your husband?

A My husband. I mean, if there was any contribution it would be through him.

Q What about in the case of the Bryan campaign; you signed that check?

A Uh-huh; right. That's correct.

Q So, why would he have signed the one for Gore? You had signed the one to Bryan.

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A Depending on the amount, I guess, you would give to a contribution.

Q Depending on the amount?

A I mean I don't know.

MR. HUNTERTON: Are you saying you have some general understanding of there being limits in federal contributions?

THE WITNESS: Limits in contributions, and I do not recall giving anything to Al Gore.

Q (By Mr. Reffner) Let me go ahead and ask you about the event for Senator Bryan. We had talked about that event possibly being at night?

A Uh-huh.

Q Do you recall any special lighting equipment, any type of lighting arrangement?

A There were spotlights on our trees, yes.

Q On the trees. Now, on your trees, or were these trees on the golf course?

A No, on the country club.

Q And when we talk about your residence as compared to the country club, might you ever refer to an event at your house as being on the country club, or would you distinguish the two?

A The reason I am saying the Las Vegas Country Club, because that's their property. Anything that goes

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on there you need to go to the Las Vegas Country Club for permission. So, apparently they would have gone to get permission to put those tables on the Las Vegas Country Club grounds and to put a spotlight up on that tree.

Q And the lights in the trees as well?

A Right. That has nothing -- we have no say in that.

Q In the case of the Bryan campaign, was there food served there?

A Yes.

Q Do you recall what type of food might have been served?

A No, I don't. I don't recall.

Q You host a lot of fund-raisers at your house?

A Yes.

Q What type of food would be appropriate for an occasion at night?

MR. HUNTERTON: Depends on the time of year.

Q (By Mr. Reffner) Again, talking in time of year here, we are dealing with May, April.

A It's usually -- like I said, they go through the office, and whatever my husband might suggest to them.

Q In the case of the event in which the six senators attended --

A Okay.

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Q -- that might have been in the morning, midafternoon?

A I do not recall the time that we had that. I can't remember.

Q Going back to how you would be notified that these events were going to occur, someone from your husband's office would call you?

A Right.

Q Did they ever tell you the names of the people who would be coming --

A No.

Q -- to these events?

A No.

Q Did they ever tell you to set up or make any type of special arrangements to receive tickets for the incoming guests?

A No.

Q Did they ever tell you to set up any type of logbook to record who came?

A No.

Q Was there anyone there who would monitor the guests that were coming in and out?

A My husband's secretary.

Q And how would she do that?

A I don't think at that time in 1988 she was doing

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that. I don't know.

Q So, any -- did they ever have you make any arrangements to receive checks?

A No, I do nothing. Nothing about the financial part at all or the guest list.

Q Now, in the case of the wedding that was at your house, did any part of the wedding carry over onto the property of the golf course?

A Yes, yes.

Q Did you have to receive permission from the country club to do this?

A I can't remember. I can't recall. I can't recall who I used for the wedding. If it was the Caterer's or not I don't know.

Q Well, if they had carried over onto the property of the country club, would you have had to make arrangements with anyone at the country club for this?

A No.

Q Who would have?

A I don't know if the Caterer's did that one or not the wedding.

MR. HUNTERTON: Whoever the caterer was?

THE WITNESS: Whoever the caterer was does that, yeah. I wouldn't be involved in that.

Q (By Mr. Reffner) Let me go back and ask you

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about both the Bryan event and the event where the six senators attended. Did you receive any kind of congratulations for hosting these events?

A No.

Q Any kind of thank you notes?

A No.

Q Anyone ever pass you on the street and congratulate you for these events?

A No, not that I recall.

Q One last point. At the beginning of the deposition you had given us your address. The Bryan event, the event for the six senators and the Gore event would have occurred at that address?

A Right.

MR. REFFNER: Okay. I don't have anything.

Q (By Mr. McDonnell) How many residents would you say lived in the country club, in the Las Vegas Country Club?

A Gosh I don't know.

Q Okay. How many --

A The whole country club?

Q I am trying to get a feel for how big it is.

MR. HUNTERTON: It is big.

MR. McDONNELL: Hundreds of homes?

MR. HUNTERTON: Hundreds of homes and some

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apartments, also, all within the walled area.

Q (By Mr. McDonnell) It is all enclosed. Is there any kind of theater there or meeting place where they hold events?

A The Las Vegas Country Club is -- has a clubhouse.

Q Have you ever attended any political events there?

A No.

Q Never. Okay. You said Dawn may have more recently I think may have greeted guests at your events; is that correct?

A Yes.

Q Okay.

A I do not handle any of that.

Q Greeting guests; okay?

A I mean --

Q I am getting a clear picture of that. Did you incur any expenses or expenditures for any of these events that you held at your house during 1988? Did you have to purchase anything?

A Not that I recall.

Q Okay. All right. Anyone from any committees give you any instructions about holding events in your home?

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A No.

Q Okay. Did your husband ever tell you anything about requirements?

A No.

Q I notice that in the documents received there was no contribution for a -- copy of a contribution check for Al Gore?

A Right.

Q Okay. Now, you searched those documents, and you are pretty sure there was no contribution given?

A None that I am aware of.

Q So --

MR. HUNTERTON: Let me also add, since Mrs. Ghanem would not normally keep those accounts and books, I have also conferred with Dr. Ghanem's accountant and asked specifically that question about checks to Gore, and he was able to find none.

MR. McDONNELL: None in that year?

MR. HUNTERTON: I have personally reviewed all the political contributions, federal, state and local that we have by way of 1988, and there were none to Gore.

MR. McDONNELL: Did you look at any of the other years like 1987?

MR. HUNTERTON: No.

MR. McDONNELL: Public record states there was a

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contribution made to Al Gore for 1987.

MR. HUNTERTON: By Dr. Ghanem?

MR. McDONNELL: By Dr. Ghanem, right.

MR. HUNTERTON: How much?

MR. McDONNELL: $500 in September of 1987.

THE WITNESS: September?

Q (By Mr. McDonnell) September '87 is reported date of receipt. Would that have been when the party was held?

A No, because I moved into my home October of '87.

Q (By Mr. Reffner) So, you definitely recall hosting an event on behalf of Mr. Gore at your home?

A But I don't remember the time. I don't know the date.

Q (By Mr. McDonnell) When you gave these contributions, generally did you give them only at the event, or could you give them prior to the event itself?

A I didn't give any contributions.

Q To Gore?

A I don't.

Q You gave the other to Bryan in January of 1988?

A Right.

Q Do you remember giving that at the event or sometime prior?

A I don't recall.

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Q Don't recall. Okay. All right. Last thing I would like to tell you, you will receive a witness fee of $40 for attending today. We really appreciate you coming and taking your time to assist us in this investigation. You will also be paid 25 cents per mile for your travel expenses from your home. How many miles would you say it is round trip?

A I don't know.

MR. HUNTERTON: Six?

THE WITNESS: Six miles.

Q (By Mr. McDonnell) Is there anything else that has occurred to you since you began this deposition today, any memory coming back about any of the events that you would like to convey to us?

A No.

MR. McDONNELL: Okay. Is that it?

MR. REFFNER: Let me again remind you there is a confidentiality provision included in the fact which prohibits the disclosure of any Commission investigation while that investigation is ongoing. So, bear that in mind.

MR. HUNTERTON: When you say that, do you mean that you believe that that extends to the witness, or you mean the Commission is supposed to keep it confidential?

MR. REFFNER: Well, the Commission and its

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employees are certainly supposed to keep it confidential, but it would also apply to other people who may be involved in that matter unless they waive that confidentiality, you know.

MR. HUNTERTON: We don't have any intention of talking to anybody about it. You can go off the record.

* * * * *

(Whereupon, the deposition was concluded.)

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CERTIFICATE OF DEPONENT

I, Jody Ann Ghanem, deponent herein, do hereby certify and declare the within and foregoing transcription to be my deposition in said action; that I have read, corrected and do hereby affix my signature to said deposition.

Jody Ann Ghanem
JODY ANN GHANEM, Deponent

Subscribed and sworn to before me this 11th day of January, 1993.

Notary Public

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CERTIFICATE OF REPORTER

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Mary Kathryn Duffin, a duly commissioned Notary Public, Clark County, State of Nevada, do hereby certify:

That I reported the deposition of Jody Ann Ghanem, commencing on Thursday, October 29, 1992, at 9:30 o'clock a.m.

That prior to being deposed, the witness was duly sworn by me to testify to the truth. That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes.

I further certify that I am not a relative or employee of counsel of any of the parties, nor a relative or employee of the parties involved in said action, nor a person financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal in my office in the County of Clark, State of Nevada, this 10th day of December, 1992.

NOTARY PUBLIC
County of Clark-State of Nevada
MARY KATHRYN DUFFIN
My Appointment Expires July 25, 1994

MARY KATHRYN DUFFIN, CSR NO. 59

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COPY AVAILABLE

Iranians snub U.S. warning/3A

Airline puffers get righteous/3B

Bengals draft Ickey Woods/1D

Street Edition

Vol. 28 No. 106 Las Vegas NV 25¢

Senate to eye measure giving states control of Indian gaming

By Michael L. Campbell
Sun Staff Writer

Chairman of the U.S. Senate Indian Committee said in Las Vegas Sunday he'd send shortly to the committee a bill to give governments greater control over casinos on Indian reservations.

Sen. Daniel Inouye, D-Hawaii, in Las Vegas with other U.S. senators for a Sunday night fundraiser for the Democratic Senatorial Campaign Committee, said the bill, if passed, would grant Nevada the authority to license and monitor casinos on Indian reservations.

Currently, the federal government – specifically the Indian Affairs Bureau of the Interior Department – makes the determination as to whether an Indian reservation is allowed to have gaming.

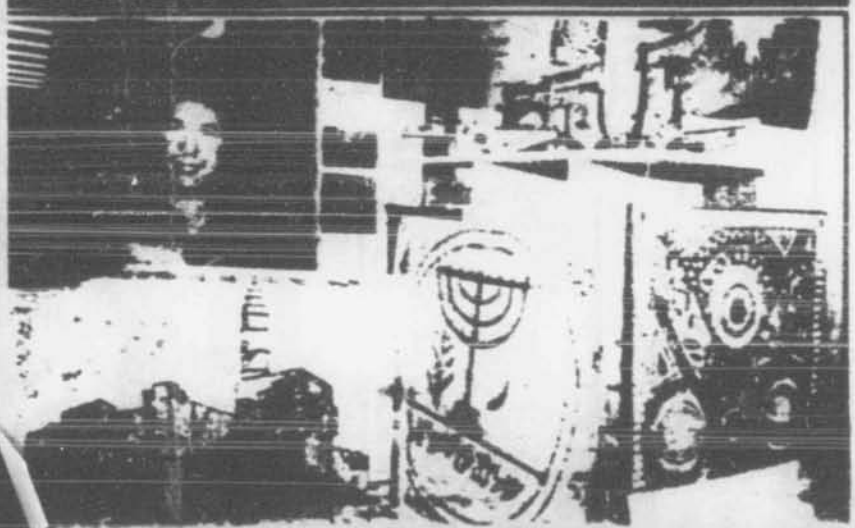
Sen. Harry Reid, who was along with Inouye during the news conference at the Las Vegas Country Club, said it is his understanding the bill would be sent to the committee by Inouye within two weeks.

This bill, which will go to the full committee for markup, would allow the Indian reservations to continue games such as bingo but would give a state licensing and monitoring authority over electronic games, such as slot machines, Inouye said.

Inouye was also asked about Sen. Orrin Hatch's vote against a Senate bill last week that would provide $1.3 billion in damages to

See SIX, Page 6A

A SALUTE TO ISRAEL'S INDEPENDENCE



Robertson surprised by showing

By Michael L. Campbell
SUN Staff Writer

The three bellhops near the front desk in Bally's hotel and casino in Reno were shaking their heads asking each other if that was really who they thought they saw.

The object of their bewilderment was former televangelist Pat Robertson, who was triumphantly striding by slot machines in Bally's, where the Nevada GOP convention was being held.

In Nevada – where prostitution is permissible in rural counties and gambling is legal throughout the state – the candidate who has

APR 2



ing Las Vegas, from left, were Daniel Inouye, Hawaii; James Exon, Nebraska; John setts; Harry Reid, Nevada; Kent Conrad, North Dakota, and John Melcher, Montana.

ocratic senators stump for Bryan

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cans held in de- st during World

who was a key he thought the

ld have shown said, adding he d a better un- ry.

ccounts earlier ese-Americans ived and came

rday in Reno, vote on deny- to the survivors of the camps but seemed to soften his remarks about what the Japanese-Americans went through during their detention.

"They did suffer," he said. "There is no question about it." He claimed his earlier comments were taken out of context since he says he was comparing the condition of the West Coast camps to the Nazi concentration camps.

Sen. John Kerry of Massachusetts, chairman of the Democratic Senatorial Campaign Committee, said if Gov. Richard Bryan beats Hecht in their battle for the U.S. Senate seat in November, he "will be an enormous addition to the United States Senate."

Although Kerry indicated it wasn't their practice to go into a senator's home state and make negative comments about a fellow senator, he did say "We feel there is a night and day juxtaposition" between Hecht and Bryan.

In addition to Reid, Kerry and Inouye, the other senators attending the news conference and the fundraiser were Sens. John Melcher of Montana, Kent Conrad of North Dakota and James Exon of Nebraska.

The fundraiser Sunday morning in Las Vegas raised close to $25,000, according to the executive director of the Democratic Senatorial Campaign Committee, Robert Chlopak.

The money raised does not go directly to the Bryan campaign but goes back to the Senatorial Campaign Committee, which then distributes the money to various senatorial candidates.

won't end dial-a-porn, opponents warn

fuge ran- by ions not ffect ic of es, but said the en- of it ms

nat ers s of s be

just throwing bones to decency groups like us. If they're serious, they are going to have to take action against more providers."

In its strongest action to date against dial-a-porn providers, the federal agency fined the two companies $600,000 each for failing to do anything to keep children from hearing their sexually explicit phone messages.

The FCC voted unanimously to send "notices of apparent liabili- ty" to Audio Enterprises Inc. of Mill Valley and Intercambio Inc. of Santa Clara, ordering them to pay the fines.

It was the first time the FCC has levied fines under a 1983 statute governing dial-a porn services, said agency spokeswoman Maureen Peratino.

obscene messages over an AT&T 900 telephone number used by Audio Enterprises and over two Pacific Bell 976 numbers used by Intercambio.

The companies have 30 days to pay the fine or appeal the decision.

Gary Epstein, an attorney for Intercambio, would not say whether he planned to appeal.

Mother's Day!
"Mom & I Lost 52 Pounds"
Lose all the weight you want for only $185.00



Nicaragua to pre U.S. aid for Cont press direct talk

MANAGUA, Nicaragua (UPI) – Nicaragua's Ambassador to the United States, Carlos Tunnermann, said Sunday he will lodge a formal protest with the State Department for U.S. witness at the Contra rebels.

Tunnermann said he would also present President Daniel Ortega's proposal that the United States renew direct talks with Nicaragua to discuss security problems.

"We must find listeners who be taken up to discuss security aspects between both countries and analyze what worries them," Tunnermann told the officials, Barricada newspaper.

A series of talks between U.S. and Sandinista officials were broken off in January 1985 in Manzanillo, Mexico.

"Last year, President Reagan said that if Nicaragua resumed direct talks with the Contras then there would be dialogue between his country and Nicaragua, now it is time for Reagan to [illegible]," Tunnermann said.

Tunnermann was [illegible] from Washington to Managua for urgent consultations with [illegible] on a new U.S. aid package [illegible] Contras.

The ambassador said he would [illegible]

Drunken elephant

GAUHATI, India (UPI) – Intoxicated elephants searching for rice beer rampaged through a remote settlement in northeastern India, killing five people, injuring 12 others and forcing thousands of terrified villagers to flee an official said Sunday.

People should stop making [illegible] elephants are drawn by the [illegible] Rao, the state's forestries director, [illegible] Saturday night stampede through Bebe[illegible] miles east of New Delhi in Assam state.

He said the farmers of Lao Pa[illegible] beverage made from rice [illegible] after the first rice harvest, and [illegible] into the settlement of more than 1,000 [illegible] the edge of a state forest.

The elephants pummeled to [illegible] after consuming several [illegible] searching for more, he said.

Rao said villagers used firecrackers and [illegible] to try and scare away the [illegible]

Sikh separatists kill [illegible]

[illegible]

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1299

ELIAS F. GHANEM
JODY ANN GHANEM
[redacted]

Jan. 10th 19 88 94-166/1224

Pay to the order of Bryan for Senate $ 2,000.00

Two Thousand Dollars 00/100 Dollars

CNB Renaissance Center
CONTINENTAL NATIONAL BANK 4813 South Eastern
Las Vegas, Nevada 89119

Memo [redacted] Signed Jody Ann Ghanem

Rocky Mountain Bank Note Manuscript

1298

ELIAS F. GHANEM
JODY ANN GHANEM
[redacted]

28 1-10 19 88 94-166/1224

Pay to the order of Bryan for Senate $ 2,000.00

Two Thousand dollars + 00/100 Dollars

CNB Renaissance Center
CONTINENTAL NATIONAL BANK 4813 South Eastern
Las Vegas, Nevada 89119

Memo [redacted] Signed E. Ghanem

Rocky Mountain Bank Note Manuscript

J. Ghanem EXHIBIT 3 FOR
DEPOSITION OF Jody Ghanem
DATE October 29 1992
MARY KATHRYN DUFFIN, CSR NO. 59
NEVADA CERTIFIED REPORTERS

94030970473

G & B ENTERPRISES
3111 JOE W. BROWN DR.
LAS VEGAS, NV 89109

1072

94-164/1224

2/1 19 88

Pay to the order of ELIAS F. GHANEM 82-88 08 0102 010208182 $ 4,000.00

FOUR THOUSAND 00/100 Dollars

Sun State Bank
P.O. Box 28429 • Las Vegas, Nevada 89126

REIMBURSEMENT FOR POLITICAL CONTRIBUTION TO GOVERNOR BRYAN FOR SENATE CAMPAIGN

E. Ghanem

"001072" 1:122401642: 00200116871" "0000400000"

G & B ENTERPRISES
3111 JOE W. BROWN DR.
LAS VEGAS, NV 89109

1105

94-164/1224

4-22- 19 88

Pay to the order of Democratic Senatorial Campaign Committee $ 2000.00

Two Thousand Dollars 00/100 Dollars

Sun State Bank
P.O. Box 28429 • Las Vegas, Nevada 89126

For CONTRIBUTION: ELIAS F. GHANEM, M.D. WILLIAM E. BANNEN, M.D.

William E. Bannen MD

"001105" 1:122401642: 00200116871" "0000200000"

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the CATERER'S
A FOOD SERVICE COMPANY

DATE May 16, 19 88

4-C111-88

TO Governor Richard [redacted]
State Building
2501 East Sahara
Las Vegas, Nevada

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
	Dinner at [redacted] Residence	
4/24	300.00 per person, 45 Guests	13,500.00
	TOTAL	$13,500.00

THANK YOU for allowing The Caterer's to serve your guests !

Job Order 836

3431 INDUSTRIAL RD. • LAS VEGAS, NEVADA 89109 • (702) 731-0802 • (702) 734-9587

[redacted]

[redacted]

J. Hansen EXHIBIT 4 FOR I.D.
DEPOSITION OF Josy Hansen
DATE October 29, 1992
MARY KATHRYN DUFFIN, CSR NO. 59
NEVADA CERTIFIED REPORTERS

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ORIGINAL

FEDERAL ELECTION COMMISSION

)
) MUR 3522
)

REPORTER'S TRANSCRIPT

OF

DEPOSITION

OF

ELIAS F.GHANEM

Taken on Thursday, October 29, 1992

At 1:30 o'clock p.m.

At 701 East Bridger Avenue, #800

Las Vegas, Nevada

NEVADA CERTIFIED REPORTERS
623 South Eighth Street
Las Vegas, Nevada 89101
(702) 386-9070

REPORTED BY: MARY KATHRYN DUFFIN, CSR NO. 59

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APPEARANCES:

For the Federal Election Commission:
XAVIER McDONNELL, ESQ.
and
CRAIG DOUGLAS REFFNER, ESQ.
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

For the Deponent:
C. STANLEY HUNTERTON, ESQ.
Hunterton & Naylor
300 South Fourth Street
Suite 1110
Las Vegas, Nevada 89101

I N D E X

Examination By:	Direct	Cross	Redirect	Recross
Mr. Reffner and Mr. McDonnell	3			

E X H I B I T S

E. Ghanem	Description	Page
1	Copy of Newspaper Article	54
2	Copy of Invoice	54
3	6-6-88 Letter to E. Ghanem from D. Inouye	77
4	Copy of Photograph	77
5	Copies of Checks	96

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Thereupon--

ELIAS F. GHANEM

was called as a witness by the Federal Election Commission, and having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. McDONNELL AND MR. REFFNER:

Q (By Mr. McDonnell) Good afternoon. My name is Xavier McDonnell. I am with the Federal Election Commission. With me is Craig Reffner. We represent the Commission here in this matter under review, 3522.

This deposition is being taken pursuant to 437(g) of Title 2 of the United States Code which allows the Commission to take deposition testimony of witnesses. This matter relates to fund-raising parties or party or events involving the Caterer's, Incorporated.

Would you state your name?

A Elias Ghanem, G-h-a-n-e-m.

Q Do you have counsel present today?

A Yes, sir.

Q Can you identify that counsel?

A Stan Hunterton.

Q Have you ever had your deposition taken before?

A Yes, sir.

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Q You have. I just want to go over a few ground rules for you just for the record. Let me make sure you understand everything. You would be testifying today under oath. So, just treat this testimony as you would in a court of law.

Please give an oral answer, not a nod of a head or a wink or anything like that, or shake of the head, so we can get everything down on the transcript.

If you don't understand any of these questions, just let me know and I will rephrase it for you, make it clear in any way I can.

If you don't know the answer, just say I don't know.

We will be taking probably one or two or three breaks during the course of this session. If you want to take a break, just let me know. Do you understand the instructions so far?

A Yes, sir.

Q Dr. Ghanem, what have you done to prepare for the deposition today?

A Not much. Just talked to my lawyer and looked at a couple of things. That's all.

Q Have you talked to anyone else?

A I think my accountant.

Q Anyone else?

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A No, sir.

Q In June of this year we sent a letter from the Commission signed by me. Do you remember receiving that letter?

A Yes, sir.

Q Since the time of receiving that letter have you talked with anyone about this matter or the underlying facts of it?

A No. Only my lawyer.

Q Besides your lawyer?

A No, sir.

Q And your spouse?

A Yes.

Q Anyone else?

A I don't recall. No, I don't think so.

Q Have you talked to anyone on the Bryan campaign who works as either a volunteer or employee?

A No, sir.

Q Have you spoken to anyone from the DSCC, Democratic Senatorial Campaign Committee?

A No.

Q Have you spoken to anyone with the Nevada State Democratic Party?

A No.

Q Any former employees of the Caterer's,

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Incorporated? Have you spoken with them about this?

A No.

Q Have you received any correspondence or mailed any correspondence or had any correspondence mailed to any individuals who were involved with any of the campaigns that I previously mentioned?

A No, sir.

Q Okay. I would just like to get some personal information. Could you state your address?

A 2901 Augusta Drive, Las Vegas, 89109.

Q Okay. And you are married to Jody Ghanem; is that correct?

A Yes, sir.

Q And you are a physician?

A Yes, sir.

Q And do you own a company as well?

A Yes, sir.

Q Okay. Name of the company?

A Las Vegas Medical Centers and Prime Health. Actually, that is the parent company.

Q Prime Health?

A Right.

Q Is that a public company?

A No. Privately owned 100 percent by me.

Q And number of clinics that are --

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A Yes, five. Four in Las Vegas and one in Laughlin.

Q And what did you say the name of the parent company is?

A Prime Health.

Q Do you own any other companies?

A Well, Silver State Medical Administrators and ~~Kurb~~ C.U.R.B, ~~K-u-r-b,~~ C.U.R.B ~~Kurb~~ Medical Review.

Q Do you own all the stock in those companies as well?

A Yes, sir.

Q Any other companies?

A I don't think so.

Q Do you own a GMB Enterprises?

A No. GMB was a partnership between Dr. Bannen and myself, 50/50 percent partnership. But we split since.

Q You split, gone your separate ways?

A Right.

Q Is that defunct now, that partnership?

A Yes, sir.

Q Was that a corporation?

A No, it was a partnership.

Q Okay. Was not incorporated?

A No, sir.

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Q Okay. All right. Okay. I wanted to ask you, do you know a Chris Karamanos?

A Yes.

Q Did you know --

A I knew him, yes.

Q How did you know him?

A I first met Chris about 1972. He was vice president of the Las Vegas Hilton. That is how we met originally.

Q Las Vegas Hilton?

A Yes, sir.

Q How did you meet him in that capacity?

A I was a doctor for the Hilton, and that's how I met him.

Q Okay. And you became friends?

A Right.

Q Okay. And after that did the friendship continue?

A Yes. Then he left the Hilton, and then he went to Circus Circus to work for Jay Sarno at the time before the present owners owned it, and then we continued our relationship. But then he left there. When the present owners took over, they let him go.

Q And then what did he do?

A I think he opened a place downtown called Cohen

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& Kelly's Restaurant.

Q Cohen & Kelly's?

A Cohen & Kelly's was a restaurant at the Valley Bank Building at that time.

Q Okay. And did you frequent that place or --

A No. Maybe once or twice at the most.

Q Okay. And then after that?

A After that I think he went into catering, and he had a small hotel or -- I forgot the name of it -- on Las Vegas Boulevard. I forgot the name.

Q Okay. And then you said he went to catering. Any particular company, or just was he doing it on the side or --

A I really don't know. He had the Caterer's business.

Q Caterer's, Incorporated?

A Yes.

Q You are familiar with that company?

A Yes.

Q Around the time period we are going to focus on, basically 1987, '88, during that time, did you do business with the Caterer's?

A Personally, I really don't recall we ever did business, but, you know, Chris was sort of -- I don't remember if he ever did any business for me personally or

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not, to be honest.

Q When you say personally, I don't know what you mean.

A I mean like did we have him cater a party for me or anything. I don't remember that.

Q You didn't?

A Chris was a unique person. He was coming into the clinic to be treated by one of my doctors in there, and he would tell them, I am going to bring you some doughnuts for breakfast, and the next thing, he brings the help some doughnuts. The next thing I know, we get a bill from Chris for breakfast. I say, I didn't order this, that kind of thing.

Q So he --

A Well known for that.

Q He was? Were you friendly with Chris?

A Yeah. We were on good terms.

Q Did you socialize with him?

A No, not really. We never -- like I never -- I don't recall ever going to dinner with him. Originally, yes, in '72 to '74 we did, but not after that. I don't recall ever like going to dinner or anything of that sort.

Q Did you go to any sporting events?

A Not with him personally, no.

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Q You never went to a sporting event to see the Las Vegas UNLV team or anything like that?

A Oh, no. I had my own tickets.

Q Did you sit next to him?

A No. He always sat on the floor. My tickets were up higher. I get them from the university every year, and I still have them, but he never had anything to do with the tickets.

Q Okay. So, during the time 1987/88 you did not go out to dinner with him or --

A I don't really recall.

Q Did you talk to him on the phone?

A Oh, I am pretty sure, yeah. Yeah, we talked, and he would stop by the office because one of the doctors was taking care of him. I originally was, then I stopped seeing him. So, he started going to another doctor.

Q What did he go to the doctor for?

A

Q And he would stop by to see you as well?

A Once in a while he would stop by on the way out or something. But then the doctor that he was seeing mostly worked at night. So, he would come to see him at night, and I didn't see him for a long period of time,

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although I did see him a couple -- a few occasions over at my house.

Q At your house?

A Right, when we had the catering thing. When he was doing the catering.

Q Can you tell me about that?

A You know, we would let people have like fund-raisers. We will have fund-raisers at the house, and somebody will hire him to do the catering for that fund-raiser.

Q Who would hire him?

A Oh, whoever it was doing the fund-raiser. Senator Reid's office or Senator Bryan's office or --

Q That would be at your house?

A Yes. Only one we had at the house -- a few of the times he did it there and --

Q At your house?

A Yes.

Q A few times?

A The catering I don't recall how many times, but there were also other caterers we used to use also. It wasn't always him.

Q What were some of the other ones?

A I don't know who else there was. I really don't recall, to be honest.

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Q Local people?

A Local people.

Q Las Vegas?

A All local; right.

Q What was Chris' reputation as far as food and service that you got from him?

A The food was good and service was good. He had a lot of people, a lot of help there.

Q Okay. And you sort of hesitated then. Is there something that you didn't -- wasn't so good?

A Well, yeah. I saw this thing here. I don't think it is worth $300 a person, but that is my opinion.

MR. HUNTERTON: Referring to Exhibit 4.

Q (By Mr. McDonnell) I will be introducing that again.

Did you use Chris during the time period '87 to '88? Did you use Chris for any parties at your house?

A Personally I really tried to stay away from Chris as much as I can. So, I really don't think so personal, for any personal use I could have, you know, I don't recall, but I always tried to stay away from him only because I knew he was very expensive really.

Q He was expensive?

A Yes.

Q Do you think that he inflated his prices or --

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A Honestly, yes, I think so.

Q Okay. And is this from personal experience or --

A Yes. Just like I said about those doughnuts. I mean, we didn't ask him for it. I get a bill for $250, if I remember right, for doughnuts. I don't need to spend $250 for doughnuts for office staff.

Q Did you ever know him to give away orders to people?

A Give away?

Q Give away orders to people.

A Chris?

Q Yes.

A I don't know. I don't think so. I don't think Chris ever gave anything away that I could recall.

Q Do you remember in 1988 I think it was there was an explosion, PEPCON, something like that? Do you know about that?

A No.

Q Do you remember --

A I know the incident, but I didn't know he was involved in that.

Q Okay. You don't know anything about that --

A No.

Q -- giving away food to the fire fighters, and

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you never heard he got an award for that?

A No. Chris told me sometime he was getting food to the fire fighters in California.

Q He did tell you that, giving it away?

A No. He said he was just caterer for them. I don't know if he was giving them away or not. But I didn't know anything about PEPCON that ever was -- gave anything away there.

Q Did you ever hear him giving anything away anywhere?

A Not Chris. Not that I know of, no.

Q Committees or candidates or anything?

A No, I don't know. I really -- I don't think Chris would give anything away. But that is my personal opinion.

Q Okay. Other than charging you for the doughnuts you didn't receive, do you think Chris --

A No, no. I am sorry.

Q You did receive, you didn't order?

A Right.

Q Do you think -- what do you think about Chris as a businessman?

A Oh, Chris was a very -- he was -- he wasn't a good businessman. I will put it this way.

Q What makes you say that?

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A Chris and I were involved with some airplanes, Jet Avia.

Q Both involved?

A Right, with another doctor, Dr. Feikes, and Chris bled me dry, bled the other doctor dry. Actually I went in partnership with the other doctor with Cohen & Kelly's. He wanted me in it. I said, no, I get cheated by one person once in my life, not twice. That is why I didn't go into the restaurant with him.

Q You are referring to what?

A To Jet Avia, this airline.

Q You said you were cheated once, but not twice?

A Because I thought he was ripping us off with airplanes. It was a company called Jet Avia.

Q You thought they ripped you off?

A He did it.

Q The owner of it?

A He was a general partner. Me and the other doctor were limited partners.

Q You thought that Chris had ripped you off?

A Yes.

Q How is that?

A

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Q So, when did this relationship end?

A Around '75 or '76.

Q Okay. And you remained friends with Chris after that period of time?

A Not what you call really true friends, no. We weren't socializing anymore after that.

Q When he called you up during the period of '87 to '88, what kind of things would he be calling you for?

A He never really called me. I think that he would just say -- he would just say that he is doing the catering for such and such whenever I had a fund-raiser at the house, but I never like personally contacted him or told him I want him to do it.

Q No?

A No.

Q When you say he was expensive, what did you base this upon?

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A Just like the things that -- you know, just like doughnuts thing, and I don't know. I don't recall. Somebody else also told me that he was too expensive. That's why they weren't using him.

Q Do you remember when that was?

A I sure don't. That was some time ago.

Q But the campaigns continued to use him for fund-raisers?

A You know, sometimes, but not all the time really.

Q You had some events at your house where he wasn't the caterer?

A Oh, yeah, sure.

Q Political events?

A Oh, yeah.

Q During the time '87/'88?

A Yes.

Q Did you ever loan Chris any money?

A Yes, one time I loaned him some. A -- a check for -- came over and he asked for his payroll check for $15,000, and I did loan him that. It was -- he was supposed to give me a check -- this was on a Friday -- so that I can put it in the bank on Monday, but he took my check. He said, I will send you the check, and he never did, and after -- I forgot how many weeks went by and a

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few calls, then he sends me a check back for half of it saying that it's for some catering he did for me or something like that, and I couldn't -- I didn't even know that he did that. So --

Q I am not sure I follow you. He said it was for some catering?

A Yeah, or some -- some food he sent over or something to that effect, cost 6, $7,000. He charged me for something. I didn't know what he was charging me for.

Q He deducted that from that amount of money?

A Yes.

Q Then what happened?

A He said -- we kept arguing about it. He said, I will send you the rest of the money, but I never got it.

Q When was that?

A Right before he died.

Q So, you did actually do something again with him, another business transaction?

A You know, he kept referring to things he did, but I don't remember what he did. So, that's why I said, why are you deducting this money? Well, when did you do it? And one time he said, that's when -- when the 250 -- that's how I found out about the breakfast, 250 for doughnuts and other things, said bring some things to the

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office or something, but I never saw anything.

Q What I am getting at, you said with the Avia transaction, you said you weren't going to get burned again. Sounds like you did, though, in a way.

A You know, I --

Q I don't mean to rub --

A I know. I know. In fact, at that time my partner got upset with me that I did loan him 10, 15,000.

Q Did you attend his funeral?

A No, no.

Q Okay. You said you had Chris over to the house a couple of times?

A Only during the catering.

Q Just during the catering?

A Yes.

Q Was he there as a guest?

A No, because it was his catering service. I guess he would stop by to see if everything was going okay, but I never like invited him into the house.

Q No?

A No.

Q Okay. The time we are really focusing on is 1988. Can you tell us approximately how many political events you had at your house during that year that involved federal candidates or committees?

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MR. HUNTERTON: Just federal?

THE WITNESS: I really -- I don't recall. We had a few of them, but I don't know exactly how many.

Q (By Mr. McDonnell) A few. Okay. Which particular ones come to mind?

A Well, we had -- I think 1988 is the time we had about six or seven senators there --

Q Okay.

A -- at one time, all at one time.

Q All right.

A And I think I remember having Al Gore in there once.

Q All right.

A And then I think maybe Senator Bryan or Senator Reid alone, too. So, that's --

Q One or the other?

A Or both, but separately.

Q Both separately, two different occasions?

A I don't remember if Reid was running for election or Bryan at that time. I think it was Bryan.

Q I think you are right.

Now, the one with the six or seven senators, do you know what time of year it was approximately, what season?

A I know it was a nice day because we had all the

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front doors open and the pool outside and everything. In the summer or somewhere around there. I don't remember exact. Maybe May, June something.

Q Is that -- that was just during the daytime, this party?

A Yes, it was a brunch.

Q A brunch. Okay. What was the reason for that, the purpose of that event?

A Just to raise some money for the democratic caucus or congress or whatever they called it.

Q The Democratic Senatorial Campaign Committee?

A Something like that, yes.

Q So, their purpose is to raise money for senate candidates?

A Yes.

Q Would that be your understanding?

A Yes.

Q Was there a candidate that was expected to benefit from that?

A I don't think there was any single one, because there were six or seven of them.

Q I see. They were all running for election?

A I don't know how many of them were running.

Q But some of them were?

A I think so, yeah.

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Q And then the party you referenced for Al Gore, do you remember what time of year that was?

A I sure don't. I really don't.

Q Do you think it was in 1988?

A I think so.

Q Okay.

A But I don't remember.

Q Was this an indoor party or outdoor?

A No, it was indoor.

Q Was that evening or day?

A No, it was daytime.

Q Daytime. Okay.

A We very seldom, if any -- I remember holding an evening thing. I don't remember. Usually it was in the daytime.

Q Why is that?

A Excuse me?

Q Any particular reason?

A No. Just because the way they travel, I guess, or whatever. You know, brunch or lunch or something like that.

Q The one with the six or seven senators, was this a brunch?

A Brunch; right.

Q You say they travel. The committees or the

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congressmen or senators?

A Congressmen, senators.

Q They usually request it?

A They usually ask for the time, if you can do it at such and such a time.

Q The party for Senator Bryan --

A Senator Bryan, a couple of them. I remember one of them. At least I remember it was in the evening. So, yes.

Q And do you know the season for that event?

A No, I sure don't. We did it outside in -- outdoors. So, must have been, you know, during good season.

Q What would be the good season?

A It wouldn't have been too hot or too cold, but usually, you know, in the month of October, November. Right now we are running good weather, too. So --

Q Any other time where it could be held at night and be pretty comfortable, not too cold?

A Not that I remember. You know, we have good weather usually. January, February can be a little bit cold for us, but like October, I am going in like short sleeved now.

Q Would it be unthinkable to have an event outdoors in the evening in January here?

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A No.

Q Not unthinkable?

A We have boxing events in January outdoors.

Q Parties even though --

A Yeah.

Q You think a party would be okay to have in January?

A Sure.

Q I just wanted to step back and get a picture of your initial involvement in federal political activities. Can you tell me how you first got involved in doing this type of fund-raising work?

A No. I like politics, and I knew Senator Reid and Senator Bryan. I knew them both personally as a friend when Dick Bryan was governor, and I knew Harry Reid since I came to this state. He was the lieutenant governor for -- at that time for the state of Nevada. That is when I met him first. So, I knew them for a long time.

Q Right.

A And they would the ask me, you know, to -- if they could hold a fund-raiser, help raise money for their campaigns or some other people from Washington. I say sure.

Q They would call you up personally?

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A Yeah. Most of the time, yes.

Q In the case of Senator Bryan when he was running for senate in I believe 1988 --

A Right.

Q -- did he call you up and ask you to have any events at your house, or did someone else call for him?

A Most of the time he would call personally. Other times, you know -- but mostly I would talk to Richard himself.

Q He would call you up and just say, I would like to have an event at your house, for instance?

A Right.

Q Would you be interested in hosting this?

A Right. Something like that.

Q Approximately how often would he call you up?

A Oh, not that -- you know, I mean I couldn't do it every month or every other month. So, maybe a couple a times that year I remember. That's about it.

Q A couple times a year?

A For him personally, once or twice.

Q Okay. How about when you did the one for --

A But see, you have to understand, though, that I love politics. So, I would sometimes volunteer, say, if you ever want to use my house, you are welcome, for a fund-raiser to -- so, that's how it comes about that he

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would call.

Q Say, for instance, he asked you to do one and you were going to go ahead and do a party. What would be the next step you would take?

A I will invite some of my friends to contribute and, then we will get a list of his people that are coming, and that's how we knew how many people to get a little bit of hors d'oeuvres for them or whatever, you know, they wanted.

Q You would get the hors d'oeuvres?

A No. Usually it was done by their campaigns. So, I didn't.

Q They would pay for everything?

A Yes.

Q Okay. During your 1988 -- do you think that you made any -- paid any expenses for any fund-raisers that were held at your house?

A No, I don't think so.

Q Everything was covered by somebody else?

A Yes.

Q Campaign or someone?

A Right.

Q So, you said you would invite some of your friends and they would give you a list of -- would this be -- who would give you the list?

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A Their -- whoever is in charge. Their office, you know.

Q Bryan?

A Bryan.

Q Bryan's campaign office?

A Right.

Q Who are some of the people what work over there?

A At Bryan's office?

Q Bryan's office, for instance.

A If I remember, it was Lou Gamage, and I don't know who else was there at that time. I remember Lou. I still see her around. That's how I remember her.

Q What is her position?

A Right now? I don't know really that.

Q Back then do you know what her position was?

A I thought she was a secretary or something like that. I am not sure.

Q Did she come to the parties themselves?

A Once or twice maybe. I am not --

Q During 1988?

A Yeah. I don't remember. I am pretty sure she must have. I don't know. I am pretty sure she did.

Q She did?

A Yeah.

Q What would she come for?

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A Just to make sure everything is all right.

Q Now, like with the Bryan campaign, would she be assigned the task of arranging the event?

A Yes. As far as everything else, I mean they did it. I don't know if it was her or somebody else. We didn't get involved except letting them use our house, and I would invite some of my friends. That's about it.

Q When it came to making the arrangements, invitations and arrangements for the meal and --

A Yeah. I think they did all of that.

Q They did all that?

A Yeah.

Q They conveyed the information to you, though?

A Right.

Q During the time period 1988 did they generally do that by telephone, or did they do it by letter?

A Either by telephone or they contact my secretary, or, you know, something to that effect.

Q Did they ever contact you personally to tell you about different aspects of the events?

A No, not really. They usually talked to my secretary.

Q And what would she do? What would your secretary do with the information?

A She just tells me what is going on.

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Q Did she take notes of things?

A No, no, not really. It was something -- see, we put -- all of those things didn't take us like a month or two months to prepare for it. We could do it in a week's time or a few days time, but that's about it.

Q You wouldn't send out formal invitations generally?

A Sometimes we did, but I don't recall if we ever did on those occasions.

Q Back in 1988 who was your secretary?

A I think Dawn, Dawn Carson. Same one as now, because I was in a different office.

Q Dawn Carson Smith; is that the one?

A Right. Right.

Q Would she usually keep a record of all of your appointments?

A Yes. Now she does.

Q Did she back then in 1988?

A I am pretty sure she did.

Q Was she your assistant? Was she like your assistant, Dawn?

A She is my secretary.

Q Do you have anybody else who assisted you in --

A No.

Q -- carrying out your everyday activities?

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A No. She does it all. I mean she does my book and she tells me when I have meetings or patients or whatever.

Q Right. And she is -- you say she is very efficient?

A Very.

Q I spoke to her on the phone.

A Oh, did you?

Q She seemed very efficient.

A That's right. That's right.

Q She made the schedule just down pat.

So, generally she would be the one who had the contact with the committees; is that correct?

A Yes.

Q In arranging the details?

A Right.

Q Now, in regard to this -- this dinner that you had six or seven senators at --

A Brunch.

Q -- brunch. That was an afternoon brunch. Was it a Sunday?

A Around noontime.

Q Do you recall, was it a Sunday brunch?

A Yes. Yeah, usually most of these were on weekends, either Saturday or Sunday. That was the best

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time for us because that's when I was off work.

Q Okay. So, now, do you recall who contacted you to host this event?

A Boy, I sure don't. I don't know exactly who.

Q Okay. Would it have been Lou Gamage?

A You know, I really -- I would be honest with you, I don't remember who told me about that particular one.

Q Okay. How about would there be -- did you ever hear of Bob Baber, B-a-b-e-r?

A No.

Q Never heard of him?

A No.

Q How about J. Brewer, B-r-e-w-e-r?

A No.

Q Never heard of that one?

A No, I don't recall that.

Q Robert Chlopak, C-h-l-o-p-a-k?

A No.

Q Never heard of him?

A I don't recall those names.

Q Now, this brunch, I assume, would be -- the details of this would be arranged by Dawn; is that correct?

A Well, there were no details, really. I mean,

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they just say they are coming at such and such a time, and we call a few of our friends, and that was it.

Q Did you have input in what was served, the menu?

A Excuse me?

Q Did you or your wife have any input as to what was served on the menu?

A No, no.

Q They told you before it was served; didn't they?

A No.

Q They didn't tell you?

A No, no. They just -- catering service, whoever it was, just bring it to the house. I didn't even know what was on the menu.

Q You don't know?

A No.

Q Do you think Dawn knew?

A I don't think so. I don't think we got involved with that. It wasn't anything extravagant, you know. You know, especially for brunch.

Q Did you have persons who served guests --

A Yes.

Q -- there?

A We always did.

Q Always did?

A Right.

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Q And this was something the committee arranged?

A No, it was whatever catering service. They have their own people.

Q I mean the committee. Your knowledge of this information is that the committee was the one who ordered the services?

A Yes, services.

Q You never ordered the services?

A I don't think so, no, because I never saw a bill. I didn't know how much it cost or how much per person or anything. That's why I was surprised to see this.

Q And the committees told you on each of those occasions you didn't have to pay; is that clear to you?

A I am sorry?

Q You were not going to pay for the service --

A Yes.

Q -- or the food?

A Right. That was all very clear.

Q Did you ever talk to Lou Gamage about this?

A I don't recall. If she was the one had charge of it, she probably would have said it is not going to cost me anything, something like that.

Q Now, the three events, which of those were catered by the Caterer's, Incorporated?

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A You know, I really couldn't tell you.

Q Okay. Did you ever work with Chris in executing any of the details for any of those?

A No, absolutely not.

Q You never --

A In fact, at times I would be surprised that him or his people were there. I would say, what are you doing here, you know. He would say, that's my people.

Q I wasn't too sure what you said. Did he come as a guest of --

A No. Once or twice he stopped by, not as my guest, but to see if everything was okay with the catering service.

Q We never sat down at the head table with guests or anything?

A He never had a head table.

Q Did he ever sit down with the guests and socialize?

A Not that I recall. Not that I recall. I mean, he could have said hello to whoever was there, but --

Q Okay. Now, what else do you remember about the event with the six or seven senators, the brunch?

A Just we had a couple of them spoke, and that's about it.

Q Which ones?

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A Boy, you know, I don't recall everybody that was there. One of them in particular was -- Senator Inouye was there.

Q Stands out in your mind?

A Stands out in my mind. There was another senator from South Dakota, but I don't recall his name. And I don't know if Senator Kerry was with them or not. But, you know, I don't recall all of them.

Q Bob Kerry?

A Bob Kerry.

Q Is that the one?

A That's the one.

Q Was Senator Bryan there that day?

A Yes.

Q And Senator Reid?

A I think so.

Q Have you ever had that many senators at your house before that date?

MR. HUNTERTON: That's more than you get.

THE WITNESS: No, no. In fact, we were just kidding about it, kidding my lawyer about it.

Q (By Mr. McDonnell) So, was it a pretty impressive event?

A Yes, it was. And, you know, I mean six or seven senators is pretty -- people were coming just for that.

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Q This was a fund-raising event for them --
A Yes.
Q -- or for the DSCC?
A Yes.
Q And when you had this event, when were the contributions made to attend? Let me get something straight. I skipped over a part. I should ask you, was it required that you make a contribution in order to attend this event?
A When we invite somebody we expected them, you know, to give something.
Q You did?
A Yes.
Q Did you convey this information to them?
A Oh, yes. When we called them, when we say have a fund-raiser, you know, they usually say, how much is it going to cost me.
Q So, you would tell on the phone --
A Yes.
Q -- or whoever --
A Yes.
Q -- or you would send out invitations with the price on there?
A If invitations were sent out, they probably would have been sent out by their offices. They usually

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would say $500 or 250 or whatever --
Q Right.
A -- a person or whatever.
Q Did you have certain people that you would invite to these occasions?
A Yes.
Q Friends?
A Friends of mine, yes.
Q Personal acquaintances?
A Yes.
Q Business associates?
A Doctors, you know.
Q Who were some of the people you invited?
A At that time, you know, could have been anybody. Any of the friends, doctors, anybody that would --
Q Who were some of those people?
A Oh, Dr. Desai, Dr. --
Q Sigh?
A Desai, D-e-s-a-i. Some of the doctors I know.
Q Some of the doctors from work?
A No, no, not from my work, no. You -- from people I work with at the hospital, the hospital administrators, stuff like that. Friends.
Q Who are some of the people?
A At that time?

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Q Yes.
A I don't know exactly who.
Q The people aren't there anymore who are there in 1988; none of them are left?
A Yes, they are still around. I mean, they always come.
Q Do you have any close friends of those people who you are still friendly with?
A Yeah, but I -- I still work with them. So, Dr. Wattoo.
Q Wattoo?
A Right. Dr. Jim Nave. You know, I don't recall exactly who was at that particular party.
Q Pardon me?
A I don't recall who was at that particular --
Q But any of those. I mean during 1988 who were some of the people you regularly would call up?
MR. HUNTERTON: Didn't he just answer that?
Q (By Mr. McDonnell) I thought he was clarifying only the physical events.
A Any of the events. All of those people. You always invite the same people.
Q The same people?
A Yeah.
Q That's all you can remember?

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A That's all I can remember.

Q Okay. What else do you remember? Anything else about the Sunday brunch?

A No. It was very nice. It was done in good taste and was nice to meet all those senators. And then they all left.

Q Okay. Do you recall if that was one of the events that Chris catered?

A I am not sure.

Q Okay. I want to ask you something about some of the employees of Chris', see if you might know. One is called Steve Osterhaus. Do you know him? O-s-t-e-r-h-a-u-s?

A No. You know, I don't know most of them by names, but maybe if I see their faces I might. But -- but I don't recall Steve.

Q Okay. How about Gail Wiener, W-i-e-n-e-r?

A Yeah, I know Gail.

Q How do you know her?

A She was his assistant or something.

Q Assistant at the Caterer's?

A Right.

Q You met her over there or saw her?

A Yeah. I think she was there putting things together, if I remember right.

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Q Okay. Did you ever have her as a guest in your house?

A No, never.

Q Do you know a Nelson McKenna?

A No, I sure don't.

Q Don't know him. Mike Tate?

A No.

Q Okay. Annie Wagner, W-a-g-n-e-r?

A Who?

Q Annie Wagner.

A Annie? Wasn't Annie his sister?

Q I think it is.

A I know her as Karamanos. Was she married?

Q I only know her as Wagner.

A I know Annie was his sister, but I didn't know she was married.

Q Did Chris ever deliver any orders other than the doughnuts to the catering business? Did he ever serve any of the parties that you had at your office or any of your clinics?

A I really don't think so. I don't recall that, no.

Q You never ordered them?

A I don't recall doing that.

Q Would -- who would have normally ordered those

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type of --

A I would have known about it if he was going to do it.

Q You would have approved it?

A Yeah.

Q Okay. The Sunday brunch, do you know if there was live music there?

A No, there was no music.

Q Okay. How many people would you estimate were there?

A Maybe 30, 40 people easy, I would say.

Q Now, the other event you said you had for Senator Bryan --

A Uh-huh.

Q -- we are not sure what time of year that was.

A I don't recall exactly.

Q Okay. That was an outdoor event?

A There was one outdoor event -- two outdoor events. One of them is -- one outdoor that we did actually on the country club grounds.

Q Okay.

A Right.

Q Do you remember that?

A I remember that.

Q Was it on your lawn as well as the country club?

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A Yes, both.

Q So, your lawn extends over to the -- your lawn, no fence in between the two?

A There is a fence, but there is a door you open. You can walk outside.

Q You have to obtain permission to do that?

A Yes, we did.

Q Did you obtain permission personally?

A Yes, yes, from the country club.

Q Right.

A Because they had -- you know, if I recall -- no, it was Chris who did it because I remember he told me that he had to ask the country club to turn off the sprinkler system. So, he is the one that asked for the privilege.

Q And so he must have catered that event?

A Yes.

Q Do you remember anything more about that event?

A No, except that there were a lot of people there, I think.

Q There were?

A Yeah, because we had tables around the pool, our pool, and tables on the -- around -- outside on the country club, on the grass.

Q Okay. When you say a lot of people, what would

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that mean?

A 40, 50, something like that.

Q 40, 50. Okay. Do you know if that was -- was that buffet or --

A No, it was a sit-down dinner.

Q Sit-down dinner?

A Uh-huh.

Q How was it?

A It was good, I guess. I don't recall what they served.

Q Would you say these things involved a lot of work on your part?

A No, not really, but we just give the house mostly or make a few phone calls. My secretary really does, but that's about it.

Q When you made a phone call to ask people to go, do you make it personally or did your secretary?

A Most of the time it is my secretary and I -- if I see somebody, you know, around at a social function I could ask them, too. So --

Q And what about the contributions that you eventually obtained? How did you go about getting that?

A Usually when we come in they -- we have somebody at the door that collects it, just gives it to, or usually it is from the senator's campaign or whatever the

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office, and they just put it in an envelope.

Q There at the door?

A Yeah, when they walk into the house.

Q Who would normally greet people at these events during that time period?

A At that time it was whoever was in charge of the campaign.

Q They would greet the people at the door?

A Right.

Q You and your wife would not?

A No, no. We would never stand at the door and greet them. We will just mingle around.

Q They would generally take the money, the campaign person?

A Right.

Q Did these people usually come with the candidates themselves --

A No.

Q -- these campaign people?

A No. They come ahead of time to prepare everything, set everything up.

Q Did you get the same people at different events?

A Yeah, most of the time.

Q Usually the same people?

A No, sometimes different. Depends who was there

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or what kind of campaign it was.

Q Are you friendly with any of the people?

A No. I don't remember who even would be collecting checks. Sometimes the people will walk in and say, who do I give this check to, to that person standing over there. So --

Q That would be the campaign person?

A Right.

Q How many people would the campaign have there generally, just that one person or have a couple of other --

A Usually have one or two.

Q One or two. And you said Lou Gamage on occasion did this?

A Yes.

Q Do you remember her name?

A I think so. That is the only one that stands out.

Q She did it more often --

A I am pretty sure.

Q -- or you had more contact with her?

A Yes, yes.

Q Can you give me a description of anyone else that you knew from the campaign?

A I really can't.

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Q Were they male or female?

A No. Mostly -- oh, no. Sometimes we had males, too, but I don't recall.

Q Did you ever hear of Jean Marie Neil, a person -- a woman with that name?

A Jean?

Q Jean Marie Neil.

A Jean Neil?

Q Yeah.

A Yes. Jean Neil works for Senator Bryan; doesn't she? Right. Yeah.

Q How do you know her?

A She was at one of -- she was at the house --

Q Okay.

A -- once, I think, for a fund-raiser. That is actually how I met her.

Q Okay. That was in '88?

A That I couldn't tell you.

Q Was it for one of Senator Bryan's fund-raisers?

A I don't -- Jean was with somebody. It was at the house for a fund-raiser, but I don't recall what she did. That is how I met Jean. There was another gentleman, I don't know if it was a senator or not from Louisiana -- I forgot -- but anyway, they all came together.

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Q They came with them?
A Right.
Q Okay. It was definitely somebody, a politician that she came with?
A Or somebody involved with politics.
Q Okay. Something about Louisiana sticks out in your memory?
A Yeah.
Q Do you remember seeing her with Governor Bryan?
A Excuse me?
Q Do you remember seeing Miss Neil with Governor Bryan?
A Oh, yes, on several occasions. I don't know if it is '88, but after.
Q Where did you see them?
A Well, recently. I was in Washington three months ago, and I stopped by to see Senator Bryan. She was there. That's --
Q But how about at your house? You had never seen them together at your house? Do you remember Senator Bryan being there with Jean?
A I don't remember if he was there for that event or not. I know Jean was, but I am pretty sure he was, too.
Q I see. A federal campaign. Was Miss Neil with

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him in the state campaign, too, or just federal?

A No, I don't think so. I don't recall knowing her in '88. That is why I said this would have been probably after.

Q After '88?

A I think so.

Q But Senator Bryan hasn't run for election since '88; right?

A No. That's the first time.

Q Anybody else from his campaign that you remember meeting on your visit to Washington or --

A No. I know the secretary if I see her, but I don't know her name.

Q Secretary?

A Yeah. But -- because she recognized me when I walked in a few months ago.

Q Did you ever know the campaign manager?

A No. I knew a girl that used to work for him. I think her name was Jenny. Jenny or Janie.

Q Jenny?

A Jenny I think. She left him since. But I think she was -- she was -- I am sorry. She was, I think, in the governor's office. Okay.

Q She wasn't in the --

A No, no. She was in charge of his office down

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here when he was governor, in Las Vegas. Jenny something or another.

Q Let me go through a few names of people you might know from the Bryan campaign.

Janet Nitz, N-i-t-z?

A I don't recall.

Q Charles Johnston?

A I don't recall.

Q Sarah Besser, B-e-s-s-e-r?

A No.

Q Gigi Haye (phonetic)?

A No.

Q Florence Ochi, O-c-h-i?

A No.

Q Do you know Leslie Bryan, Leslie Langford Bryan?

A No. I know Bonnie Bryan.

Q That is his wife. Does he have a daughter?

A I really don't know, to be honest.

Q John Cooper?

A No, sir.

Q Bill Bible?

A I know the name. I don't recall Bill Bible has ever been in my house or not.

Q You have met him?

A You know, if I see Bill Bible now I don't think

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I would recognize him. I don't think so. I could have met him, but I don't know.

Q Have you ever done any volunteer work yourself for the campaign besides --

A No, just my house. Just my house. That's enough.

Q Kitty Dees, D-e-e-s?

A No, I don't recall that.

Q Judith Brusa, B-r-u-s-a?

A No.

Q Okay. I know you said you don't recall how you first got involved with the DSCC fund-raiser. How would you have gotten involved in that one? Do you think Governor -- Senator Bryan may have called you or some other politician or --

A Yeah, either one of them. Either Harry Reid or Senator Bryan. Either one of them, because I was close with both of them.

Q Do you think it was definitely one of those two?

A Yeah, I think so.

Q Wouldn't have been one of the campaign people calling you and asking you to do that?

A No, I didn't know any campaign people.

Q How about Frank Schreck; do you know him?

A Yes, very well.

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Q Are you friends with him?
A Yes.
Q Did he ever call you to ask you to host any events at your home?
A I don't think so. Frank hosts them at his own home.
Q He didn't want to share the burden at any time and ask you to do it?
A Frank never did, no.
Q Did he ever call you to ask you for contributions?
A Oh, yeah, at his home.
Q To go to his?
A Right, right.
Q And he asked you for contributions at that time, I mean?
A If he had something at his home, probably would have.
Q Did he ever ask you to raise money for someone else I mean?
A Not that I recall.
Q To raise money by asking other people, your neighbors, friends or acquaintances?
A Not in '88.
Q Did he come to any of the parties in your home

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in '88?

A Frank? Yes, I am pretty sure he did.

Q The political -- the federal ones?

A Yes. He is one of the friends I would have called on, too.

Q So, you probably -- does he work for the senator as well as you?

A That I don't know.

Q But does he raise a lot of funds for the senators?

A I am pretty sure. I don't know what Frank does. He is a lawyer like you, you know.

Q But he has a lot of parties at his home --

A Yes, quite a few.

Q -- in connection with federal campaigns?

A Yes, yes.

Q In the event where the DSCC --

A No. You have to explain that to me. I don't know if I -- what does that mean? Who was the S --

Q Democratic Senatorial Campaign Committee. Perhaps if I introduce some documents that will be helpful, maybe clarifying the event that you had with the six senators at your home.

A Uh-huh.

MR. McDONNELL: I know you have seen them

earlier probably, but let's see.

(Whereupon, E. Ghanem Exhibit No. 1 was marked for identification by the Notary Public.)

MR. McDONNELL: Perhaps we should take a short break here and you can take a look at that. It is about time for one.

(Whereupon, a recess was had.)

(Whereupon, E. Ghanem Exhibit No. 2 was marked for identification by the Notary Public.)

MR. McDONNELL: Let's go back on the record.

I would like now to peruse Exhibit No. 2. It might make things easier. We can refer back and forth. Here is a copy, Stan, and here is the actual exhibit.

MR. HUNTERTON: 2 is the same as this morning's 4?

Q (By Mr. McDonnell) That's right. Just take a few moments, if you would like to, look it over.

A I did. I looked at this, too.

Q Okay. Now, does that newspaper article in Exhibit 1, does this refresh your memory at all about the --

A Yes, sir, it does.

Q Okay. Can you tell me now what date it was the brunch was held on?

A That was on --

Q I know it is difficult to read.
A April 25.
Q That would be the day after the fund-raiser.
A Okay. So, it would have been on the 24th then, because I remember that they were at the country club before I think they came over to the house.
Q Okay. You mean at the club itself?
A Yes, I think so.
Q Okay. In this article I think they mentioned a brunch.
A That's the one.
Q That was the brunch at your house?
A Yes, sir.
Q And the second to the last paragraph of the article, it says that the fund-raiser Sunday morning in Las Vegas raised close to $25,000.
Would that be the fund-raiser at your home?
A Yes, sir. I thought it was more, but I mean supposed only 25. I mean, you know, I believe it.
Q And anything in particular make you think it was more?
A No. Because I like to raise more money. Disappointed.
Q Not bad for a Sunday morning.
A No, it's not. You are right.

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Q This -- from reading this could you estimate that the brunch was held before the press conference at the --

A No. I think -- if I remember right, I think they came from the country club.

Q I am sorry?

A Yeah. If I remember right.

Q Could be. Do you remember how long the brunch lasted approximately?

A Usually a couple of hours.

Q A couple of hours?

A Yeah.

Q Okay. And now can you look over at Exhibit No. 2, and can you tell us what that is, identify it for us?

A Looks like a bill from the Caterer's --

Q Okay.

A -- for some dinner at my house.

Q Why is that? Why does it look like it is at your house?

A Dinner at Ghanems' residence.

Q And does it indicate the date that the services and goods were provided?

A May 16 -- April 24.

Q 1988?

A Right.

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Q And the amount charged?
A Yes, sir.
Q Can you tell us that, what it is for the record?
A 13,500.
Q Do you remember ever seeing this document before?
A No, sir.
Q Never received this?
A No, no. I never saw it until this afternoon.
Q Okay. Do you remember ever discussing anything with Chris about this dinner, this brunch? I mean this bill. I am sorry.
A No.
Q Do you think you ever did discuss it with him?
A No. I would have been outraged a little bit.
Q What was served at the dinner?
A I wish I remember if it was worth $300 a person.
Q Were there persons serving at this function?
A You know, all of these, he had his own people like serving everything.
Q He did?
A Yeah.
Q So, they were there working at the event, at this brunch?
A Yes, sir.

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Q And the price, $300 a person, seems high to you; is that what you are saying?

A Very high. If we were to ask somebody to come in for $500 or 250 a person, and he is going to charge 300 a person for food and beverage, I would have been outraged.

Q Did you ever discuss this bill with the campaign?

A No, I never saw it. I didn't know anything about it.

Q Did the campaign ever bring it to your attention?

A No. No, sir, not that I know of, not that I recall.

Q Do you remember hearing anything about that?

A No, I don't recall that.

Q Do you see what is in writing, handwriting, across the invoice?

A Yeah. I don't make it out. I don't make it out.

Q Okay. Well, just for the record -- you don't have to acknowledge what it says. From the original copy it says, political contribution. Can you make that out now looking at it?

A Oh, okay, a possibility that is what it says.

Political part of it is legible. -- trabution is there.

Q Did you ever hear about Chris making any political contributions to campaigns by giving goods and services?

A That's the first I have ever heard of it.

Q The day of the event he never indicated in any way that he was providing these goods and services free of charge to a campaign?

A No, sir. I don't recall him -- I don't recall ever discussing -- Chris discussing this with me. This would have been before the elections; right? The elections were in '88.

MR. HUNTERTON: Dick Bryan was elected senator in November of '88.

THE WITNESS: So, this would have been before the elections.

Q (By Mr. McDonnell) That's right. That's right.

A No, I didn't know he was going to charge this kind of money.

Q But I mean --

A I wasn't aware that anybody would charge that kind of money.

Q What about he was giving it free of charge? Says political contribution on it.

A I don't recall Chris ever doing anything for

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free for anybody, you know. I mean he could have, he may have, but I don't know that.

Q Can you turn to the second page of Exhibit No. 2? About -- let's see, number 13.

A Yes, sir.

Q Do you recognize the name there as you go across the name?

A Jody Ghanem.

Q Right. Do you see the job order number, Doctor?

A Excuse me?

Q Do you see the job order number?

A Number 13.

Q No, but over -- the third column over, I believe, is the third column --

A Right.

Q Job order number has numbers from 824 to 856. Do you see the job number for Jody Ghanem's order?

A Yes, 836.

Q All right. And do you see the date? Can you make out the date there?

A 4-24-88.

Q Okay. Could you turn back to the first page of this document, and could you look between the -- where it says thank you down at the bottom, between where it says thank you, do you see the job order number there?

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A Right, right. 836. It is the same.

Q Okay. Do you know why your wife's name is written in here on this ledger?

A Beats me. I don't know.

Q You have no idea?

A No.

Q Do you think your wife called in this order?

A No, sir. No, sir. My wife never got involved in that.

Q Do you think your secretary spoke to the Caterer's in connection with the event at your home?

A I don't know if she did or not. Usually it is -- usually -- campaigns usually did that. We never got involved in this because, you know, if Chris would have told me -- for example, if I was involved in this, Chris would have said, I am going to charge 300 per person, I would have never had Chris there.

Q What if he told you he was going to give it as a contribution to the campaign?

A I don't ever recall Chris saying that to me.

Q You already answered this question. You never heard anyone else mention that Chris may have given the goods provided at that event free of charge?

A No, sir, I don't recall that.

Q When you are dealing with a campaign, did they

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ever discuss with you the requirements of home fund-raisers such as how much money you could accept for contributions and how much money you could spend in connection with the fund-raiser?

A No, no. They never -- they say we would like to have 250 a person or 500 a person or a thousand a person or something, or a thousand a couple, never they would say, you know, we don't want to spend money on food or drinks or anything like that. I have never had that happen before.

Q Right. And more recently have you put on fund-raisers in your home in connection with federal elections more recently in the last year or two?

A You mean senators?

Q Senators or U.S. Congressmen.

A No. I -- I did it, but it wasn't at house -- my house. Let's see. Who do we have? We had someone. We had Senator Tom Foley, speaker of the house. We had Gary Gebhardt, but it was not a fund-raiser. We didn't raise money. He just came to talk to us. And which other senator? I will remember as we go along.

Q Okay.

A That's all I remember now, but probably have had one or two. It will come to me. I am not sure.

Q Okay. Say, for instance, Speaker Foley, how did

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you get involved in that one?

A That was Mike Sloan called me, said, can we have a fund-raiser at your house.

Q All right.

A So --

Q And who handled all the details in that one?

A On the services, invitations and everything?

Q Food, invitations.

A On Tom Foley, I think it went to -- we sent the bill to them and they paid it.

Q Foley committee?

A Yes, I think so.

Q Who did you have do that?

A My secretary as well.

Q I mean, did she arrange the catering company that was used?

A Yes, and I think we used -- I don't know if -- we used Sahara, I think.

Q Sahara?

A Yeah.

Q They have catering?

A Right.

Q You had that in your home?

A Right. For the speaker of the house we had it at our house.

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Q So, did your -- your secretary arranged the catering with the Sahara, they billed you, and you in turn billed the committee?

A No, they didn't bill the committee. We just sent the whole bill to them.

Q The bill was sent directly to the committee?

A Sent to us. My secretary just paid -- mailed it to them.

Q Mailed to who?

A To Tom Foley's. I don't know if she sent it to him or to Mike Sloan, one of them, and they usually -- campaign people, his people take care of that.

Q Okay. Did Mike Sloan have any involvement in this event here? Did he do any of the arrangements?

A For these senators?

Q These six senators.

A Yeah, I think Mike was there.

Q Do you know if he had anything to do with the -- executing the arrangements, arranging when the senators were all going to come together and all that, notifying you and your secretary?

A I don't know if it was Mike Sloan or -- was involved in that, or I think it was Harry Reid and Dick Bryan.

Q They did it personally?

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A Yeah, I think so. I am not sure, but I know Mike was almost at every one of my functions.

Q What does he do? He owns the hotel; right?

A No, he works the -- he is a lawyer. He is the chief corporate lawyer for the Circus Circus.

Q Oh, that's right, Circus Circus. I thought he was the owner. Is that just a hotel and casino, or is it something else?

A No. Circus Circus?

Q Entertainment?

A No, no. They own about five or six hotels and casinos in Nevada. They are publicly-traded company.

Q Oh, I see.

A Stock market, New York Exchange, stock exchange.

Q Did Dick Bryan attend the event with House Speaker Foley?

A No, I don't think so. I don't think he was there. This was just recent, by the way, about two, three months ago.

Q How about some of the other events that you had in your home? Who would be the person who would normally arrange that in the more recent events?

A Just depends. Mostly -- sometimes Mike Sloan. Sometimes just Dick Bryan would call or Harry Reid.

Q They call personally?

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A Yeah. Like, you know, Dick Bryan and I know Mike O'Callaghan. For example, they wanted to have a fund-raiser for John Glenn recently, but he couldn't make it. So, it just depends.

Q Now, you probably answered this in some indirect way. When Senator Bryan calls you, Senator -- say Senator Bryan, does he usually call directly for you, or does he have somebody else do it for him?

A No, no. I always talk to him directly.

Q He usually calls you right up, goes through your secretary and right to you?

A Right. She says, Senator Bryan is on the phone. That is how I got calls.

Q Have you ever known Senator Bryan to call Chris Karamanos?

A I really don't.

Q Do you know if he was friendly with Chris Karamanos?

A I don't know what you call friend.

Q Did you ever see them together?

A At the house, you know, he was there, but that's about it.

Q For that fund-raising event?

A Right.

Q The event you said Chris was there, would that

A Yeah. Like, you know, Dick Bryan and I know Mike O'Callaghan. For example, they wanted to have a fund-raiser for John Glenn recently, but he couldn't make it. So, it just depends.

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A I don't know what you call friend.

Q Did you ever see them together?

A At the house, you know, he was there, but that's about it.

Q For that fund-raising event?

A Right.

Q The event you said Chris was there, would that

be this particular one?

A I don't think Chris was there, no.

Q You think he was at another one?

A Yeah. I don't think Chris catered this one. I don't remember him being with the six senators or seven senators.

Q Okay. If you look back at the two attachments again, the date on the invoice, the date that the goods were served, I believe, coincides with the date the six senators were at the country club.

MR. HUNTERTON: If I may, while the question is pending, I have become a little concerned here in the last few minutes about comparing an apple and orange. Exhibit 1 pretty clearly indicates that the brunch for the six senators took place on April 24th, yet Exhibit 2 appears to be for a dinner, not a brunch, and the bill is directed to Governor Bryan, not to the democratic senatorial committee. And yet you are using Exhibit 1 and Exhibit 2 as if they reinforce each other.

In fact, the only thing they have in common is the date April 24. So, that concerns me, and I think the record ought to be clear that as far as I am concerned anyway, Exhibit 1 to Dr. Ghanem's deposition -- no, Exhibit 2 to Dr. Ghanem's deposition, the invoice from the Caterer's, does not necessarily have anything to do

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with the brunch for the senators, and there wouldn't be any way this witness could say anyway since he says he's never seen this before.

Q (By Mr. McDonnell) I think we are not trying to say that they are the same. We are just trying to find out whether they could be.

A No, I don't think so.

Q In your mind they aren't?

A No, no.

Q Okay. Do you know if there were two events on the same date within the -- could you have two events at your own house on the same date, a dinner and a brunch?

A That could be, but I don't recall really if I ever had it the same day. But from -- you know, I don't -- this I guarantee you -- this is not this. There is no way, because the brunch wouldn't have cost that much money.

MR. HUNTERTON: When you say this is not this, you are indicating that the bill, which is Exhibit 2 for 13,500 --

THE WITNESS: Right.

MR. HUNTERTON: -- in your mind can't be the bill for the brunch for the senators on April 24th?

THE WITNESS: Yes, sir, that is exactly what I am trying to say.

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Q (By Mr. McDonnell) Okay. And that's basically because of the price?

A Yes.

Q Do you know the value of the brunch you had, the approximate retail value?

A Because, you know, usually at brunch we don't serve that much alcohol or anything like that. I mean, we don't -- rarely serve hard liquor. We might have champagne and orange juice and that is about it. But I don't think anyone paying $300 for a brunch for some -- I don't know. I don't know. I don't even know if we had eggs or whatever, something like that.

Q Something like that?

A Oh, yeah, for brunch we would have some light foods, cheeses and something like that. We never had any, but -- by the way, the reason I say that is because this -- this was no sit-in dinner or anything. We didn't have tables outside or inside or anything. Just people were mingling around.

Q Okay. And this was a catered event with the brunch?

A Yes, it was, but I don't recall who catered it. I really don't. But I'll guarantee you this, Exhibit 2 does not -- on what you had showed me here, there wasn't that much food or alcohol or liquor served for brunch

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like that.

Q Do you have any explanation, not that you need to offer one -- can you offer an explanation for why this event was -- is on April 24, 1988 and written out by these invoices to Jody Ghanem? Do you have any idea why that might be?

A You never know what Chris does or puts down. I am not saying this about a dead man, but he was always like that.

Q (By Mr. Reffner) If I can, I would like to ask a few questions to clarify.

Earlier you had talked about Chris coming into your office to see one of the doctors that you worked with?

A Right.

Q And then, you know, maybe the next day a tray of doughnuts would be delivered to the office, and then you would be invoiced for those doughnuts. Do you think that Chris was responsible for invoicing you for the doughnuts, or might there have been an accountant at his business that invoiced you?

A I really don't know. You know, I do know that we never ordered the doughnuts. You know, that's the whole thing. I mean, I see a bill for $250 for doughnuts. I say we never ordered doughnuts. I ask, did

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anybody order doughnuts? So, I checked with the doctor at that time, and he says, no, Chris was here at midnight, and he said, I will send you some doughnuts for the office. That was it.

Q Do you think that there might have been some type of mixup?

A Could be anything.

Q For example, suppose if Chris wanted to send you the doughnuts but didn't intend to invoice you. Could the doughnuts be sent and invoiced and then maybe Chris would apologize for the invoice or say, don't worry about it, I will take care of it?

A Yeah, he could say that. When I asked him about it, actually, he says, don't worry about it, you are right. But I said, I got this invoice. What am I supposed to do with it? Don't worry about it.

Q The other cases that you would have dealt with Chris, any indication that there might have been, you know, problems with his bookkeeping or accounting?

A I wouldn't doubt that at all.

Q Was it your impression that he had a good grasp or good control over his invoices?

A I don't know. I never socialized with him or went to his office or, you know, looked at anything. So, I don't know.

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Q And this invoice right here, which is marked Exhibit 2, do you think that there could have been any irregularities or problems with that sent to the wrong address?

A Yes, could be. And the other thing, you know, I don't know if we did this or not, to be honest, and to answer your question, I don't recall having two events in the same day. I really don't. It would have been pretty hard to do, to invite people in the morning and people --

MR. HUNTERTON: Same group of people at night.

THE WITNESS: -- same group of people at night. That is why I doubt this.

Q (By Mr. McDonnell) Could it be when Chris sent you the doughnuts, sent you the bill afterwards, he was trying to do you a favor, show you that he had given you food, therefore giving you a favor?

A Probably. You know, who knows what Chris would do.

Q As before, you never heard about him giving away things to try to gain favors from people?

A Chris would present he was giving away things, but I don't know if he ever -- I don't know. He always tried to get it back somehow. But, you know, I really don't know how Chris did business. I really don't know.

Q But you knew some of the ways you did business

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yourself. You loaned him money?

A Yep; correct.

Q You had some dealings with him?

A Yeah, just that one occasion when he came crying, couldn't make his payroll. He wanted -- so, I wrote a check from the company actually.

Q Do you think he considered you a good friend?

A Chris?

Q Yes.

A Everybody was a good friend to Chris. If you just met him, like now, you were talking to him, he would go out and say you are his best friend. So, everybody was friends with Chris. I am not saying he is a bad guy or anything, but that is the way Chris was.

Q Going back to the three events in 1988, the six senators brunch, the event for Al Gore and one for the -- you said there may have been one for the Reid campaign?

A No, Reid wasn't running at that time. I think it was Bryan.

Q Could you put those in any kind of chronological order?

A I really don't know when Gore was there. I didn't know when except from this. I remember the day now that you tell me. I agree with that.

Q Do you believe that the Bryan event was before

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or after that one, that one being the brunch?

A This?

Q Yes.

A You know, a couple of them for Senator Bryan could have been before or after. Could have been after, too.

Q You are not sure?

A No, I am not sure.

Q Okay. I would like to go over a little bit the menu. You are probably not -- you don't remember specifics. If you can, tell me whether you remember any menu like this. A formal white glove affair, okay, and at your house, included beef tenderloin, boneless breast of chicken Sante Fe, fresh asparagus and rice, Caesar's salad, pasta with wild mushrooms, artichoke hearts with Alfredo sauce, mushroom caps stuffed with pate' and Beluga caviar.

The wine was Far Niente chardonnay and 1984 cabernet sauvignon, and the champagne was Dom Perignon. Does that ring any recollection?

A No Dom Perignon.

Q No?

A No, I don't recall that. Could have, you know. Menu -- I mean food could have been there, but I don't remember ever any Dom Perignon being served in my house.

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Q Not at all; never?

A I don't -- we don't -- we don't serve Dom Perignon for those affairs. I don't remember that.

Q You wouldn't be serving, you wouldn't be paying for this order. This was something for the campaign, I believe.

A Yes. Still, I don't recall Dom Perignon. The wine, you know, I don't know. Could have been there.

Q But again, during these events you didn't have -- did you have input into the menu or wines or --

A No. No, sir, I do not.

Q Generally I guess Dawn is the one who dealt with the campaign, is that correct, as far as executing the details?

A Like I said, there were no details, just wanted to use the house, and they asked us to invite some people. But that is all our involvement.

Q You would have to notify them who was coming or --

A No, no, we didn't. We just -- we have to give the list -- to live in the country club we had to give the list at the gate of all the people who would be coming through.

Q They would have to notify you who was coming?

A Right. That is why we asked who was coming from

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their side.

Q And you would notify them if you had enough people to host the event?

A Seemed we always did. We --

Q Okay. And you execute the details as far as time when it was going to be held?

A Right. They would give us the time frame. We would like to have it from either 11:00 to 1:00 or 6:00 o'clock in the evening or something like that.

Q And would Dawn be the one who takes the calls on these different areas?

A Probably at that time.

Q You had an appointment book back then with your different dates of events such as these --

A I am pretty sure.

Q -- were included on it?

A I am pretty sure.

Q Do you still have those books?

A I doubt it.

Q You might still have them?

A I don't know. I will be glad to look for you, but --

Q It might help us determine which event was held on which date and all that.

A If I can find them, I will be willing to.

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Q Did you ever receive any correspondence after these events from the senators or their campaigns thanking you for your hosting it?

A Yeah. Most of them would send thank you notes.

Q Thank you notes?

A Yes.

Q And the invited guests?

A No, no. Those people, they don't want to be invited again.

Q Okay. And in general did you keep these things, these thank you notes from the senator or --

A Yeah, I kept a couple of them. Yeah.

Q We know that you produced two of them for today in response to a subpoena.

A Right.

Q One of them is from Senator Inouye, and the other one is from Al Gore; is that correct?

A Yeah.

MR. McDONNELL: I guess I will introduce them now just for the record.

I would like to introduce Exhibits 3 and 4.

(Whereupon, E. Ghanem Exhibits Nos. 3 and 4 were marked for identification by the Notary Public.)

Q (By Mr. McDonnell) Now, we were just talking

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about some of the different letters you had received from some senators?

A Right.

Q And Exhibit 3, can you identify that document?

A Yes, sir.

Q Inouye?

A Yes, sir.

Q And what is that document?

A It's just thanking for I think this event that you showed me.

Q The brunch?

A The brunch.

Q And did you receive any thank yous from any of the other senators present?

A We tried to look. That's all I found.

Q Did you find these in your office files or personal?

A Yes.

Q Office?

A Yes.

Q Do you generally keep things related to campaigns?

A Everything is in my office.

Q Do you keep files on persons you solicit or call or anything like that?

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A No.
Q You don't?
A No.
Q Did you ever collect contributions for any of these events yourselves from individuals who attended?
A No. Personally?
Q Yes.
A No.
Q You never take the checks?
A No, no. Either give it to whoever is in charge -- I never take the check.
Q Okay. Did you ever give any contributions or tell them to forward them to Frank Schreck?
A If somebody would come in, I don't know Frank Schreck, but send this check, but no particular person.
Q You would send it in?
A Somebody came in, say I forgot my check, just send it to the office, we will send it over.
Q You will send it to the office or they --
A They would send it to my office. I would forward it to whoever.
Q Would you make copies of it?
A No, no. We never -- we never got involved in checks and what they pay. I never -- I don't even see how much a check is written for. I never got involved in

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that.

Q Okay. Now, Exhibit No. 4, do you recognize that document?

A Yes, sir.

Q That is from Al Gore; is that correct?

A Yes.

Q Do you know what that was in relation to?

A I think that is just Christmas cards he sent us. I am pretty sure.

Q Christmas. Okay. Do you recognize the -- it says Opryland Hotel on the podium there. I believe it says Opryland. Did you ever go to any fund-raiser at the Opryland Hotel?

A No, sir. This was a family picture I think he sent us for Christmas.

Q That is his family. All right. And he says thanks for all your help?

A Yes.

Q Do you know what is --

A That is probably from fund-raiser I had at my house.

Q You had the fund-raiser earlier than Christmas. We just don't know what year. Do you know if it was 1988 or '87?

A I sure don't. I think it was '88, but I am not

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sure.

Q That fund-raising event, about how many persons went to that one?

A I don't know. Usually have 30, 40 people.

Q Okay. Do you think you called on different people to attend this event or different friends and acquaintances or pretty much the same ones?

A No, always the same. Some of them would like -- every time we call now they say they are moving out of town.

Q And Senator Gore, how did you come to get involved in this event?

A You know, I don't know if it was Dick Bryan or -- yeah, somebody just -- or Harry Reid introduced him to me.

Q And then how about this particular -- how did you get involved?

A With Al Gore?

Q Yeah.

A Just said they want to have a fund-raiser at the house.

Q Who is they?

A I think -- I am not sure if it was Harry Reid or somebody else.

Q Someone -- something makes you think it might be

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Harry Reid?

A Yeah.

Q He asked to you do this for Al Gore?

A Right, right.

Q Okay. Do you know who provided the food for that event?

A I sure don't.

Q Did the Gore campaign pay for the food?

A I am pretty sure somebody paid. I didn't pay.

Q You know that?

A Right.

Q All right. Going back to the dinner where you saw on the invoice attachment No. 2 --

A Yes, sir.

Q -- could the -- that dinner be held at someone else's house that night, April 24th?

A Could.

Q Would you have attended -- do you remember yourself attending a dinner like that on April 24th?

A No, sir, I don't ever recall attending any dinner. With everything you just told me that -- you know, with the menu like that, no.

Q Okay.

A And I don't know if I ever went to any dinner because everything was done at my house. So, I

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wouldn't -- I don't think I was invited to somebody else's house. So, I don't know. I don't recall that, no.

Q You went to Frank Schreck's house, though, for some dinners?

A Yeah, but I don't recall ever going for Dick Bryan.

Q No. Okay. How about for Senator Reid?

A Or Reid.

Q Senator Reid?

A I don't think so.

Q Now, as far as the event that you said that was held at your house, the Caterer's catered and I think you said out back and had over at the country club and used the facilities over there on the country club, and that someone for the Caterer's used that, requested the use of that property. Does the menu I described to you sound like it might have been the one for that event?

A That could have been, yes. Yeah, because it was a sit-down dinner. I remember that. And it was a pretty good menu. But I think, if I recall, it was after Senator Bryan was elected.

Q Is that right?

A Yes, sir. Wouldn't have been this one.

Q After he was a elected?

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A After he was elected I think they threw a party over at my house. I think that is when -- that is when we put the tables on the country club. So, we -- it wouldn't have been in the month of April. That is what I am saying. Could have been later on.

Q Uh-huh. And so that wasn't a fund-raising event, wasn't to collect contributions?

A No, no.

Q But what was the purpose of that event?

A A thank you type thing for the people that helped him, stuff like that.

Q Helped who?

A Dick Bryan.

Q So, some of his campaign workers were there?

A No, it was the people that contributed to his campaign mostly.

Q And who would that have been put on by?

A If I recall, that's the one that Chris, the --

Q Who paid for the services?

A I really don't know. I really don't know. I didn't pay, I know that, but I don't know who paid.

Q So, if I understand your testimony today, the main people that you were dealing with as far as any events for the Bryan campaign were Senator Bryan and Lou Gamage --

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A Had any questions, yes.
Q -- for making these arrangements?
A Right.
Q Do you think there was anybody else that you just can't recall the name?
A From his office you mean?
Q Right.
A I really don't know. I don't know who was working on his campaign at that time.
Q Okay.
A I don't recall who was in charge of his campaign. The only name sticks out is Lou Gamage.
Q All right. Okay. Were you having incoming calls in? Do you usually take messages, notes of who was calling in your office?
A No, no. They just get me on the phone.
Q Okay.
A Like Senator Bryan or the -- Governor Bryan at that time, you know, I will get on the phone.
Q Right.
A If I'm not there, usually they will give them my portable. They had my home number. So --
Q Do you have any -- ever have your picture taken with any of the candidates at any of the events we are talking about today or --

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A You know, I am not sure if we had a photographer for this particular one.

Q For the brunch?

A Some of them, yes. Some of them we do take pictures, but not at that brunch. I don't think we had a photographer because I would have had a picture.

Q You searched through your pictures?

A No, I haven't seen it.

Q You looked through your pictures in response to the subpoena? You didn't find anything?

A No.

Q Okay. Do you have any pictures of yourself with the candidates on the walls of your office or anything?

A I have one last Friday, but that is about it.

Q Someone last Friday?

A Yeah.

Q Who would that be?

A Bill Clinton.

Q So, you attended that event on behalf of him -- attend one, or did you host it?

A Well, we had a fund-raiser over at the Hilton for him.

Q Do you consider yourself a friend with Senator Bryan?

A Yes.

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Q Do you socialize with him?

A Yes. We go to dinner, we go to lunches with his wife, my wife.

Q Okay. How about Harry Reid?

A Yes.

Q Okay. Is there any other campaign person that you can think of that you socialize with?

A No.

Q Anybody with either the democratic committee, national committee that you are friendly with?

A No. I know them, I mean, but I never went to dinner.

Q Who are some of the people?

A I don't know. I don't know them by name. I am really bad at names. I don't recall names, but I do recall faces. But I don't -- I don't know anybody that I would really -- oh, that's right. I am sorry. Chick Hecht I knew very well.

Q You knew him very well?

A Okay.

Q He was the former senator?

A Senator; right. In fact, I went to dinner with Chick Hecht and his wife, too.

Q Around that time you contributed to the campaign?

A Yes. Absolutely.

Q Do you remember a luau that Richard Bryan had in 1988?

A Luau?

Q I believe an annual event. He had a luau for the governor. It was a birthday party in 1988. They hosted -- it was a birthday party.

A I don't remember. If you tell me where.

Q I think the Nevada National Bank, held somewhere in that bank building.

A I wasn't there. I don't recall that.

Q Okay. I would like to go over a few names of people who may have been at the event, and if -- now, if they have a good memory, you point that out to me, if they have a good memory what happened at the different events.

A Sure.

Q Take a few minutes, and after this we will be pretty much wrapping it up.

A Okay.

Q Okay. One of them -- is that fan working all right?

A Yes. Thank you very much.

Q Okay. One being Antonio Alamo, A-l-a-m-o?

A Yeah. Tony Alamo used to be an executive at the

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Circus Circus.

Q Okay. He is no longer with them?

A No. He is with MGM now.

Q Okay. Is he still in Las Vegas or --

A Yes, he is in Las Vegas.

Q Okay. And is he a friend of yours?

A Yes, a friend and my patient.

Q A patient. Did he attend any political fund-raisers at your house?

A I am pretty sure he did, yeah. He was one of the ones I would be calling.

Q In 1988 you think he might have gone to the brunch at your house in April of 1988?

A I don't recall.

Q Is he someone you regularly called, though?

A Yes, he is one of them.

Q How about Richard Banis, B-a-n-i-s?

A Richard Banis was the chief executive officer at Circus Circus.

Q Okay. And does he attend some of the political events?

A Yes, he did.

Q You invited him to events?

A Yes.

MR. HUNTERTON: He is not at Circus --

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THE WITNESS: He is not at Circus Circus anymore, by the way.

Q (By Mr. McDonnell) Where is he now?

A He left.

Q Still in Las Vegas?

A He lives in Reno.

Q Reno. Okay. Do you know what he does now?

A He was one of my patients, too.

Q Oh, yeah? You lost a good patient?

A No. I don't think he is working. I don't know.

Q He may be retired now?

A Yes. At a young age, too.

Q How about Alvin Baron, B-a-r-o-n?

A That I don't know.

Q James Chaisson?

A Jim Chaisson?

Q Yes.

A Yeah.

Q C-h-a-i-s-s-o-n?

A Yeah.

Q Is he someone that you would --

A Yeah. He owns Chaisson, a car dealership in Las Vegas.

Q Okay. Would he have been a person who may have attended that fund-raiser --

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A Could be.
Q -- in '88? Okay. Frank Fertitta?
A Yes.
Q Is he a friend?
A Yes, he is hotel owner in town.
Q He goes to some of the political events that you hosted?
A Yes, yes.
Q Charles Frias, F-r-i-a-s?
A I don't know.
Q Fletcher Jones, Jr.?
A Yes, good friend.
Q Somebody that would go to the events?
A Yes.
Q James A. Joyce?
A Jim Joyce? Okay. Yes, Jim Joyce.
Q Somebody --
A He is a lobbyist.
MR. HUNTERTON: Advertising?
THE WITNESS: Advertising lobby.
Q (By Mr. McDonnell) He was somebody that might go to one of your --
A Oh, yes, he still comes.
Q How about Arthur Marshall?
A Art Marshall, yes. A good friend. He is a

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neighbor of mine, too.

Q James Nave, Frank Schreck.

A I already mentioned them.

Q Mike Sloan. Mike Sloan was definitely there?

A Yes.

Q Okay. Kenneth Sullivan, Jr.?

A Yes, he is a good friend of mine.

Q He is an investor?

A Yeah. He used to be chairman of the board of Valley Bank, and then he went on -- he retired.

Q Okay. And William Bannen?

A That was my ex-partner.

Q Okay. Is he still in Las Vegas?

A Yes.

Q Does he still have his own medical practice?

A He practices emergency medicine.

Q Michael Gaughan?

A Yes.

Q G-a-u-g-h-a-n?

A He is a hotel owner.

Q He might have been at one of these events, some of these events?

A Yes.

Q Okay. Now, I have another list. Try to make it -- any of those people you know have a good memory?

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A Excuse me?

Q Any of these people have a very good memory who might be able to recall some of the events?

A You know, the only thing you are going to run into, they have been at so many of mine, I don't know if they would recall which particular one. So, probably in '88 they were there every time I had a fund-raiser for everyone.

MR. HUNTERTON: You guys also have to keep in mind, not just things that Elias has sponsered, but this group of people are invited to a black tie function every week, if not two a week, okay, for various charitable social causes apart from political causes. That group you read wears out tuxedos.

THE WITNESS: Right. And the reason I am saying this, too, is because when I say I don't recall, because, you know, we hold for federal as well as local, just this could be the same, I don't remember. So, I don't know who was at which. I could have held eight or ten of them in one year. So, I really don't recall exactly who was there.

Q (By Mr. McDonnell) Okay. All right. Mike Sloan. Thomas Drendel, D-r-e-n-d-e-l?

A I don't know.

Q Joseph Bradley?

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A I don't know him.
Q William Bradley?
A Bill Bradley? I don't recall him.
Q Bill Bradley?
A I don't know.
Q Norman Dianda?
A No.
Q Ethel Morvay?
A No, sir.
Q George Swarts?
A Garage Swarts I know, yes.
Q Is he a lawyer?
A No. He used to be with the Gaming Control Board, and he is an accountant.
Q Okay. Laventhol & Horwath?
A Excuse me?
Q Laventhol & Horwath?
MR. HUNTERTON: Used to be.
THE WITNESS: Used to be.
Q (By Mr. McDonnell) Got a small town feel to it. In this city everyone seems to know each other or these are some of the big named people. Vern Christensen?
A Yes.
Q He might have come to some of these parties?
A Yes.

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Q Janie Greenspun?
A Yes, sir.
Q And was he the owner of -- daughter --
A The daughter of the owner of the Las Vegas Sun. He died since. But that is his daughter, Hank Greenspun.
Q Does she work for the paper?
A No. Janie? I don't think she does.
Q Diana Fauci, F-a-u-c-i.
MR. HUNTERTON: Fauci Construction?
THE WITNESS: Fauci, yeah.
Q (By Mr. McDonnell) She might have been there?
A Mike Fauci, I know him.
Q Linda Lund?
A I don't know her.
Q We are getting to the end. Robert McMonigle?
A I don't think.
Q Isobel Pfeifer?
A I don't know.
Q Linda Sterling?
A No.
Q Okay. All right. How about did you ever hear of Edward Torres, T-o-r-r-e-s?
A Ed Torres.
Q How do you know him?
A He was a partner with Wayne Newton in the

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Aladdin Hotel, and then he opened his own El Rancho Hotel in Las Vegas. He just closed it about June.

Q Did he ever have anything to do with any of your businesses?

A Yeah. Ed was -- we had the industrial engineers from his hotel over to your clinic.

Q Did he ever have any official role in any of your business or anything?

A Oh, no, no, no.

Q Role in G&B Enterprises?

A No, not Ed Torres, no. He was a hotel owner.

Q Okay.

A No, I never had any business dealings with him.

Q All right. Okay. The last thing I would like to introduce is some checks that you produced in response to the Commission subpoena.

MR. McDONNELL: This will be No. 5.

(Whereupon, a recess was had.)

(Whereupon, E. Ghanem Exhibit No. 5 was marked for identification by the Notary Public.)

Q (By Mr. McDonnell) Back on the record.

Now, Dr. Ghanem, have you had a chance to look at Exhibit No. 5?

A 5?

Q Yes, the exhibit marked 5. That is the four

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pages. Can you identify that document?

A Yes, sir. These are checks that were written for Senator Bryan from Jody, my wife, and myself.

MR. HUNTERTON: Indicating checks 1299 and 1298 on the first page.

Q (By Mr. McDonnell) And the amounts of those checks?

A 2,000 each.

Q Dates?

A January 10th, '88.

Q Is your signature and your wife's signature?

A Yes, sir.

Q To what candidate?

A Bryan for Senate.

Q Okay. And then the third and fourth page of that?

A That's from G&B Enterprises, partnership with Bannen --

Q Okay.

A -- that we had.

Q All right. Okay. That is --

A $4,000.

Q Okay. That check is written to you?

A Yes, sir.

Q Can you tell me what that check is for?

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A For reimbursement for what we paid.
Q By we who do you mean?
A Jody and I.
Q Your wife and you?
A Right.
Q And now, did your partner -- did your partner give any money to the Bryan campaign, Dr. Bannen?
A It looks like he did. Here is a check from him.
MR. HUNTERTON: That is not Bryan, that is --
THE WITNESS: Democratic campaign committee. He was one of the guests invited.
Q (By Mr. McDonnell) Okay. One of the guests at the brunch?
A Right, right.
Q Okay. Does Dr. Bannen -- was he half owner of the business with you?
A Yes, sir, 50/50.
Q Did you have to receive permission from him to take this check, the $4,000 check?
A No. He wrote it.
Q He wrote the check?
A Yeah. That is his signature.
Q What I am saying, did you --
A No. We always told each other what we were doing. We never --

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Q And he would write this check to you?
A Yes, yes. He didn't write it to me, wrote it to --
Q No, I am talking about the check.
MR. HUNTERTON: He is talking about this.
THE WITNESS: Oh, this. Yes, yes.
Q (By Mr. McDonnell) Who signed this check?
A I did, but he knew that we were doing it. It was reimbursement.
Q Did someone instruct you to do it this way, to write one check out on the Bryan campaign?
A No, no. I -- I didn't have this check or my check from the office. Then I got reimbursed.
Q I am sorry?
A I didn't have the checks from here. So, we made it personal, and then I got reimbursed for it from the partnership.
Q Okay. And the other check, do you know who from G&B Enterprises -- that was given by you and Dr. Bannen?
A Yes, sir.
Q Okay. And that was probably in relation to the brunch; right?
A The brunch.
Q Okay. In thinking over the day of the brunch we were thinking at the time in 1988 did Frank Schreck live

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near you?

A Did -- he was --

Q Was he a neighbor at the time?

A Frank, where did he live?

MR. HUNTERTON: Try it this way. Has Frank ever lived in the country club?

THE WITNESS: I am trying to recall. I don't think so.

Q (By Mr. McDonnell) Is it possible that Frank Schreck had a party on the night of April 24, 1988, a fund-raising party for Senator Bryan?

A I don't think so. Could, but, you know, I probably -- they would have invited me over, something, but I don't recall.

Q You were not invited to that that night?

A I don't recall.

Q Where did Frank -- where does Frank Schreck live at this point?

A He lives at Spanish Trails Country Club.

Q And how long has he been there?

A For a few years.

Q Did you visit his home prior to that thing at this present location?

A Yeah, I go there frequently.

Q Prior to this present location in the Trails?

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A I don't recall where he used to live. I really don't know. I don't think so. I don't recall.

Q Okay. Do you think it is possible that the Caterer's invoice attachment number 2 or Exhibit No. 2 may be for an event at Frank Schreck's house?

A I really don't know.

Q Okay.

A Just -- I don't know.

MR. McDONNELL: Okay. Craig, do you have any follow-up questions on that?

Q (By Mr. Reffner) You said that you have offered your house for entertainment for federal candidates?

A Yes.

Q Mr. Schreck also offered his house?

A Yes, he does do that.

Q Is there anyone else in Las Vegas around the time frame 1988 who might have also offered their house for federal candidates?

A I don't know. They don't check with me on those things. They don't --

Q I am trying to get a feel -- there was kind of a party circuit that you were with, you, Mr. Schreck. What about the other people who might have regularly attended these functions? Would they offer their house for entertainment to federal candidates?

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A I am pretty sure, because, you know, Las Vegas is a small town really. So, if -- you know, you meet somebody at somebody's house, you probably see them the next week at somebody else's house. So, you know, all run around in the same circles.

Q Your attorney had said that a lot of these people attend functions once a week?

A We get -- we get invitations for two, three functions every week.

Q And in 1988 --

A Same. Nothing has changed in Las Vegas. They have heart associations, they have cancer, they have sometimes functions on Friday, Saturday and Sunday for different organizations, and you always see the same people.

MR. REFFNER: Okay.

Q (By Mr. McDonnell) You had earlier told us that you would be willing to produce any appointment books that you have to help us determine dates?

A If I have it, you can have it.

Q Okay. Something we can follow up with a letter or something?

A I think we would have found it because we looked through everything for '88, but we don't keep them.

MR. HUNTERTON: I don't think you had any

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appointment books for '88, but we will check.

THE WITNESS: I will check it out. If I did, I would have brought it.

Q (By Mr. McDonnell) I don't know if you thought it --

A Oh, yeah, we looked at everything for '88. We didn't find anything except what I gave you. But if I do, I will be glad to send it to you. Look specifically for that.

Q Thank you, sir, for coming today. You will be entitled to a witness fee of $40.

A What will I do with it?

Q And mileage will also -- will you tell me how many miles it took you to come today?

A Oh, about -- off the record, please. I am not going to charge you anything. Don't worry about it.

MR. McDONNELL: I also remind you of the confidentiality provision.

You have a choice of having a chance to sign your deposition or just forwarding it to us without signature. You can review it and make any changes if you would like.

MR. HUNTERTON: We didn't discuss that with Jody. I would like you to send both of them to my office, and then I will have them signed and returned to

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you. I don't want Dr. Ghanem and his wife to go to the court reporter's office. You can keep the original in your office. We will make any changes or whatever on the copy, and we will do the original signature page.

MR. McDONNELL: We will do it that way. That is fine.

(Whereupon, an off record discussion was had.)

MR. McDONNELL: You told us today that Dawn Smith, you know, she was involved in some of these phone calls. We were wondering if we could talk to her about -- test her memory about some of these events. Would that be okay with you?

THE WITNESS: I have no objection. I don't know what she can say, you know. She usually -- the calls were made directly to me. If a senator wanted something, she would call me directly. She is not going to tell Dr. Ghanem we are going to hold a fund-raiser at his house such and such a date. She will have to talk to me directly. I don't know what she can add.

MR. McDONNELL: Well, you know, we have come along way. We would like to get as much as we can. We are trying to figure out what happened here. If you could do that, it would be appreciated.

MR. HUNTERTON: There is a tactical problem with this, too. If you are leaving Saturday, I can't talk to

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her and get her prepared and accompany her tomorrow. I have already got a full day. So, we won't be able to do it tomorrow.

MR. McDONNELL: How would you feel about a phone interview with us, all of us, on there?

MR. HUNTERTON: That's fine. You mean like when you get back to Washington?

MR. McDONNELL: I guess we would have to do that if you are going to be busy through Saturday.

MR. HUNTERTON: Glad to do it over the phone.

MR. McDONNELL: Okay.

* * * * *

(Whereupon, the deposition was concluded.)

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CERTIFICATE OF DEPONENT

I, Elias F. Ghanem, deponent herein, do hereby certify and declare the within and foregoing transcription to be my deposition in said action; that I have read, corrected and do hereby affix my signature to said deposition.

Elias F. Ghanem

ELIAS F. GHANEM, Deponent

Subscribed and sworn to before me this 8th day of January, 1993.

Dawn Smith

Notary Public

Notary Public-State of Nevada
COUNTY OF CLARK
DAWN MARIE SMITH
My Commission Expires
May 18, 1996

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CERTIFICATE OF REPORTER

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Mary Kathryn Duffin, a duly commissioned Notary Public, Clark County, State of Nevada, do hereby certify:

That I reported the deposition of Elias F. Ghanem, commencing on Thursday, October 29, 1992, at 1:30 o'clock p.m.

That prior to being deposed, the witness was duly sworn by me to testify to the truth. That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes.

I further certify that I am not a relative or employee of counsel of any of the parties, nor a relative or employee of the parties involved in said action, nor a person financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal in my office in the County of Clark, State of Nevada, this 10th day of December, 1992.

MARY KATHRYN DUFFIN, CSR NO. 59

NOTARY PUBLIC
County of Clark-State of Nevada
MARY KATHRYN DUFFIN
My Appointment expires July 25, 1994

9403097005882

COPY AVAILABLE

Iranians snub U.S. warning/3A

Airline puffers get righteous/3B

Bengals draft Ickey Woods/1D

Street Edition 25¢

enate to eye measure giving tates control of Indian gaming

Michael L. Campbell
Staff Writer

chairman of the U.S. Senate Indian Committee said in Las Vegas Sunday Senate shortly to the committee a bill state governments greater control over on Indian reservations.

Daniel Inouye, D-Hawaii, in Las Vegas another U.S. senators for a Sunday g fundraiser for the Democratic tial Campaign Committee, said the bill, if passed, would grant Nevada the authority to license and monitor casinos on Indian reservations.

Currently, the federal government – specifically the Indian Affairs Bureau of the Interior Department – makes the determination as to whether an Indian reservation is allowed to have gaming.

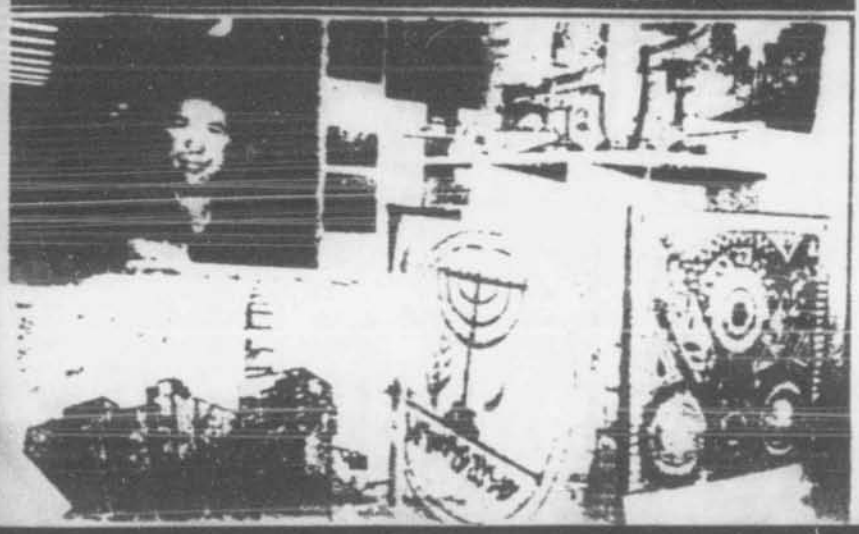
Sen. Harry Reid, who was along with Inouye during the news conference at the Las Vegas Country Club, said it is his understanding the bill would be sent to the committee by Inouye within two weeks.

This bill, which will go to the full committee for markup, would allow the Indian reservations to continue games such as bingo but would give a state licensing and monitoring authority over electronic games such as slot machines, Inouye said.

Inouye was also asked about Sen. Chic Hecht's vote against a Senate bill last week that would provide $1.3 billion in damages to

See SIX, Page 6A

A SALUTE TO ISRAEL'S INDEPENDENCE



Robertson surprised by showing

By Michael L. Campbell
SUN Staff Writer

The three bellhops near the front desk in Bally's hotel and casino in Reno were shaking their heads, asking each other if that was really who they thought they saw.

The object of their bewilderment was former televangelist Pat Robertson, who was triumphantly striding by slot machines in Bally's where the Nevada GOP convention was being held.

In Nevada – where prostitution is permissible in rural counties and gambling is legal throughout the state – the candidate who has

APR 2



iting Las Vegas, from left, were Daniel Inouye, Hawaii; James Exon, Nebraska; John
usetts; Harry Reid, Nevada; Kent Conrad, North Dakota; and John Melcher, Montana.

ocratic senators stump for Bryan

Page 1A

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to the survivors

of the camps but seemed to soften his remarks about what the Japanese-Americans went through during their detention.

"They did suffer," he said. "There is no question about it." He claimed his earlier comments were taken out of context since he says he was comparing the condition of the West Coast camps to the Nazi concentration camps.

Sen. John Kerry of Massachusetts, chairman of the Democratic Senatorial Campaign Committee, said if Gov. Richard Bryan beats Hecht in their battle for the U.S. Senate seat in November, he will be an enormous addition to the United States Senate.

Although Kerry indicated it wasn't their practice to go into a senator's home state and make negative comments about a fellow senator, he did say, "We feel there is a night and day juxtaposition" between Hecht and Bryan.

In addition to Reid, Kerry and Inouye, the other senators attending the news conference and the fundraiser were Sens. John Melcher of Montana, Kent Conrad of North Dakota and James Exon of Nebraska.

The fundraiser Sunday morning in Las Vegas raised close to $25,000, according to the executive director of the Democratic Senatorial Campaign Committee, Robert Chlopak.

The money raised does not go directly to the Bryan campaign but goes back to the Senatorial Campaign Committee, which then distributes the money to various senatorial candidates.

won't end dial-a-porn, opponents warn

just throwing bones to decency groups like us. If they're serious, they are going to have to take action against more providers."

In its strongest action to date against dial-a-porn providers, the federal agency fined the two companies $600,000 each for failing to do anything to keep children from hearing their sexually explicit phone messages.

The FCC voted unanimously to ... notices of apparent liabil... to Audio Enterprises Inc., ... Valley and Intercambio Inc., ... Santa Clara, ordering each ...

... was the first time the FCC ... levied fines under a 1983 ... banning dial-a-porn ...

obscene messages over an AT&T ... 900 telephone number used by ... Audio Enterprises and over ... Pacific Bell's numbers used by ... Intercambio.

The companies have 30 days ... another to be ordered to appear.

Mother's Day!
"Mom & I Lost 52 Pounds"
Lose all the weight you want for only $185.00

Nicaragua to pre... U.S. aid for Cont... press direct talk...

MANAGUA, Nicaragua (UPI) – Nicaragua's Ambassador to the United States, Carlos Tunnermann, said Sunday he will lodge a formal protest with the State Department for U.S. witness of the Contra rebels.

Tunnermann said he would also present President Daniel Ortega's proposal that the United States renew direct talks with Nicaragua to discuss security problems.

We want that bilateral talks be taken up to discuss security aspects between both countries and analyze what worries them," Tunnermann told the official Barricada newspaper.

A series of talks between U.S. and Sandinista officials were broken off in January 1988 in Manzanillo, Mexico.

Last year President Reagan said that if Nicaragua resumed direct talks with the Contras then there would be dialogue between his country and Nicaragua, now is a time for Reagan to ..., Tunnermann said.

Tunnermann was ... from Washington to ... urgent consultations ... on a new U.S. aid package ... Contras.

The ambassador said he would ...

Drunken elephant

GAUHATI, India (UPI) – Intoxicated ... something for nice beer rampaged through a ... settlement in northeastern India ... five people, injuring 12 others and forcing thousands of ... villagers to flee, an official said Sunday.

People should stop ... as ... elephants are drawn to the ... alcohol. Last ... the state's forests ... a herd ... got drunk, ... rampage through ... village ... of the east of New Delhi, ... Assam said.

He said the farmers of ... Pathar ... a traditional beverage made from rice ... which usually brew after the first rice harvest. ... the settlement of more than 1,000 ... on the edge of a state forest.

The elephants ... to move and ... consuming several ... of beer ... drinking for more ... he said.

... villagers and ... forestry ... and were ... the ...

Sikh separatists kill 9...

the CATERER'S
A FOOD SERVICE COMPANY

DATE May 16, 19 88

4-C111-88

TO Governor Richard Bryan
State Building
2501 East Sahara
Las Vegas, Nevada

STATEMENT OF YOUR ACCOUNT TERMS NET CASH

DATE	DESCRIPTION	CHARGES
	Catering Services Per Agreement:	
	Dinner at Chanen Residence	
4/24	300.00 per person, 45 Guests	13,500.00
	TOTAL	$13,500.00

THANK YOU for allowing The Caterer's to serve your guests!

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9403097058S

E Hanen EXHIBIT 2 FOR I.D.
DEPOSITION OF Elias Hanen
DATE October 29, 1992
MARY KATHRYN DUFFIN, CSR NO. 59
NEVADA CERTIFIED REPORTERS

DANIEL K. INOUYE
HAWAII

PRINCE KUHIO FEDERAL BUILDING
SUITE 7325, 300 ALA MOANA BOULEVARD
HONOLULU, HI 96850
(808) 541-2842

United States Senate

ROOM 722, HART SENATE BUILDING
WASHINGTON, DC 20510
(202) 224-3934

June 6, 1988

Dr. Elias F. Ghanem
Las Vegas Medical Centers
3111 Joe W. Brown Dr.
Las Vegas, Nevada 89109

Dear Dr. Ghanem:

I wish to acknowledge receipt of your thoughtful communication following up on our recent visit in Nevada.

Your kind words are appreciated. I enjoyed the opportunity to meet with you and your friends.

Aloha,

DANIEL K. INOUYE
United States Senator

DKI:phdl

9403097058 6

E. Ghanem EXHIBIT 3 FOR I.D.
DEPOSITION OF Elias Ghanem
DATE October 29, 1992
MARY KATHRYN DUFFIN, CSR NO. 50
NEVADA CERTIFIED REPORTERS

9 4 0 3 0 9 7 0 5 8 7



ELIAS F. GHANEM
JODY ANN GHANEM
[redacted]

1299

Jan. 10th 19 88 94-166/1224

Pay to the order of Bryan for Senate $ 2,000.00

Two Thousand Dollars 00/100 Dollars

CNB CONTINENTAL NATIONAL BANK
Renaissance Center
4813 South Eastern
Las Vegas, Nevada 89119

Memo [redacted] Signed Jody Ann Ghanem

Rocky Mountain Bank Note

ELIAS F. GHANEM
JODY ANN GHANEM
[redacted]

1298

1-10 19 88 94-166/1224

Pay to the order of Bryan for Senate $ 2,000.00

Two Thousand dollars + 00/100 Dollars

CNB CONTINENTAL NATIONAL BANK
Renaissance Center
4813 South Eastern
Las Vegas, Nevada 89119

Memo [redacted] Signed E. Ghanem

Rocky Mountain Bank Note

Manuscript

E. Ghanem EXHIBIT 5 FOR I. D.
DEPOSITION OF Elias Ghanem
DATE December 29, 1992
MARY KATHRYN DUFFIN, CSR NO. 59
NEVADA CERTIFIED REPORTERS

9403097058

G & B ENTERPRISES
3111 JOE W. BROWN DR.
LAS VEGAS, NV 89109

1072

94-164/1224

2/1 19 88

Pay to the order of ELIAS F. GHANEM 82-88 08 0102 010208182 $ 4,000.00

FOUR THOUSAND 00/100 Dollars

Sun State Bank
P.O. Box 28429 • Las Vegas, Nevada 89126

For REIMBURSEMENT FOR POLITICAL CONTRIBUTION TO GOVERNOR BRYAN FOR SENATE CAMPAIGN

E. Ghanem

"001072" ⑆122401642⑆ 00200116887" "0000400000"

G & B ENTERPRISES
3111 JOE W. BROWN DR.
LAS VEGAS, NV 89109

1105

94-164/1224

4-22- 19 88

Pay to the order of Democratic Senatorial Campaign Committee $ 200.00

Two Thousand Dollars 00/00 Dollars

Sun State Bank
P.O. Box 28429 • Las Vegas, Nevada 89126

For CONTRIBUTION: ELIAS F. GHANEM, M.D. WILLIAM E. BANNEN, M.D.

William E. Bannen M.D.

"001105" ⑆122401642⑆ 00200116887" "0000200000"

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TRANSCRIPT OF PROCEEDINGS

THE FEDERAL ELECTION COMMISSION

) Docket No.
) MUR 3522

CORRECTED COPY

DEPOSITION OF: NELLIE LOU GAMAGE

Pages: 1 through 239

Place: Washington, D. C.

Date: November 19, 1992

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BEFORE THE FEDERAL ELECTION COMMISSION

) Docket No.
) MUR 3522
)
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)
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)

Deposition of:

NELLIE LOU GAMAGE

a witness of lawful age, taken on behalf of the Commission pursuant to notice, held at the Federal Elections Commission, 999 E Street, N.W., Washington, D.C., 6th Floor, on Thursday, November 19, 1992, at 9:45 a.m., before PETER DIXON, Notary Public in and for the District of Columbia, when were present:

APPEARANCES:

On behalf of Witness:

ROBERT F. BAUER, ESQ.
JUDY CORLEY, ESQ.
Suite 800
607 14th Street, N. W.
Washington, D. C. 20005

On Behalf of Commission:

XAVIER McDONNELL, ESQ.
CRAIG DOUGLAS REFFNER, ESQ.
Federal Elections Commission
999 E Street, N. W.
Washington, D. C.

BEFORE THE FEDERAL ELECTION COMMISSION

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Federal Elections Commission
999 E Street, N. W.
Washington, D. C.

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I N D E X

WITNESS:	EXAMINATION
Nellie Lou Gamage	3

EXHIBITS	IDENTIFIED
No. 1	64
No. 2	107
No. 3	110
No. 4	113
No. 5	135
No. 6	139
No. 7	171
No. 8	187
No. 9	203

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PROCEEDINGS

NELLIE LOU GAMAGE

having been duly sworn by the Notary Public off the record was examined and testified as follows:

MR. McDONNELL: Your deposition is being taken pursuant to 437, Title 2. The Commission is authorized to subpoena.

Can you state your name for the record please?

THE WITNESS: My full name is Nellie Lou Gamage. Please call me Lou.

MR. McDONNELL: Lou. Okay. Have you ever had your deposition taken before?

THE WITNESS: No.

MR. McDONNELL: Okay. Well, I'm just going to go over a few ground rules for you so you know what to expect.

One is, first of all, we treat your testimony as we would in a court of law. You've just been sworn in.

Please answer all questions verbally instead of by a nod of the head or any other way so that the Reporter can take it down. Okay?

THE WITNESS: Okay.

MR. McDONNELL: And if you don't understand any question that I ask, just ask for a clarification and I'll

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clarify it for you. If you don't know the answer, just say you don't know and that will be fine.

We'll be taking a series of breaks today, every hour or so probably. And if at any time you want to take a break, just let me know and we'll take it then as well. Okay.

THE WITNESS: Okay.

MR. McDONNELL: All right.

EXAMINATION BY COUNSEL FOR THE COMMISSION

BY MR. McDONNELL:

Q What have you done to prepare for the deposition today?

A I met with my attorneys, Bob and Judy, and I have spoken with members of the Bryan campaign.

Q What members of the Bryan campaign?

A I've spoken with Jean Neal, Senator Bryan. Mike Kern, treasurer for Friends for Bryan.

Q Okay. And when was it that you talked to Ms. Neal?

A As recently as 15 minutes ago.

Q Okay. And this was on the telephone?

A No. Personally.

Q Personally? Okay. And Senator Bryan, when did

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you talk to Senator Bryan?

A Telephone yesterday.

Q Telephone yesterday. This was about this matter?

A Yes.

Q Okay.

MR. BAUER: I think it might be helpful if I could--maybe she's not understanding--she may not understand exactly why you're asking those questions.

MR. McDONNELL: All right.

MR. BAUER: If you could clarify that for her since she hasn't been deposed before.

BY MR. McDONNELL:

Q We just want to know the exact--you know, if you review anything or anything that you know--anything that you talked about with those people, we'd like to know what it is because it relates to this matter.

Do you want to tell me about that?

MR. BAUER: Well, I don't think that would be entirely appropriately because this was all under the advice of counsel and I was present for these conversations.

MR. McDONNELL: Oh. Okay.

MR. BAUER: Then it would be privileged.

MR. McDONNELL: Okay.

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BY MR. McDONNELL:

Q Did you review any documents?

A I have seen documents.

Q Did you review any documents for this deposition today?

A Yes.

Q Okay. And what would those documents be?

A I had some documents that were documents from a catering company.

Q Okay. Were those produced here to this Commission?

A Yes.

Q Okay. Any other documents you looked at that were not produced?

A No.

Q All right. When you first received notice about this back in I believe it was June of this year, is that correct?

A I was made aware of it.

Q Right. Okay. Since that time, have you spoken to anyone about this matter, anyone who held a fund-raiser at their home in 1988?

MR. BAUER: Could you rephrase that question

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please?

BY MR. McDONNELL:

Q Okay. Since earlier this year, when you received the notice from the Commission about this matter, have you spoken to anyone about this matter in connection with the underlying events, anyone who held a fund-raiser at their home in 1988?

A About this matter?

Q Right.

A I don't believe so.

Q Since you received the notice from the Commission about this matter, have you spoken to anyone about this-- anyone from the Democratic Senatorial Campaign Committee about this matter?

A The DSCC?

Q Right.

A No.

Q No one from there? Have you spoken to anyone from the State Party about this matter?

A No.

Q Okay. Did you have any conversations with any people when counsel was not present about this matter, conversations about this matter when counsel was not

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present?

A Yes.

Q Okay. And who would those be?

A Jean Neal. I can't remember anybody else in particular. I mean I would talk with Mike Kern.

Q Okay.

A The treasurer. And the accounts manager.

Q Okay.

A For the Friends for Bryan campaign.

Q Right. Okay. And when about was this, did this conversation take place? First of all, with Ms. Neal.

A Well, you're saying when I received information.

Q Right.

A Technically Jean Neal received the notification.

Q Okay.

A So it was brought to my attention, and you're telling me it's June. I wasn't even certain that it was June.

Q All right. Earlier this year. Earlier this year when you spoke to her about this, that's what we want to know about.

A I'm not understanding your question.

Q Okay. I'm sorry.

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A I'm sorry.

Q Whenever you received the notice earlier this year--

A Okay. I didn't receive a notice. So I guess I'm not--

Q Okay. You didn't receive it. Okay. You didn't receive it. Okay. Whenever you received information about this matter--it's actually addressed to Michael Kern, I believe, the treasurer.

A Okay.

Q Okay. Since that time, have you spoken to Ms. Neal about this matter when counsel was not present?

A Yes.

Q Okay. And how did those conversations come about? Tell us about them--

MR. BAUER: Well, actually I don't think that that's--Ms. Neal is the one who on behalf of the committee retained our law firm and any conversations that she held with Ms. Gamage were at my direction in the course of our preparing ourselves, so whether I was physically present or not, or any member of my firm was physically present, the privilege attaches.

MR. McDONNELL: Well, we have to find out the

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date, when the privilege attaches, once she--

MR. BAUER: But your question assumes that the conversation is held subsequent to notification from the Commission. The notification of the Commission prompted the retention of our law firm by the Bryan campaign on the authority of Ms. Neal.

MR. McDONNELL: At what time?

MR. BAUER: Pardon me?

MR. McDONNELL: You don't know--do you know what time you were retained?

MR. BAUER: Well, all I know is--all I know is that as far as I'm concerned, I'm unaware of any conversation held with Ms. Gamage which was not held without my knowledge or under my direction. And if you're able to find such a--if we're going to hunt for periods of time when the privilege doesn't attach, we'll have to be very specific about it because I'm not prepared to waive the privilege.

MR. McDONNELL: Oh, I understand that.

MR. BAUER: I know my client is not prepared to waive the privilege.

MR. McDONNELL: Right. Okay.

BY MR. McDONNELL:

Q At the time when you spoke to Ms. Neal, did she

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inform you that she had retained counsel?

A Yes.

Q She did? At that first time you had a conversation with her?

A I can't tell you whether it was the first time. I knew that we had retained counsel.

Q Uh-huh.

A Immediately.

Q How do you know that?

A Jean Neal told me that we had retained counsel.

Q Did she tell you when in relation to--

A Are you asking for a specific date? Is that what you're wanting?

Q No. I'm just asking for an approximate--

A Because I am really confused as far as the date.

Q No. I wouldn't expect a date.

A Okay.

Q I would like to know the first time you had the conversation about this matter with Ms. Neal, she informed you that she is retaining counsel at that time?

A Yes.

Q Is that correct?

A Correct.

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Q To the best of your recollection?
A Correct.
Q Okay. So is it your testimony you have not talked about this matter with anyone other than either in the presence of counsel or when counsel has retained Ms. Neal?
A Yes.
Q No one else you talked to.
MR. BAUER: Not to the best of her recollection.
THE WITNESS: That's to the best of my recollection.
BY MR. McDONNELL:
Q That's fine. Okay. Now let me go back over some background information.
Would you state your address please?
A My home address?
Q Yes.
A 1341 Pinto Rock Lane, No. 101, Las Vegas, Nevada 89128.
Q Okay. And your telephone?
A Home number is Area Code [redacted]
Q Okay. And your office address?
A 300 Las Vegas Boulevard South, Suite 1110, Las Vegas, Nevada 89101.

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Q Would that be a personal office or some other campaign office?

A That is the office of the United States Senator, Richard Bryan.

Q Richard Bryan?

A Yes.

Q Okay. Do you have any other work address?

A No.

Q Just that one. Okay. Did you give the telephone number there?

A Area Code (702) 388-6605.

Q How long have you maintained that address as your office address?

A January 3rd or 4th, 1989. I'm sorry. Whenever Senator Bryan was sworn in. I don't know the exact date.

Q Okay. Prior to that time?

A Prior to that time?

Q Prior to that time what was your office address?

A Well--

Q If you know.

A Prior to that time, my office address be--actually I was self-employed with Senator Bryan prior to that.

Q Self-employed with Senator Bryan?

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A Uh-huh. Senator Bryan hired me through the campaign.

Q Okay.

A So my address would be my home address.

Q Your home address. All right. What period of time would that be for?

A Senator Bryan--I started employment with Senator Bryan in--I have to think about this a minute. I started in 1981 as a volunteer, so 1981, '82. '83, 1983, spring of '83.

Q That's when you--

A Became self-employed, yes.

Q Self-employed.

A Was hired by Senator Bryan.

Q That's when you were first hired by Senator Bryan, 1983?

A Yes. He was governor at the time.

Q Okay. And your address was the same home address that you have presently?

A No, no.

Q Could you give us that address?

A 5050 South Pearl, Las Vegas, Nevada 89120.

Q All right. Could you tell me about your

9403097060 4

educational background, what your background was in?

A I have two years of college. No, I'm sorry. A year and a half of college. Otterbein College, Westerville, Ohio.

Q Okay. And your area of expertise--

A Was business.

Q Business. Okay. And what is your current occupation?

A I am Senator Bryan's scheduler in Southern Nevada. And special projects coordinator.

Q Okay. You just testified a minute ago that you started working in 1981 as a volunteer, is that correct?

A As a volunteer when he was the Attorney General.

Q Okay. Was that when you first became involved in politics?

A Yes.

Q Was there any earlier volunteer work?

A No.

Q Okay. How did you first get started in this work, volunteer work?

A I was in the jewelry business. And my partner, my partner in the jewelry business was asked by the Attorney General to run his Southern Nevada campaign. And she in

9403097060 5

turn then asked me to come on board and volunteer.

Q Okay. And what campaign was that?

A Governor--well, he was Attorney General running for governor in 1982.

Q Okay. And you started there as a volunteer?

A Started as a volunteer.

Q Okay. And did you continue your job at the jewelry store as well?

A It wasn't a jewelry store. We did home parties, and yes, I did.

Q Oh, I'm sorry. I thought you said--

A I ran a jewelry business. We conducted home parties.

Q Oh, so you had--

A And so we worked out of our homes.

Q Okay. And what kind of a business was it? I mean what kind of home party business?

A Jewelry, fine jewelry.

Q Oh, I see. So it was party--can you explain a little more about it?

A Like Tupperware.

Q All right.

A Tupperware--

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MR. BAUER: Can we go off the record for a second.

MR. McDONNELL: Just for the record, from now on I will tell when to go off the record. You, the reporter, are here at the Commission's expense.

MR. BAUER: Well, I can expect, however, to make reasonable requests--

MR. McDONNELL: Yes, sure. Sure, you can make the request.

BY MR. McDONNELL:

Q Okay. During that time when you were doing the volunteer work, what kind of things were you doing?

A I was doing special events.

Q And what does that mean?

A Coordinating kickoff campaign parties, rallies, picnics in the park, dealing with fairs. Anything for voter contact.

Q Okay.

A Created fund-raising events. Like a birthday party for the Senator in July.

Q I see. And that was like in 1982/83?

A Uh-huh.

Q Okay. And then how many hours a week would you be working on this type of activity?

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A A minimum of 40.
Q Forty?
A A minimum, I would say. I was a full-time volunteer.
Q Full time. Okay. And when did the full-time volunteer status begin?
A We were given a shoe box in October of 1981 to start the campaign and preparation for the '88 campaign.
Q The '88 campaign?
A '82, excuse me.
Q Okay.
A The '82 campaign.
Q All right. And so after the campaign--I assume Senator Bryan won that office?
A Yes, he did.
Q Okay. And then what did you do after that?
A The Governor hired me as his personal liaison to the community as Governor.
Q Okay. And what did that job entail?
A And I did special events for the Governor then. I would create events such as the Governor's Industry Appreciation Luncheon.
Q All right.

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A Whenever Governor Bryan would be selected as an honoree for an organization, I would represent the Governor on committee meetings.

Q Okay. And then when was the next race that you were involved after that?

A '86.

Q '86? What was that for?

A He was Governor, running for reelection.

Q Okay. And at this time try to give me--you said you did the special coordinating work for him.

A Uh-huh.

Q And then you started the campaign work. When in the year did you start the campaign work for the '86 election?

A January.

Q January?

A January of '86.

Q Of '86. All right. You ran that right through until November, is that correct?

A Yes.

Q During that time period, would that be the only thing you'd work on was the campaign work, or did you continue your other work as well?

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A I'm trying to think. My jewelry business, we had dropped the jewelry business like in 1983 I believe.

Q Okay.

A Boy, it's been awhile. Yes, that would be the only work that I conducted in 1986.

Q Okay. What I mean is is it sort of compartmentalized as far as the campaign work as opposed to your other work that you did for Senator Bryan

A Oh, strictly campaign, strictly campaign.

Q Okay. In '86 through to November?

A Correct.

Q And after the November election, when he won, you would go back to doing special projects, is that correct?

A Correct.

Q Okay. During that time period, did you work for any other committees at all, campaign committees, at the federal level? In other words, did you work for the State Party or any congressmen or other senators during that time period we're talking about, from 1982 right through to '86?

A No.

Q No.

A I would assist with the State Party.

Q In what?

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A In events.

Q Okay.

A Certainly, yes. In fact, I'd give fund-raising events for the State Democratic Party.

Q All right.

A During that period of time.

Q Can you tell us about what times you would do that? What would initiate such work?

A The Chairman of the Democratic Party came at one point to Governor Bryan and asked him if I could coordinate a fund-raiser for a dignitary that came to Las Vegas. And that was Senator Glenn.

Q Okay.

A And we were raising money for the Democratic State Party and it so happened that it was the last episode of "MASH" on television and I turned Caesar's Palace into a MASH camp.

Q Okay. And what year was that?

A That was in 1983.

Q '83? Okay.

A I would work with the Democratic Party and help organize state conventions.

Q I see.

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A So, yes, there was an involvement with the Party throughout.

Q Okay. At certain times, you would--

A When the need would arise.

Q Right.

A Right.

Q And the Chairman would contact you directly?

A Pardon me?

Q The Chairman of the Democratic Party would contact you directly or would he contact someone else?

A The Chairman of the Party would normally ask Senator Bryan if Senator Bryan would give me up to do my regular duties or whatever at that time to assist them in a project.

Q I see. When you worked for them, do you primarily the same type of work that you did for Senator Bryan during his campaign, is that correct?

A I do major events.

Q Major events. Okay.

A Right.

Q That's your specialty.

A Yes.

Q When you said convention work, are you talking

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about the State Party conventions?

A Correct.

Q Okay. Those usually happen at the same time every year?

A Well, they're not held every year. And, yes, I mean you had your county convention and I would work on the Clark County convention and also work on the State convention. If I was asked. And this didn't happen every time.

Q I see.

A I worked with Brent Adams one year.

Q Brent Adams?

A Brent Adams, Chairman of the Democratic Party in 1983.

Q All right.

A And coordinated the State convention.

Q Okay. Any other years that you coordinated the State convention?

A No.

Q No? That was the only one?

A That was the only one.

Q Okay. Was there anyone else in Senator Bryan's office or at that time Governor Bryan's office who was

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similarly situated as you, worked for the State Party as well?

A No.

Q You were the only one during that time?

A Worked for the State Party?

Q Did volunteer work the same as you did.

A Okay. Thank you. I need to clarify that.

Q Okay, sure.

A Because I didn't work for the Nevada State Party. I worked for Senator Bryan.

Q I see. Did you ever receive any compensation from the State Party for your services?

A No.

Q Okay. Did you ever receive any reimbursement for anything you had purchased for them?

A Oh, I suppose. I'm sure. I can't state a specific, but I'm sure I might have bought a banner or something. I'm sorry. I can't give you a specific on that, but I'm sure that could possibly be the case.

Q And I asked before, did anyone else from the office volunteer for the State Party?

A That was on--

Q On Senator Bryan's staff?

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A On Senator Bryan's staff working for the State of Nevada?

Q Well, just--

A I was the only person that did not work for the State of Nevada. I worked personally for Dick Bryan.

Q I see.

A I had a friend who assisted me in events in a volunteer capacity. Her name is Kitty Dees.

Q Kitty Dees? And did she work for Governor Bryan's campaigns as well?

A Yes, she did.

Q Okay. But all volunteer work?

A She was on payroll in 1988.

Q 1988. For the Senate campaign.

A Correct.

Q Okay. And you told us how you worked for Senator Bryan through 1986 or Governor Bryan. Now, what was the next race that you did after that?

A 1988.

Q Okay. And what was that for?

A United States Senate.

Q I see. And when did you begin working on that race?

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A In January of 1988.

Q And between September of '87 and January of '88, what type of work were you doing?

A I was working for Dick Bryan when he was Governor. Same thing. Serving as his liaison to the community.

Q Okay. When you say "same thing," you mean you're doing special projects and--

A Special projects, industry appreciation. Every year I created an annual event, north and south.

Q All right. When you began working for Senator Bryan's campaign in January of 1988, did you change your status as far as your pay, where your pay was received?

A Yes. I was paid through the campaign funds, but I had been paid through campaign funds all along.

Q Oh, you had been?

A Yes. That's how I worked personally for Senator Bryan.

Q I see. You worked for his State office campaign funds. You're paid by the State?

A Not by the State Party.

Q I don't mean State Party. I'm saying by his State, as Governor, as Governor of--

A His campaign funds.

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Q Campaign.

A Correct.

Q Okay.

MR. BAUER: I'd like to make certain we have some clear statement of all of this on the record. I take it that your testimony is that up until January of 1988, all of your work for Senator Bryan was of a general political character paid for by his campaign organization.

THE WITNESS: Yes, correct.

MR. BAUER: And that you did not work as a paid member of his Attorney General staff. You are a paid member of his campaign staff.

THE WITNESS: Correct.

BY MR. McDONNELL:

Q You said you were retained by him personally.

A That's what I meant when I said personal.

Q Okay. That's what I was trying to clarify. That's all. Okay.

So then in January of '88, you were on his Senate campaign payroll?

A Correct.

Q All right, fine. Okay. And after that race was over, what was the next campaign you worked on?

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A In 1988?

Q Right.

A I was hired on the Senate staff, the United States Senate staff.

Q You were? Okay.

A In 1989, January.

Q January of 1989. Okay. What was your position then?

A Special projects coordinator.

Q Okay. And what does that entail?

A When Senator Bryan then would have a hearing, I would do all the logistical planning. Any time--I'm trying to think--town hall meetings, constituent reach-out programs, I would do the logistical setup on that. I did constituent work. I did military constituent work. From January until November of '89.

Q Okay.

A I did constituent work, case work, on contracts, federal contracts. Problems. When constituents would have a problem, and we needed to deal with case work, I handled the military area and federal contract area.

Q Okay.

A As well as did special projects.

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Q You said from June to November of '89 you did--
A January.
Q January to November of '89 you did the military work?
A I did constituent case work.
Q Okay. What did you do in November of '89?
A I became Senator Bryan's scheduler.
Q Okay. That was the first time you had that official position?
A Correct.
Q Okay. What was the reason for the change?
A The woman that had been his scheduler retired. Jenny Des Vaux retired.
Q Jenny Des Vaux. Can you spell that for us please?
A J-E-N-N-Y, D-E-S V-A-U-X. V for victory.
Q Okay. What this a promotion that you received?
A A lot of work, no additional pay.
Q Okay. I take it that means you were scheduling all the Senator's--all of his activities?
A Correct.
Q His work activities as well as his personal activities?
A Yes.

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Q Okay. Both here and in Nevada? Both in Washington, D.C., and in Nevada?

A No. Southern Nevada.

Q Southern Nevada only?

A Southern Nevada.

Q Oh, I see. All right. Okay. And then you said--what did you begin doing in 1989, in November of 1989? I'm sorry. When is the next campaign you worked on after that?

A There's been none. He's a United States Senator.

Q I understand that. But I mean any other campaigns that you worked on at all, whether State Party races or other Senate races. When was the next one after that? Did you work on the 1990 election?

A I've assisted--yes. I mean I assisted in Harry Reid's campaign.

Q What campaign was that?

A Let's see. Let me think about this. I helped with the "Get out the Vote" in '90 on Election Day. I served as an area coordinator.

Q Area coordinator?

A Area Coordinator in 1990.

Q On Election Day you say?

A On Election Day.

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Q Any other time you worked for that committee--

A No.

Q Or did volunteer work?

A No.

Q Nothing else?

A I mean I would be involved. Keep in mind, I am a member of the Clark County Democratic Party. I am a member of the State Democratic Party, so I go to meetings on a regular basis and I have done that since I entered politics.

Q I see. I'm talking really about planning events and fund raising--

A Oh, certainly.

Q "Get out the Vote" activities.

A Certainly. Oh, "Get out the Vote" activities? Now, let's be specific here.

Q I'm trying to get--

A Okay, okay.

Q See, we don't understand, don't have the knowledge to know what your job is. You have to--that's why I'm asking questions.

A Let's take it one step at a time.

Q Okay, sure.

A The only involvement I had with "Get out the Vote"

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in 1990 was on Election Day when I served as an area coordinator.

Q Okay.

A For that program.

Q Right. How about 1989?

A '89?

Q Yeah. Did you do anything in '89?

A Other than my regular Democratic activities? I would travel to State meetings, and I would go to conventions. Clark County Democratic meetings. Paradise Democratic meetings.

Q Right.

A I mean I am involved in the Democratic Party.

Q I see. Okay. And the next time after that you worked on any campaigns after 1990 was when?

A This year.

Q And when was that? That was for Senator Reid, is that correct?

A Yes.

Q And when did you begin working--

A Again, I worked on "Get out the Vote."

Q Just "Get out the Vote"?

A I worked on--yes. I was an area coordinator again

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this year.

Q When?

A On Election Day. And, yeah, that's basically what I've done. I mean I'm very, very busy. I work 14 hours a day with Senator Bryan.

Q I see. Okay. So you did no work for Senator Reid's campaign then specifically?

A I hate to say specifically, because I just think--

MR. BAUER: I think the confusion is over what it means to work for the Party.

THE WITNESS: Yes.

MR. BAUER: Maybe what we need to do is to go over the question of what kind of things you understand the Party would do. That is, the Party being helpful to all the candidates on the ticket. So in that sense, you were working for Harry Reid.

THE WITNESS: Yes.

MR. BAUER: Is that what you want to say?

THE WITNESS: Yes.

BY MR. McDONNELL:

Q Did you arrange any fund-raisers for Harry Reid?

A For Harry Reid?

Q Yes.

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A No.

Q Okay. Did you coordinate any fund-raisers with Harry Reid, for his campaign?

A No.

Q No? Did you have any input at all into any fund-raisers for Harry Reid's campaign as far as executing any details, contacting individuals, post-parties, et cetera?

A I will tell you that people would ask my advice on locations or possible locations to hold a fund-raiser. I remember one instance where I recommended a restaurant called "Chicago Joe's" because it was a new restaurant.

Q Okay.

A And I thought that might be fun for Harry to have a fund-raiser there. But this would be in conversation.

Q With who though?

A Bill Marion as a matter of fact.

Q And who is that?

A Bill Marion. I'm sorry, I don't know his exact title, but he works in the Senate office.

Q Of Senator Reid?

A Yes. And Reynaldo Martinez.

Q Reynaldo Martinez. They would call you up in your office in Nevada and ask you?

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A No, they would not. I mean keep in mind, Xavier, that I deal on a day-to-day basis with Bill Marion. He does scheduling for Senator Reid. So, you know, on his off hours, his volunteer hours, he would give input into the campaign side. He knows that I have done events over the years, he would just solicit suggestions from me.

Q I see. How about for individuals who host fund-raisers--

A You're asking--

Q Did he ask you advice about which individuals would be good to hold a fund-raiser at their home?

A Specifically say to me, "Lou, give me a name of somebody who--" That may be construed that I would give a suggestion of a name because we worked together. I mean people that had given fund-raisers for Dick Bryan, of course, I might say that "Dr. Nave gave a fund-raiser for Dick Bryan. You might want to consider approaching him." In conversation.

Q Right.

A But I mean nobody would have a specific--

Q Who would you recommend if he asked you?

MR. BAUER: Pardon me? What was the question?

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BY MR. McDONNELL:

Q Who are the people you would recommend if he asked you--

MR. BAUER: I have to object. I don't see what the relevancy of that is.

MR. McDONNELL: Well--

MR. BAUER: I don't think that it's necessary to turn Harry Reid's fund-raising operation onto the public record here. I mean what she said or who she recommended to raise money for Harry Reid isn't at all pertinent to the issues raised in this proceeding.

MR. McDONNELL: But I think it is pertinent.

MR. BAUER: Well--

MR. McDONNELL: It's pertinent to the people that held--the persons who held fund-raisers in their home in 1988. I want to know the names of people she would recommend today.

MR. BAUER: That's a different question. If you want to ask her whether there were specific people that she recommended to conduct fund-raisers in her home, I would certainly permit her to answer that. I think that is relevant.

MR. McDONNELL: In their home.

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MR. BAUER: No, I think that's a different story. But that's not the same question as "Who did you recommend to raise money for Harry Reid or to give money to Harry Reid?" which is a vastly broader question.

MR. McDONNELL: Okay. Answer it the way--

THE WITNESS: What is the question?

BY MR. McDONNELL:

Q I would like to know who you recommended as a person to hold a fund-raiser in their home? Who would you recommend?

A I didn't recommend anyone.

Q Did you indicate--the question is did you indicate someone who might may for a good in-home host or hostess?

A Yes. I mean but that was conversation between people raising money for candidates, who are potential people to raise--

Q That's what I want to know.

A Okay. Yes. But you're asking--I think I'm misunderstanding your question. I think you're asking me specifics on recommending a particular--

Q -- specifically might help you remember about it. But, go ahead, if you know who you would recommend.

A And you want me to cite names?

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Q Yes.
A Dr. Jim Nave.
Q I've got that already. That's one.
A Ike Kahn, Dr. Ike Kahn.
Q All right.
A I'm trying to think. Elias Ghanem, Dr. Ghanem. Grant Sawyer. Harry Brandess.
Q Okay. You've given us about five. Is that the basic ones you would usually recommend or that come to mind?
A Those are names that have come to mind.
Q Okay.
A They are good supporters.
Q Have you recommended those people recently to anyone else on another campaign?
A From another campaign?
Q Right.
A Other than Harry Reid?
Q No, I'm not saying Harry Reid. I'm saying anyone other than Senator Bryan.
A Other than Senator Bryan.
Q Right.
A Now, your question is did I recommend those people. This is conversation that has taken place.

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Q Right.

A Between members of Reid's staff and myself, recommending people. It's just you talk. It's normal to talk about good supporters.

Q I see.

A That is normal conversation.

Q That's what I was just asking.

A Okay.

Q Do you have a list of different people you'd use, you'd recommend?

A Well, anybody that has been a donator, has donated money, is a potential giver, is a potential person to have a fund-raiser.

Q Do you have a list of certain people who have donated?

A Did I give--

Q Specific people you would use?

A Anybody could be potentially that person and you could approach a person that has been a big giver to a candidate.

Q Do you have a specific list I'm asking you of these people's names?

A Yes.

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Q You do?
A Yes.
Q Okay. Is Dr. Ghanem's name on that list?
A Yes.
Q Okay.
A Can I elaborate? That it's the FEC report.
Q Oh, sure.
A I mean if the FEC report--
Q That's what you use?
A Sure. The FEC report reflects every donation that has been given to Dick Bryan.
Q But there are a lot of people on that list who have never held a home fund-raiser in their house, correct?
A Correct.
Q Do you mark it in some way, mark the people who have fund-raisers in their home so you know which ones to-- the ones you recommend?
A I know of people who have given parties for us and so, you know, when they invite other people into their home that give, they become a good candidate for another candidate to ask to do the same for them, if it's a Democratic candidate.
Q So you just have a stack of FEC reports or on the

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computer or what?

A I have every FEC report that we submitted.

Q So when you need to recommend someone, do you look through that list--

A No, Xavier. You don't look through the list. I mean you know who your big donors are. You know who your max donors are.

Q In other words, you don't have a specific list of just the people who have held fund-raisers in their home who you would recommend?

A I have files on everybody that has held a fund-raiser in their home.

Q You do?

A Sure. I've had files in the past. Every fund-raiser I've ever done.

Q Do you have a file on Dr. Ghanem?

A Yes.

Q Okay. Would you be willing to make that available for the Commission?

A For the fund-raiser that he did?

MR. BAUER: I will consult with her as to whether it's covered by the materials requested in the subpoena.

MR. McDONNELL: Well, other than that, if you'd

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generally make it available.

MR. BAUER: That's not relevant what she's willing to--your question is whether or not her counsel will advise her that the production is covered by the subpoena.

MR. McDONNELL: Okay. So in other words, you would not specifically just agree to--

MR. BAUER: No, we're not specifically saying that everything in her personal files will be turned over the Commission to satisfy its curiosity. We'll turn over materials which are called for by the subpoena and relevant to the proceeding.

MR. McDONNELL: Okay.

BY MR. McDONNELL:

Q Do you have a file in your office of the catering company called "The Caterers, Incorporated"?

A Not a file per se.

Q You don't? Did you ever have a file on them?

A Never had a file per se. I mean I dealt with The Caterers over the years, since 1982.

Q I see. Do you have a file of all the different catering companies you use?

A No, I don't have a file per se.

Q Do you have a list of the catering companies you

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use?

A Yes, I have the list in my head.

Q You don't have a list--

A Catering companies come and go.

Q You don't have any written list?

A No, I do not have a written list.

Q Okay.

MR. McDONNELL: Let's go off the record for a second.

(Whereupon, there was an off-the-record discussion.)

BY MR. McDONNELL:

Q We'd like to clarify for the record, Lou, that you do not have any files other than the ones that Senator Bryan has, is that correct?

A Correct.

Q When I say "files," I'm referring specifically to files about the 1988 campaign.

A Correct.

Q Is that correct?

A That's correct.

Q And all the files that you're referring to refer to Senator Bryan's campaign files?

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A Correct.

Q Okay. Thank you so much.

Now, I want to focus really on the 1988 Bryan's Senate campaign, as I'm sure you know. And you've already testified that you worked for that campaign. And you first got involved--was it early in the campaign in January of 1988, is that correct?

A Yes.

Q Okay. And how did that come about?

A Senator Bryan asked me to be a part of his "Friends for Bryan" campaign, 1988. Running for the Senate.

Q All right. And what was the position?

A Special events coordinator, projects coordinator, and fund-raising in Southern Nevada.

Q Okay. Special events, project coordinator.

A Uh-huh.

Q Those are two different positions, I take it?

A Well, projects, events, probably the same.

Q Okay.

A And fund-raiser in Southern Nevada.

Q Okay. Southern Nevada, does that include Las Vegas--

A Yes.

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Q And Reno?

A No. Reno would be the northern part of the state.

Q Okay. Could you give us just a description of what the projects coordinator would be. I know you've touched on it before, the different duties that you would do.

A I would coordinate and set up rallies, campaign kickoff parties, primary night parties, election night parties, dignitaries' rallies.

Q Okay. And the project coordination-type position?

A That's all the same. Special projects and events coordinator would be the same.

Q Okay. All right. And you were involved in the fund-raiser events, I take it?

A Yes.

Q Okay. What exactly would--you say you were involved in organizing them?

A Organizing them and soliciting.

Q Soliciting?

A Uh-huh.

Q Okay. And what kind of soliciting are you talking about now?

A Approaching people to give donations to the Senate

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campaign on behalf of Governor Bryan.

Q Okay. When you say "approaching," how would you go about doing that?

A Telephone calls, conversations.

Q Conversations--you mean in person?

A Yes.

Q Okay. So telephone calls as well as personal conversations?

A Certainly, certainly.

Q Did you do traveling, when you say in person, did that involve traveling or--

A Traveling? No. I never left the southern part of the State during the campaign.

Q Okay. You would leave the office though and go out and meet people?

A Oh, certainly, certainly.

Q How would you go about doing that?

A How would I go about leaving the office, getting in the car and leaving the office and going from Point A to Point B?

Q Okay. Let me start here. What kind of people would you approach? How would you go about approaching people? You'd just go in the street? Would you use a list?

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A Well, no. I would use a list. I would use my contacts that I had built over the years. We created a fund-raising committee. And that committee would network out to their friends to solicit funds.

Q Okay. That committee is something you organized?

A Yes.

Q One fund-raising committee?

A It was a fund-raising committee for the whole campaign. Which when I would have an event, a major fund-raising event, we would bring that committee collectively together.

Q Okay.

A Ask them to sell tickets and network out.

Q Okay. How many people were on that committee?

A I'm guessing. Twenty, 25.

Q Okay. These are people that you've known through the years, you said?

A Correct.

Q Okay. And how would you come to get involved with these people or come to know them?

A They would be supporters of Senator Bryan.

Q Okay

A Friends.

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Q They'd be friends of Senator Bryan?
A Correct.
Q Friends of yours?
A Well, his friends became my friends over the years.
Q Okay.
A So that's hard for me to decipher.
Q Are these people--were they generally in Southern Nevada?
A Yes.
Q Okay. Las Vegas most of them?
A Yes.
Q Okay. When you said you went out, did you call on these people--
A Yes.
Q --in person?
A Sure.
Q And how would you approach them?
A I would approach them from the standpoint that I was Senator Bryan's fund-raiser in Southern Nevada, and ask them if they would be willing to support Senator Bryan for his candidacy for the Senate.
Q Okay. And when you say support, you mean--

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A Financially.

Q Financially, making a contribution.

A Correct.

Q How about as well as having fund-raisers in their home or--

A Certainly.

Q Okay. And would they also be soliciting on behalf of Senator Bryan, soliciting others?

A Yes.

Q You would ask for basically those three things, would you give money to Senator Bryan's campaign, would you solicit others for Senator Bryan's campaign, and would you also hold a fund-raiser in your home?

A That wouldn't happen all in one conversation.

Q All at once. Okay. But those are the three ways that you--

A I mean someone could come forward and give a donation to Senator Bryan and that person could indicate to me a willingness to help the Senator.

Q Okay.

A And so I would possibly suggest to them, "Would you be willing to hold a fund-raiser in your home and invite your friends to come?"

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Q Okay. That would be the initial step in getting the fund-raiser going, right?

A Correct.

Q The home fund-raiser.

A Correct.

Q You also worked in fund-raisers that were held in other residences? I mean in other--in businesses, for instance, or held in hotels or at restaurants, is that correct?

A Gosh. As far as we would have--boy, I'd have to really think about that. We primarily held our events in people's homes and in community centers. I remember that we had a--I believe one in like a condo complex, where everybody came to a community center.

Q Okay.

A As far as going into a restaurant, I'm drawing a blank. I'm sorry. And I'm sure we must have.

Q In hotels? I think you said before I believe--this is pre-federal election activity, and you said in 1983 you had one at Caesar's. You had a fund-raiser at Caesar's Palace?

A That's a whole--

Q That's what I'm saying, did you have anything like

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that similar on the federal level?

A Not in hotels.

Q Not in hotels.

A No, no. I had a big major fund-raiser in the Nevada National Bank Building.

Q Okay. And when was that?

A October 10th, 1988, to be exact.

Q Okay. And in the building, did they have a certain room you could have it in or--

A Well, I took a brand new building that was under construction and took the ninth or 10th floor that was not completed. It was a bare floor.

Q Okay.

A And turned it into a Paradise and had a very formal dinner and people could look over the city. It was beautiful.

MR. BAUER: There was no roof on it at the time?

THE WITNESS: No, there was a roof on it. There was a roof on it.

MR. McDONNELL: Air conditioning?

THE WITNESS: Oh, yes. It was certainly--the power was on.

MR. BAUER: I'm curious how primitive this was.

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You mentioned the -- And I thought this was Towering Inferno in that--

THE WITNESS: No. As a matter of fact, that is the event that I hired Chris Karamanos to cater.

BY MR. McDONNELL:

Q Okay. We'll get back to that later probably.

You said you had about 20 to 25 people. Were these people of any certain professions or--

A No. All professions.

Q Okay. Such as--

A Realtors, business, doctors, it was a cross section. That was the purpose of the committee, to be able to network.

Q To get different areas, people with different careers?

A Correct.

Q That was part of the--

A Correct.

Q --strategy or whatever?

A Yes.

Q Would you say you were in charge of fund-raising, would you be the top person--

A Yes.

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Q --in your organization?

A Not the top person in the "Friends for Bryan" organization. I was the fund-raiser in Southern Nevada.

Q All right. And was most of the fund-raising--what was the largest area where the fund-raising was--as far as money goes, money was raised?

A Nationally, PAC money.

Q PAC money. Okay. As far as individuals.

A As far as individuals, probably Southern Nevada.

Q Okay.

A I'm sorry. I don't remember my figures. But remember that a lot of money was solicited across the country.

Q Is that right? Okay. What were some of the other persons who had a similar position as you in the other areas?

A Jean Neal.

Q Okay.

A Did national fund-raising.

Q All right.

A Florence Ochi. You're going to ask me to spell it. O-C-H-I, I believe. She did California fund-raising. Gigi Hay.

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Q Okay.

A Did fund-raising in Northern Nevada.

Q Okay. Anywhere else you can think of, any other areas where they specialized?

A No.

Q Okay. Now, when you say you went out on the road sort of to solicit money, did you usually make appointments with those people beforehand?

A Yes.

Q Okay. These are usually people at their jobs, you would show up at their profession, or did you go to their homes or--

A I'd go to their jobs.

Q Okay. How often would you say you had home fund-raisers in the period from January 1988 through, say--well, say to the November election?

A One a month. I'm guessing. I'm sorry. I don't remember specific numbers.

Q That's okay. That's fine. That would be your estimate, one a month?

A Right.

Q So maybe--

A I just don't know-

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Q Maybe 11 fund-raisers at a home?
A Yeah.
Q At several homes around the area?
A I'm sure there were more than that.
Q Okay.
A There were smaller--there would be luncheons, there would be different size fund-raisers.
Q I see. As far as the larger fund--what do you consider a large fund-raiser?
A Twenty people or more.
Q I see. Okay. And it would be a dinner as opposed to a lunch?
A Or a reception.
Q A reception.
A Uh-huh.
Q Okay. A reception, what exactly do you mean?
A Cocktails.
Q Okay. Just cocktails--
A Cocktails, hors d'oeuvres.
Q Okay. That would be separate thing then--that wouldn't be a major event to you though?
A Yes, it would.
Q Oh.

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A Sure.
Q It could be?
A It could be in somebody's home.
Q I see. Okay.
MR. BAUER: Or in an unfinished building.
THE WITNESS: Or in an unfinished building with electricity on.
BY MR. McDONNELL:
Q During this time period in 1988, are there events that stand out in your mind as being some of the major events?
A Yes.
Q Okay. And what would those be, besides the Nevada National, we've got that one.
A Traditionally every campaign we do the Senator's birthday party. And we always do it in the backyard of the Harrison's home. And we have usually 500--let's see. Oh, no. We'd have maybe 750 people attend.
Q Okay.
A And that event, a couple of major individuals had events. Dr. Nave had a very big event.
Q He did? And when you say very big, how many people were there?

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A Fifty, 75. I don't remember numbers that well.
Q Yes, something like that.
A But you asked me if it stuck out in my mind--
Q Yes.
A It was a significant event.
Q Okay. When you say significant, are you including as well the amount of money that you'd spend?
A Yes.
Q And any other events that stick out in your mind?
A No.
Q Just Dr. Nave's?
A Yes.
Q Do you know what time of year that was held?
A I would guess spring.
Q Spring?
A Of '88.
Q Okay. And any particular thing that makes you lead to that guess?
A Pardon me?
Q Any particular thing that makes you lead to that-- thought that it was spring?
A Because he was one of the first major events.
Q Okay.

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A In the early part of the campaign.

Q All right. When is Senator Bryan's birthday?

A July 15th.

Q July. Okay. The event you had you said at the Harrison's?

A Yes. The Harrison's home.

Q In 1988 did you have the event at the Harrison's?

A Yes.

Q And that's a residential--

A Yes, it is.

Q And that's in Las Vegas?

A Yes, it is.

Q All right. Is that a dinner, a lunch or--

A Dinner.

Q Dinner. Was it a formal dinner or--

A No. It was a Fifties party.

Q A Fifties party. Okay. And how many people were at that event? Oh, you said before.

A I'm guessing between 750 and 1000.

Q Okay. How did you invite all those guests and where were they from? Are they contributors or friends or--

A Friends, Democrats, contributors, Southern Nevada. We send out a flier, an invitation.

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Q Okay. Was there an admission to get into that?
A There was a charge.
Q A charge, yeah. What would that be?
A Historically I'm trying to think. We've done this every year. We used to do it according to the year. But I think this year, instead of charging $19.88 to get into the event, I believe we charge $25, but I'm not sure.
Q In 1988, you think you charged $25?
A I believe so.
Q Where did the Harrisons live in 1988?
A I can't give you the exact--on West--
Q I don't need the exact address. They lived near the Country Club--
A No.
Q --or any other certain part of town?
A No. They lived near Charleston, the Red Rock Theaters. West--I can't think of it.
Q That's all right.
MR. McDONNELL: Can we go off the record please.
(Off the record.)
MR. McDONNELL: We're back on the record now.
BY MR. McDONNELL:
Q I'd like to ask you about the manner in which you

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went about organizing a home fund-raiser. Starting from you got the fund ready where you said you contacted the individuals, and then I guess maybe you perhaps followed up with a phone call, is that correct, to see if they wanted to hold a home fund-raiser?

A Yes. I mean every year since 1982 we had a birthday party during every election at the Harrisons in their backyard. So this became an annual Bryan event on Senator Bryan's birthday.

Q Okay. So in 1988, in July, I approached the Harrisons and asked them if they would be willing to provide their backyard once again for Governor Bryan's birthday party.

Q I see.

A So their sole involvement in this particular event was to provide their backyard.

Q Right.

A We would literally come in and set up a grass roots event.

Q Okay. Actually my question wasn't about that as generally speaking, but anyway that was very nice of you to answer that.

Where did you get the food that you had for the

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party?

A I contracted with The Caterers.

Q Okay. We're going to get back to that later when we go to the documents and take a look.

But I was asking generally. After you contacted people for home fund-raisers, not the Harrisons, but the home fund-raisers, after contacting them and soliciting contributions, what was the next step you would take?

A If they would agree to have an event, I would sit down with the host and hostess, possibly together or one or the other, and I had a packet of information that I would give them outlining FEC requirements.

Q Okay.

A In federal fund-raising events.

Q All right.

A And I would go over those documents with them.

Q Okay. And those documents are something you created yourself or something you obtained--

A They were created within the campaign.

Q Okay. Who would be the person who created those?

A I believe Jean Neal created them, our national fund-raiser.

Q Okay. And I take it this is a typed-up document?

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A Yes, it is.

Q Do you remember the number of pages approximately? Was it one page? Or--

A No, it was several pages. Because it would cover contributions, responsibilities of a host/hostess. It was numerous pages. I'm sorry. I don't know a number.

Q That's fine.

A Six pages, four pages, I don't know.

Q And when you said responsibilities of a host or hostess, do you remember what that was that was on this sheet?

A On the sheet, it would indicate to them that in a federal fund-raiser, as a host hosting an event in their room, they were allowed by FEC rules to not exceed $1000 per person per election.

Q Okay.

MR. BAUER: Would you like to see that document?

MR. McDONNELL: Oh, yes. I'd like to. Can we have it now?

MR. BAUER: Yes, sure.

Why don't you read the relevant passage.

THE WITNESS: Okay. This document we entitled "Host/Hostess of Fund-raisers for Richard Bryan." And it

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was from "Friends of Bryan Committee." And its subject was "The guidelines for Federal Election Commission Compliance."

MR. McDONNELL: Okay.

THE WITNESS: "Exempt political contributions. The voluntary use of your time is not a political contribution. You or your spouse may each spend up to $1000 per election, the primary and general are separate elections, for food, beverages, and invitations for campaign events held in your home or in a church or community room, and none of this spending counts toward your individual contribution limitation."

And then "A vendor, even a corporation, may sell at discount, no less than cost, food and beverages to be used in connection with the campaign as long as the cumulative value of the discount from the vendors do not exceed $1000 per election. Such limited discounts are not political contributions."

And then it goes on to describe in-kind contributions.

MR. BAUER: Could we have that entered into the record?

MR. McDONNELL: Yes, certainly.

MR. BAUER: Thank you.

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MR. McDONNELL: Mark that as Attachment 1.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 1.)

THE WITNESS: Did you want me to read this? I'm sorry.

MR. McDONNELL: I'd like to take a look at that at some point. Do you want to mark it?

BY MR. McDONNELL:

Q You said this was something you believe Jean Neal prepared?

A Yes, Jean Neal did prepare this.

Q She did that?

A Yes.

Q How do you know that?

A She sent it to me at the very beginning.

Q Beginning of the--

A Of the campaign.

Q January of '88?

A Correct.

Q Okay. And Ms. Neal informed you that you should hand this out to each individual--

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A That became our procedure to inform our host and hostesses of the Federal Election laws.

Q I see. Okay. So in other words, when you first approached people about this, would you distribute this to them?

A I would approach an individual, ask them if they would be willing to have a party. They would say yes, and then I would sit down with them and go over the regulations, the federal regulations.

Q Okay. This is something that you did in every instance?

A Every instance. Standard operating procedure.

Q Okay. You sat down in person with them.

A In person.

Q You didn't call them on the phone?

A No. I would sit down in person and go over it with them.

Q Okay. Now, as far as the next step of your involvement in the home fund-raiser, can you tell us about that? After getting them to agree to hold the fund-raiser in their home, what would be your next step?

A It depends on the type of fund-raiser. Are you referring, again, to the Harrison fund-raiser?

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Q No, I'm saying all home fund-raisers.

A All home fund-raisers.

Q I don't think Harrisons would--let's put that to the side.

A After going over with a host, an event, they would invite the people. They would write the invitations normally and we would consult on that.

Q Okay.

A And they pretty much ran with their fund-raiser. They would provide me with a guest list.

Q I see.

A Of those that were attending. And I would attend the function that night.

Q You would?

A I would always be there.

Q You would always be there at every function?

A Yes.

Q Okay. You said--

MS. CORLEY: I am going to have to leave.

MR. McDONNELL: Okay. Judy Corley is going to leave.

I'm terribly sorry. I forget to introduce you, didn't I? I just realized.

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MR. BAUER: No problem. I handed him a sheet of paper with my name on it.

MR. McDONNELL: Okay. And Judy probably as well, is here. Okay.

MR. BAUER: Would this be a good time to have a break?

MR. McDONNELL: Sure. That would be fine. It will give us a break.

(Off the record.)

MR. McDONNELL: Back on the record now.

BY MR. McDONNELL:

Q Lou, when we left off, I think you were telling how you always handed this out, this Attachment 1 out, to every person who held a home fund-raiser in their home. And I think we were getting into what was the next part of the role that you had in relation to these fund-raisers?

A Well, I believe I said that after I had my discussion with the host and the hostess, explaining the regulations, then they would invite their friends and solicit the funds, donations, on behalf of Senator Bryan, or Governor Bryan at the time, and then they would provide me with a guest list of those attending.

Q All right.

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A And the night of the event, I would accompany the Governor.

Q Okay.

A And always would--normally I would drive the Governor to the event and I would stay there at the event with the Governor.

Q Okay.

A And I would personally receive the checks at the fund-raiser.

Q All right.

A I would review the checks during the fund-raiser to make sure that the checks were appropriate.

Q Okay.

A I would secure background information on the contributors--

Q You would?

A --to comply with the regulation.

Q All right. And you said you reviewed the invitations or they consulted with you before they sent them out, is that correct?

A Yes.

Q Okay. What would you be looking for?

A There would be events when I possibly--the

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campaign would pay for the invitations, and, of course, it would have the disclaimer on it, "Paid for by Friends for Bryan."

Q Sometimes you would pay for the invitations?

A Sometimes I would.

Q What would determine that?

A Maybe the host/hostess would just prefer not to be bogged down with creating an invitation.

Q Okay.

A They would provide me with the guest list. I would have volunteers that in turn would address the invitations and mail them for me.

Q That was only on occasions--was that on all occasions or--

A Not all occasions, no.

Q Just when you purchased them?

A Yes.

Q Okay.

A That can vary.

Q So when individuals purchased invitations, did you still receive a copy of the invitation and review it?

A Not normally.

Q Not normally? Sometimes you did?

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A No. Because they would be able to send out their own invitation.

Q Okay. So when you say consult with you--when the individuals consulted you about invitations, you just mean in instances generally when you paid for it and then there were a few exceptions when people sent them to you and you reviewed it, just to see if you liked it or something?

A Yes, yes.

Q And you said that the persons who hosted the events sent you a guest list. Now, did you have a certain timetable for that as far as when you needed the guest list before the event was held or--

A It could be the day of the event.

Q Okay.

A Some were more efficient than others.

Q I see. And who would develop the themes for these events?

A That would be up to the individual host/hostess.

Q It would be. What was your input there as far as the themes? Do you come up with any ideas--

A We didn't really have themes. I mean when people would have parties in their homes, I can't remember. I mean maybe they would have Hawaiian food or maybe they would have

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Chinese food, if you want to call that a theme. But they wouldn't decorate their homes.

Q Okay.

A Where I might create an event with a theme. A Fifties party.

Q All right.

A As I said, with the Harrisons.

Q Did people inform you of the type of food they were going to be serving at the events?

A No.

Q Did they ask you for recommendations as far as where to purchase the invitations?

A No.

Q You didn't give them advice?

A No. I suppose they might ask, but, no, I never recommended where to buy their invitations. These are very sophisticated people. They are used to having gatherings in their home.

Q I see.

A So I don't have to tell them how to have a function.

Q Right. But would they ask you for advice?

A Normally not.

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Q Normally not?

A Normally not.

Q Okay. And how about as far as the menus? You said normally they just determine that on their own?

A Yes.

Q They didn't notify you or anything?

A No.

Q Okay. Did you recommend certain places where they should purchase their goods?

A No.

Q No? Okay. As far as the prices of the events, I guess it was a contribution minimum that was to be given to attend?

A Well, some host/hostesses were more comfortable saying that they'll charge $250 per couple. So they were more comfortable in putting that on an invitation.

Q I see.

A Others would make phone calls and solicit donations, making their own determination how much they felt their particular friend could afford, what their particular friend could afford to give.

Q And what would be your input on this?

A I did not make that determination because these

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are very sophisticated people, again, as I said, and they have solicited funds for candidates in the past.

Q Okay. And you went over with them the maximum they could give, is that correct?

A Absolutely.

Q Did you recommend a certain amount that normally people would give in these type of events?

A No.

Q No?

A I mean--

Q So in other words, they could have given $50--they could have given a $50 or $25 contribution?

A Exactly. I mean if that's what the host/hostess was comfortable in soliciting from their friends, have them come and give $50, that would be up to them. That would be an event.

Q Okay.

A But we had others that would solicit $500.

Q Okay. So what I'm getting at, from the committee's standpoint, there was no minimum amount that you would--

A No.

Q --put forth that a person should give--

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A No.

Q No? Okay. You left it completely up to the host?

A Yes.

Q I see. Okay. Now, did people who hosted these events call you up for advice when they're preparing for the events?

A Normally not. Again, as I said, there were very sophisticated people in this arena of giving fund-raisers.

Q All right. Now, at this events, who would attend besides these guests and you yourself. You said Senator Bryan also attended with you?

A Certainly.

Q Did anyone else--

A His wife would attend. I would be there. I possibly would bring Kitty. Kitty Dees would attend with me.

Q She was from up north?

A No. Kitty Dees worked on the campaign in 1988 and she was my assistant.

Q Oh, I see. Okay. What would she do for you?

A She would sit at the door. We would do name tags. She would assist me in that. I would meet and greet.

Q I see.

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A And spread the joy. I mean I don't know what exactly you're looking for. I mean she would assist in any way the hostess, if the hostess needed an errand run, we were there to help during the evening, during the event.

Q All right. You said you greeted the people. Was there normally a guest list at the door as well?

A And a guest book. Normally we had the guests sign in.

Q Okay. Is this a book that you took from residence to residence, or is this a book that they have?

A Well, usually the hostess provided a guest book. Because they wanted to know who was in their home.

Q Right. Was this something that they provided specifically for that event?

A No.

Q Something that they had anyway?

A They would have or they could have specifically.

Q Right.

A And not every party did we have people sign in. But we would historically do name tags.

Q Okay. You would provide the name tags or would they have them?

A I would provide the name tags, I'm sure, or they

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would have name tags. I'm sorry. I don't know who would provide the name tags, but I remember having a drawer full of name tags in a bag that I would take to every event in case there was a need.

Q I see, I see. And when you said you collected the contributions, did you have a general procedure for when you collected them or how you collected them?

A Usually at the door, a basket was set at the front door where the name tags were give out and people generally took the hint right away and they knew why they were there.

Q Right.

A I always encouraged my host/hostess to never blind side anyone. They knew it was a fund-raiser. And who the fund-raiser was for.

Q Okay. And these fund-raisers that we're talking about today, those are all for Senator Bryan's campaign?

A Correct.

Q Did you hold meetings to arrange these home fund-raisers?

A No.

Q It would just be you and Kitty Dees who would be working on these or did anyone else assist you?

A Oh, I'd talk with the Senator or someone would

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stop the Senator in a conversation and indicate a willingness to help him--

Q Okay.

A And then the Senator would pass that name on to me and then I would contact him.

Q All right. Did the Senator call people and ask them to host an event in their home?

A No.

Q He never did?

A No.

Q Okay. Was the Senator friendly with any of the people who had the events in their home?

A Of course.

Q He was?

A Of course.

Q Were there certain people that he was friendly with?

A Anybody that's going to give an event in their home and raise money for Dick Bryan was a good friend and supporter of him.

Q Okay. Would he be someone that he socialized with?

A Certainly. Yes.

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Q Who are some of the people who are most friendly--that are closest to Dick Bryan at that time?

A Dr. Nave.

Q Okay.

A Dr. Shepherd, Dr. Kahn.

Q How is that spelled, with a K?

A K-A-H-N.

Q How about Dr. Ghanem.

A Dr. Ghanem was a friend, certainly. He's been a good friend of the Senator over the years.

Q And you feel quite certain that he wouldn't have called Dr. Ghanem--Senator Bryan wouldn't--

A Governor Bryan, no.

Q No?

A No.

Q What makes you say that?

A It wasn't the policy of Governor Bryan at that time to make those kinds of calls. I was his fund-raiser. He may be someplace where Dr. Ghanem would have said to him, you know, "I'd be more than happy to have a fund-raiser for you." He would then pass it on to me.

Q He being who?

A The Governor.

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Q The Governor, okay.

A And then I would then, as my responsibilities as a fund-raiser, go out and ask if that individual would be willing to have a party.

Q Right. Okay. You would go out and meet them normally yourself.

A Certainly.

Q Okay.

A That's what fund-raisers do. I mean that's what we do.

Q I'm just trying to get the specifics of whether you called them or went out to visit them. That's all.

A All the above. I would call them, I would go out and visit them, once they agreed, again, I would go over the regs.

Q Okay. Have you been involved in any way--I know you said you were involved in some way in scheduling. During that time period, were you involved in setting Governor Bryan's schedule?

A Now, let's go back. I don't think I understand the question when you say "scheduling." I do the scheduling for Senator Bryan in his Senate office now.

Q Right.

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A Since November of '89.

Q Okay.

A But now, are we talking about the campaign?

Q I'm talking about during the campaign period?

A No, I did not do scheduling.

Q Okay. Who did that?

A Sara Besser.

Q Sara Besser. Okay. Where was she working?

A She was the volunteer coordinator for Southern Nevada in the campaign office in 1988. And she did the Senator's scheduling.

Q For all the fund-raising events that he went to as well?

A Well, it would become a calendar. When you have an event, I would go to her and say "Is Friday night such and such a date, will this work? Is the Governor in North Nevada?"

Q Okay

A And then she in turn would work with the State scheduler.

Q I see. And then in the instance was the fund-raiser held, you would check the Governor's schedule and then you'd get back to the person?

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A I would go to Sara and Sara would give me the dates.

Q Right. And I'm saying, then you'd go back to the home fund-raising individuals and notify them whether that was a good date?

A Yes.

Q You would coordinate the scheduling in that way?

A Yes.

Q From the fund-raiser's aspect of it?

A Yes, I would.

Q And you say Sara Besser was a volunteer. Was she also on the payroll?

A No, no, no. She was not a volunteer. She was the volunteer coordinator--

Q Oh,

A And office. She was over--she literally was the--

Q Oh, I see.

A I'm sorry. I don't remember her exact title.

Q All right.

A But we had a volunteer person, but Sara was over the Southern Nevada office under the campaign manager.

Q All right. And who is that?

A The campaign manager?

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Q Yes. At that time, yes.
A In 1988. Bill Bible.
Q Okay. Would you be working with him generally or just basically--
A Yes. I would be working with him.
Q Okay. Would he be involved in the fund-raising?
A No.
Q No. As far as the home fund-raisers, okay, would he have any involvement in that?
A No, no. I mean I was the fund-raiser.
Q I see.
A We would have meetings, we would discuss things that were coming up, so he was aware of what was always going on in the campaign.
Q You had meetings you say, was that general meetings that you had?
A Staff meetings within the Senate's campaign.
Q Now, how many people would be there generally at those meetings?
A It depends on the nature of the meeting.
Q Okay. Did you have meetings specifically about fund-raising?
A No.

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Q No?
A No.
Q Okay. What were they generally about?
A Campaign strategy meetings.
Q Okay. So you'd be present at campaign strategy meetings?
A Yes, I would.
Q Would you have any input in that area?
A Yes, I would.
Q Did you? Okay. As far as media strategy and that type of thing?
A I wouldn't have been an expert to offer information on media strategy.
Q Okay.
A No. I mean as far as media, no.
Q Okay. Did you supervise anyone else in addition to the person you mentioned?
A No.
Q No? All right. Did you keep any kind of journal of the different campaign events that were being held? Holding fund-raisers I'm talking about.
A I would have a file on each event.
Q But I mean did you have a journal?

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A A journal, no. Not a journal.

Q You would mark your calendar though with the different events you would hold?

A No, because I would always be able to refer to the event as far as the scheduling, the master scheduling book. We have a master scheduling book that Sara Besser kept.

Q Okay.

A So they would be in the journal, I guess if you want to call the master scheduling book the journal.

Q Master scheduling book. Okay. That's what you used generally. So you'd check that.

A I would give the date to the scheduler. She would put the information into the scheduling book. I, Lou Gamage, did not keep a journal.

Q Okay. During 1988, how many full-time workers would you say there were?

A I'm going to hazard a guess of around eight in Southern Nevada.

Q Okay.

A Full time. We had at different times--

Q All right. I'd like to focus now in the manner in which you went about purchasing items for the Bryan campaign in 1988.

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A Uh-huh (affirmative).

Q If you were going to order, say, for instance, food and beverages, what would be the procedures you would take in order to purchase those goods?

A I would call up the individual and I would contract for what was needed.

Q You had the authority to--

A Yes.

Q You were authorized to go ahead and call and charge things for the Governor?

A Yes. Not charge them. I mean when you say "charge them," that is not necessarily--I mean I would contract for the need for the particular goods that they would provide me on a given day or for a given event.

Q Right. Okay. Did you have the authority to purchase these goods from specific places? In other words, did you have a certain group of businesses that you used?

A I'd like to clarify something.

Q Okay, sure.

A For the record. Kitty Dees who helped me also would call purveyors and ask because she was assisting me.

Q I see.

A So I mean I don't want the record to reflect that

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I was the only one making phone calls.

Q Okay.

A Because we together did events.

Q I see.

A Okay.

Q Generally you'd call these places up and you'd order whatever you needed and then would you have to contact anyone within the agency in order to get the funds to pay for the goods?

A Well, our treasurer--we had a secretary or accounts manager. I'm sorry. I don't know what Suzanne Schortz--she actually physically wrote the check and then Mike Kern, the treasurer, would sign it.

Q Okay.

A All bills would be submitted to our treasurer.

Q Uh-huh. Did you have to receive his approval before you ordered something?

A No, I did not.

Q How did you get the authority to do this?

A I was the fund-raiser and they gave me that authority. It came with the territory of being the fund-raiser.

Q I see.

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A They had confidence in my ability to handle that aspect of my responsibilities.

Q Okay. And did you, when you contacted these vendors, did you often go out and meet with them about what they were going to offer or--

A Normally it was not necessary.

Q Okay.

A You call up the Pepsi Cola Company, you contract for the Pepsi Cola truck to come. The Pepsi Cola truck arrives on the given time.

Q Okay. But I'm saying with some larger food orders, would you get the jobs priced?

A Oh, certainly, certainly.

Q Get estimates from different companies?

A No, I would approach a caterer, and I would ask for a price, and if that price was within the budget that I had my eye--you know, I had focused on that amount of money.

Q Right.

A I mean I would negotiate with a caterer. There would be numerous times I would say that I would contact a couple of different caterers. I might contact one caterer and they would not be available to cater a particular event on a particular night.

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Q Right. Okay. What were some of the caterers that you used during this time period?

A There was a catering company called--Gayle Poulsen's company I used. And I'm sorry to tell you, I do not remember her company name.

Q Okay.

A Dorothy Lopriori was another caterer I used. And she was called "The Accommodators."

Q The Accommodators. Okay.

A And I used The Caterers.

Q Okay.

A Chris Karamanos, as you know.

Q Right. What was the reputation of The Caterers?

A Excellent.

Q It was?

A Excellent.

Q Okay. And were you satisfied with their goods and services?

A Always.

Q You were? Okay. How about the other agencies, The Accommodators?

A Oh, they were wonderful.

Q They were?

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A They're very good.
Q They're in Las Vegas as well?
A Yes.
Q Are they still in business?
A Yes, they are.
Q Okay. When you say The Caterers was very good, do you mean the food was good that they offered?
A The food was good. The service was good. The presentation was good.
Q And do you know Chris Karamanos?
A Yes, I do.
Q You did? When you called up The Caterers to place an order, would you speak specifically to him?
A I would usually deal with a gentleman by the name of Steve Osterhous.
Q And do you know what position he had?
A I don't know his title.
Q Okay.
A Catering manager. I'm sorry. He would come on site for the event. He would make all the arrangements. We would literally sit down together for the big events. For the two big events that I contracted with The Caterers, I would sit down with Steve.

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Q With Steve.

A Discuss the menu.

Q And where would that be that you sat down?

A That's interesting. I can't remember where I sat down with Steve.

Q That's okay.

A Where I sat down with Steve--

Q Was it in your office or was it maybe at his business, that's the two places--did you ever have an occasion to go to his business?

A I believe I sat down with him at his business and discussed it on one occasion. And I believe on another, the other, the Harrison, I believe he came to my office.

Q Okay.

A I'm sorry. I don't--

Q That's pretty good. He came in to discuss the details of the event?

A Correct. The menu.

Q Did he make a proposed invoice or proposed order for how much it would cost and all that?

A Yes.

Q I see. Okay. Did you use The Caterers earlier, in earlier--

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A I have used them The Caterers since 1982.

Q Okay. Were you friendly with Chris Karamanos?

A I knew him on a social basis. I mean I would never socialize with him. I certainly knew him well socially, but then I'm out in the community.

Q Right.

A As he was out in the community. He was a very prominent person in Las Vegas.

Q Okay. And Senator Bryan--what was the nature of his relationship with Chris Karamanos?

A Chris was a very good supporter of Senator Bryan.

Q And what do you mean by that?

A He was a friend over the years. He assisted the Senator. I mean he was friendly and they'd been friends for many, many years. He did catering for us in all the campaigns.

Q Okay. And when you say he assisted you, what specifically are you referring to?

A He would help with tailgates, when he was Governor. He "comped" food for tailgates when he was Governor. As a State official, you could take donations from corporations.

Q When you say "comped," you're saying he provided

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free of charge?

A That's correct. He would provide free of charge. He provided one year free of charge the Harrison party.

Q Oh, he did?

A Yes, he did, in 1986. 1986.

Q 1986, okay. And why would he do that?

A Because that would make the fund-raiser much more lucrative. We could take corporate donations when he was governor.

Q I see. I understand. Right. Was Steve Osterhous with him during that time period?

A Yes, he was.

Q Okay. Did you know Chris Karamanos to give away orders to other people or institutions?

A I can't speak for that. I would not know that personally.

Q You never heard of anything? Read anything about that or were told anything?

A I can't really respond with information or answer, yes or no on that.

Q Okay. Did you ever speak to Chris Karamanos about a menu for a home fund-raiser?

A Where another host/hostess was doing it, no, I did

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not.

Q Do you know of any events where The Caterers did the catering at a home fund-raiser?

A I really don't know. I'm sorry, I don't know. I did not get involved in that aspect with the host and hostess.

Q How about when you attended the events? At that point, did you speak to them about that?

A I wouldn't ask them specifically, "Who's your caterer?" I don't believe. I mean maybe I would. I'm sorry, I just can't--

Q Okay.

MR. BAUER: It's your testimony, is it not, to be clear, that you did not involve yourself in the selection of caterers--

THE WITNESS: I did not.

MR. BAUER: --in home fund-raiser arrangements? I want to make sure that that's clear on the record.

THE WITNESS: Yes.

MR. McDONNELL: I think that's clear. I just want to make--

MR. BAUER: As she testified to previously.

MR. McDONNELL: I just wanted to clarify if you

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had any conversations with them. I wasn't saying you placed the order or had anything to do with that.

BY MR. McDONNELL:

Q Did you have any conversations at all when you called up or anything? That's what I was getting at now?

A When I called up?

Q At any time when you did call up, you said you called there on occasion. Did you ever talk to them about any home fund-raisers?

A No. Because I did not involve myself in that aspect--

Q Right.

A --of home fund-raisers. That was up to the host/hostess to select their caterer for the event.

Q I see. Do you remember seeing Chris at any home fund-raisers?

A Yes, yes.

Q And did you talk to him at that time?

A Well, certainly I would say hello.

Q Did you talk to him about the fund-raising event, about the dinner that was served?

A No.

Q You didn't compliment him on the food or anything?

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A Well, Xavier, I don't know. I mean I am a friendly person. I'm sure I said the food was wonderful. I'm sure I did.

Q Okay. Well, I was wondering--

MR. BAUER: Can we get clarification? When you're speaking about the home fund-raisers in 1988, when Bryan was running for the Senate or prior to that time?

THE WITNESS: That's what I was going to say. I wanted to clarify the record.

I can remember seeing Chris at numerous events prior to 1988.

BY MR. McDONNELL:

Q Okay. I'm talking to 1988.

A I'm sorry. I did not understand that.

I don't remember seeing him specifically--yes, I'm sorry. I do. I saw him at Elias Ghanem's fund-raiser. Yes.

Q Okay. And Steve Osterhous?

A Steve was in the kitchen.

Q He was there at that event too as well?

A Uh-huh.

MR. BAUER: Which event are we referring to? I think we should be specific here.

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MR. McDONNELL: We don't know exactly what.

BY MR. McDONNELL:

Q But at the Ghanems' residence?

A Dr. Ghanem had a fund-raiser brunch for Senator Bryan.

Q Okay. A brunch?

A A brunch. Not to be confused with part of the subpoena. A separate event. He had a fund-raising event in the early part of 1988 for Senator Bryan.

Q Uh-huh. When you said the early part, what--

A The spring. It was around the same time when Dr. Nave--they were two of our first events.

Q In April possibly?

A That's a guess. I don't know. I don't know. I can't give you a specific time. It was the early part of the campaign.

Q I'm not sure what you said when you said not to be confused with the subpoena.

A The subpoena--my subpoena indicated a DSCC event.

Q Right.

A At Elias Ghanem's house. And I don't want the record to show that I am referring to that event.

Q All right.

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A This was a separate event that Elias Ghanem had and it was surrounding football games. And he had invited numerous friends, several friends, to a brunch.

Q Okay.

A At his house on a Sunday, I believe.

Q I see. It was during the daytime?

A Yes, like 11 o'clock in the morning.

Q Okay. And who was that for?

A Senator Bryan.

Q It was?

A Yes.

Q Okay.

A It was a fund-raiser raising funds for Senator Bryan, and I was in attendance.

Q Okay. We'll get back to that later.

I just want to focus a little bit about the 1988 race. Was it a tight race or a close race, the election?

A Oh, very tight race.

Q With then Senator Hecht, is that correct?

A Correct.

Q Okay. Was there anything unusual about that race as far as the voting patterns or anything?

MR. BAUER: What does that have to do with

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anything? I'm going to direct the witness--because I don't see how that's even remotely relevant. It's not within her expertise. It's not within the issues raised in the subpoena. I'm going to direct her not to answer. I see no reason why she should comment on the politics of the Senate race in '88 at an FEC deposition.

BY MR. McDONNELL:

Q It was a close race you said, right?

A Yes, it was.

MR. BAUER: That's a matter of public record.

MR. McDONNELL: Well, I'm asking her -- she was in the campaign. I was just asking her to clarify from her perception, that's all.

MR. BAUER: Her perception presumably isn't any different from the reported vote totals. And it was a close race.

I mean I'm trying to keep this deposition focused on the issues that are presented for resolution by the agency under the statute. I don't think that the closeness of the race or her perception of what's unusual about it is pertinent.

MR. McDONNELL: I think it is pertinent because we're talking about--we're going to be focusing right around

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Election Day and I'd like to know the background, the information to lay my ground for it, okay.

MR. BAUER: There was a GOTV effort on Election Day which would have taken place whether the race was close or not. So I'm just--

MR. McDONNELL: Well, we're going to get to that later. That's the basis for us asking about the event.

MR. BAUER: I'm entitled to find out whether there's going to be a foundation--when I ask these questions, I'm not trying to be obstreperous. I'm trying to find out whether there's a foundation for the question. And I think you'll agree that there is no allowance for the Commission to set up a deposition to inquire into anything which might spark its curiosity. It is presumably in some fashion relevant to matters within its jurisdiction and raised for purposes of this proceeding. And I'm just going to continue to make certain that there is a foundation.

MR. McDONNELL: Well, I'm trying to lay a foundation.

MR. BAUER: I appreciate the fact that you clarified that and I just want you to understand why I'm asking these questions.

MR. McDONNELL: I understand, but I'm just trying

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to lay a foundation--

MR. BAUER: I understand.

MR. McDONNELL: --for the questions we have, okay. Thank you.

BY MR. McDONNELL:

Q Was there a great deal of money spent on the election as far as--

A It was a very expensive campaign.

Q Do you know of any voter intimidation? Do you know anything about that voter intimidation?

A Yes, I do.

Q Okay. There were reports of that, is that correct?

A Yes, there was.

Q Now we're going to focus on the Ghanem event that we talked about. You mentioned before a DSCC event that was hosted by the Ghanems.

A Uh-huh.

Q Were you in attendance at that event?

A No, I was not.

Q Okay. Did you do any coordination on that event?

A I had no coordination with that event whatsoever.

Q Is it your knowledge whether Governor Bryan

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attended that event?

A Yes, the Governor did.

Q How do you know that?

A It was a matter of scheduling. The event, in fact, I know that we've produced the scheduling page from our journal.

Q All right.

A And Senator Bryan attended that event.

Q Okay. And what kind of event was that? What kind of a meal was it?

A I have no idea. I wasn't there. I have no idea.

Q You never heard anything about it?

A No.

Q Okay. Were there any other politicians in attendance at that event?

A I do not know who was in attendance. I know that there were visiting dignitaries and I believe there were senators, but I am guessing. I know that other senators were here for that event.

Q Okay.

A I do not know--I couldn't tell you the names of the senators.

Q All right. Could it be Senator Inouye?

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MR. BAUER: She just said she didn't know the name of the senators.

THE WITNESS: I really am not certain.

MR. McDONNELL: She didn't know the name but I'm going to clarify just if I tell her the name, that she might know, remember.

THE WITNESS: I had no involvement with that event. I did not attend the event, and it was a matter of scheduling for us in the Bryan campaign.

BY MR. McDONNELL:

Q Okay. Do you know if the event was catered by The Caterers, Incorporated?

A No, I do not.

Q You don't know. Okay. Do you know who was hosting that event from the DSCC?

A No, I do not.

Q Okay. Did you ever hear of Bob Baver, B-A-V-E-R?

A No.

Q Never heard of him?

A Bob--

Q Baver, B-A-V-E-R.

A No, I have not.

Q Did you ever hear of Mr. Chlopek? C-H-L-O-P-A-K,

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Robert Chlopak.

A No. I have never heard of him.

Q During 1988, did you arrange any events for the DSCC?

A None.

Q None. Okay. Do you have any contact at all with the DSCC?

A No.

Q When you talk about this event some time in 1988, this brunch that you attended--

A That was a fund-raiser that Elias and Jodie Ghanem hosted for Dick Bryan.

Q Okay. Did you arrange that event?

A I sat down--

Q Planned it?

A Yes. Again, Dr. Ghanem offered to have a fund-raiser. In fact, I went to his office. I presented him with all the documents that are standard--which is standard operating procedure. I went over all the rules with Elias. He invited his friends. He created the format. I attended the day of the event. I was there.

I stood at the door. I met and greeted the people. I gave them name tags.

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Q Okay. Did you review the invitation that they sent out?

A If memory serves me correctly, I believe there were no invitations to that event. I believe Dr. Ghanem extended invitations verbally. How he did it, telephone, whatever, whether Jodie, his wife, I don't believe that there were invitations.

Q You said that was around the time of the other, Dr. Nave's had.

A It was early in the campaign.

Q Okay. It was around a football, you said?

A Yeah. So you guys know football better than I do.

Q Was it the Super Bowl?

A No, it was not a Super Bowl party. I would have remembered that.

Q Did you do any campaigning around the fall of 1987, have any fund-raiser during the fall of 1987?

A No.

Q Okay. So it would have to be after January of 1988.

A Correct, correct.

Q This was outdoors you say?

A No. It was indoors. It was in his home.

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Q Held indoors, okay.

A So chances are it was the early part of the year. I would say February or March maybe. I mean it was a Sunday.

Q It was definitely football?

A I don't--please, don't let the record show that it was football.

Q Okay.

A I can tell you that I sat in his den and he has three different television sets and he had three different channels going on and maybe football was on it, maybe track was on it. Please don't hold me to it.

Q Okay. We're just trying to clarify the time if we can.

Now, you said--I believe you said you saw Steve Osterhous and Chris Karamanos at this event?

A Yes, yes.

Q Okay. And was Mr. Karamanos a guest or was he--

A I believe he was a guest. Oh, he was a guest.

Q Oh, he was?

A He was a guest. Now, I don't--he was a guest, I'm sure.

Q Was he a guest at any of these other functions,

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fund-raisers, that you were involved with, that the Bryan campaign was involved with?

A The event at the Harrisons that I contracted with Chris. He was in attendance there. He was in attendance at the Nevada National Bank.

Q All right.

A He was present at that event. Any others, I really don't know.

Q Was Chris a friend of Dr. Ghanem?

A Yes.

Q He was?

A Yeah.

Q Okay.

A He had lots of friends.

Q Did he socialize with Dr. Ghanem?

A I can't tell you that. I mean I've seen him out in public--

Q You don't know then?

A --standing next to Dr. Ghanem. I don't know if you constitute that as socializing.

MR. BAUER: Did they seem friendly toward each other?

THE WITNESS: Oh, yes. They seemed friendly

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towards each other.

MR. McDONNELL: I'm just trying to get the degree of the relationship.

MR. BAUER: No fists flew--

THE WITNESS: No, no fisticuffs.

MR. BAUER: No expletives or anything like that?

THE WITNESS: No, no fisticuffs.

BY MR. McDONNELL:

Q Okay. Do you remember whether the food at that event was good, you enjoyed it?

A Yes. I always enjoyed the food.

Q Yeah? What was served?

A It was breakfast food. Breakfast food. It was eggs. I mean it was--I remember they had chaffing dishes set up in the kitchen, and I believe they might have had blintzes, and they might have had some kind of an egg. It was brunch. Fresh fruit.

MR. McDONNELL: Okay. I'd like to introduce an exhibit. Mark this as Exhibit No. 2.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 2.)

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BY MR. McDONNELL:

Q Just take a minute to review that. Have you done that?

A Yes, I have.

Q Once you're done, let me know. You're all done?

A Yes, I have.

Q All right. And do you recognize this document?

A Yes, I do.

Q And what is this?

A This is a page from the Senator's campaign scheduling book in 1988. The date is April 24th, Sunday.

Q Okay. And do you see where it says under "10:00"?

A Uh-huh.

Q It says, "Dr. Ghanem." Do you know what this is for?

A It says that it was a DSCC brunch.

Q Okay. The note is April 24th, --

A Uh-huh.

Q Could this be the brunch that you were referring to earlier in testimony?

A I was referring earlier in my testimony to a brunch that Elias Ghanem had for Dick Bryan that was not on this date.

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Q Okay.

A It was separate from this event.

Q Your memory is that it is earlier than this date?

A I can give you that date. I mean I'll be happy to find out that date.

Q You think it was a Sunday?

A I probably could resurrect that date, I don't know. Maybe I can. I can contact Bob. Yeah, I don't know. I could look. I can look for it.

Q Okay. Who is Bob?

A Bob.

Q Oh, Bob Bauer, okay.

A This is Bob Bauer.

Q Okay. Whose writing is on this?

A This is Sara Besser's writing, our scheduler. She did scheduling on the campaign

Q All right.

A I'd like to have the record show something. This is indicative of our habits.

Q All right.

A Sara Besser, who was in the campaign, picked up the Governor, took him to the brunch.

Q Okay.

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A She did not attend the brunch. She went up to the door, knocked on the door, and went in and got the Senator out of the brunch.

Q All right.

A Then took the Senator to the Highway Patrolman that was on official duty on 12:30. I just want you to--we were so very careful never to commingle official and political events.

Q Okay.

MR. McDONNELL: I'd like to introduce another document and mark this as Exhibit No. 3.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 3.)

MR. McDONNELL: Thank you.

THE WITNESS: I can't read my own boss's writing.

BY MR. McDONNELL:

Q Do you recognize this document?

A I have seen this document, yes.

Q And when was that?

A Well, when it was given to me. I am real hazy about when I saw this document first.

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Q Okay.

MR. BAUER: But you've seen the document?

THE WITNESS: I have seen a copy, yes.

BY MR. McDONNELL:

Q Would it be this year or some prior time?

A This year, I'm sure.

Q For the first time this year?

A Yeah.

Q Okay. And can you tell us what this document is?

A Well, it appears to be a thank you note that the Senator has written to Chris.

Q To Chris Karamanos?

A I would assume so.

Q Okay. And it's dated May 1st, 1988?

A Correct.

Q From Las Vegas?

A Well--

Q Yeah. That's what it says.

A Oh, yes.

Q And could you read the first paragraph?

A "Dear Chris. The layout for the party at Elias' and Jodie's home was magnificent. Bonnie and I are most grateful for your continued support.

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Q Okay. Looking at that, do you know what party he's referring to?

A No, I don't.

Q You don't know. Okay. It appears that Bonnie, his wife, was with him as well at this party that he's referring to, correct?

A Uh-huh.

Q That's pretty self-evident I guess.

MR. BAUER: No, it's actually not self-evident.

THE WITNESS: It's not--

MR. BAUER: It doesn't say that at all. It says "Bonnie and I are most grateful for your continued support." It doesn't say anything about Bonnie attending the party.

MR. McDONNELL: Okay.

THE WITNESS: And often times, I will tell you that the Senator makes reference to Bonnie in notes when she does not attend.

MR. McDONNELL: Okay, thank you for clarifying that for me.

BY MR. McDONNELL:

Q Okay. And then down below, the second paragraph.

A I believe it says, "On a personal note, let me congratulate you for the--" Is that "splendid"?

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Q I think so.
A "--response last week at Henderson."
Q Okay.
A "It was a real professional operation."
Q Okay.
A "Regards, Dick."
Q Do you have any idea what that second paragraph is referring to?
A No, I do not.
Q You do not?
A No, I do not.
Q Okay. I'd like to move on now to--
MR. McDONNELL: I'd like to introduce another document and mark this as Exhibit No. 4.
(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 4.)
BY MR. McDONNELL:
Q Take a few moments to go over it and review it. At this point I guess we want to really focus on pages 3 and 4.
A Oh, I'm sorry. I'm looking at the top page. I'm

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sorry.

Q I'm sorry. I do have a couple of questions about that but that's actually the same document you were looking at earlier but--

A Exactly.

Q I might have a question about that, but I would like you to look at pages 3 and 4.

Okay. Before we do that, actually I have one more question about Exhibit No. 3, the letter from Senator Bryan to Chris.

Have you known Senator Bryan to handwrite letters of thank you to persons for--

A Yes.

Q Okay. That was something he did often?

A Uh-huh. The Senator has handwritten notes to people, yeah, sure.

Q And when he received contributions?

A They were typed. There would also be handwritten notes for contributions also.

Q What would be the determining factor?

A Maybe his friendship with that particular individual. That was not always the case. Sometimes there would be a typed response to a contributor.

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Q All right. Okay. Generally when you received a contribution, would Governor Bryan be aware of that at the time? Or you would notify him of names that people that gave a contribution?

A There would be times when we might receive a contribution, that, no, we might not say to the Senator, "We received a contribution from Joe Blow today."

Q Okay.

A He can sign the thank you letter, so when he would see a thank you letter, he would know then, he would be aware of a contribution.

Q All right. Did he generally send notes, this paper out from the office?

A Yes, yes. He also had another card, a small card that he would use, and a foldover. So I mean he had several types of stationery.

MR. BAUER: Could you clarify something?

THE WITNESS: Sure.

MR. BAUER: Are you referring only to handwriting? Are you assuming somehow the answer means that the only handwritten notes of a political nature were in return for contributions?

MR. McDONNELL: No. I'm just asking if it was a

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contribution. I'm sorry.

MR. BAUER: Okay. I don't want this to be a suggestion. We're not conceding that this is a thank you note for a contribution.

MR. McDONNELL: No, I didn't mean that.

MR. BAUER: In fact, it's not what it is. I don't want there to be any misunderstanding.

MR. McDONNELL: Okay. I understand that.

BY MR. McDONNELL:

Q In general practice, you said when somebody--what was the general practice where he would handwrite a note? I understand from your testimony that sometimes it wasn't for a contribution?

A As I said before, I mean it would be--depending on his relationship. I mean there would be times if he was very, very close to someone that gave a large contribution or gave a contribution, even the size doesn't even enter into, he would write a personal note if it was somebody he was very close to.

Q Okay. Do you know of any situations where he sent such a note to any other catering company that performed services?

A Well, this letter--what I have in front of me is a

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letter to Chris. It's not to a catering company.

Q Right.

A And as far as writing a letter to a catering company, I can't imagine--no, I don't know that I have any knowledge of any letter.

Q But the letter says, "The layout at the home was magnificent."

A But that might be something that he would say to someone else in the profession. I mean Chris is in the profession. He was obviously aware, whenever the event he's thanking him for, Chris evidently had a hand in it. I mean we're doing a lot of assuming here.

Q That's what I'm saying. Well, that's the part I have to clarify. So, in other words--

A I cannot speak for the Senator.

Q I don't expect you to do that.

A Okay.

Q I was just asking if you know of any other instance where another caterer had performed a function at a party and that Governor Bryan sent him a thank you note.

A I don't know of another occasion.

Q Or any kind of note at all. You don't know of any?

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A I don't--I mean I don't know of any.

MR. BAUER: Again, I'm confused, and I want the record to be very clear about something. That Senator Bryan's habit of thanking by letter or his practice by which he occasionally thanked by letter in hand was not a practice confined simply to commending people for contributions.

Do I understand you to be testifying that he might have commended someone by note for graduating from high school--

THE WITNESS: Absolutely.

MR. BAUER: Or participating in a ground opening for a new school building.

THE WITNESS: Absolutely.

MR. BAUER: There might have been thousands of political purposes behind these notes, correct?

THE WITNESS: Yes, correct.

MR. BAUER: Thank you.

BY MR. McDONNELL:

Q All right. And when Senator Bryan or then Governor Bryan says, "I am grateful to you--Bonnie and I are grateful to you for continued support," what is your understanding of what that means?

MR. BAUER: Well, I mean let me just ask you a

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question. Let us have it fully understood here and on the record that I'm going to let her answer the question, but she doesn't have a clue because she didn't write the note.

MR. McDONNELL: Well, you don't know that really, and that's up to her--

MR. BAUER: No, I know that she didn't write the note.

MR. McDONNELL: She didn't write the note but you don't know whether she has a clue or not.

MR. BAUER: Well--

MR. McDONNELL: That's what we're asking.

MR. BAUER: No, that's not consistent with her testimony. Her testimony is she saw this letter for the first time this year. So she could not have known what Governor Bryan thought when he wrote the note in 1988 if she saw it only for the first time in 1992.

MR. McDONNELL: I'm asking for her time working with him--

MR. BAUER: Fine.

MR. McDONNELL: --what she--

MR. BAUER: But I want you to know she's speculating, okay?

MR. McDONNELL: Yes.

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BY MR. McDONNELL:

Q Could you answer the question please?

A Please repeat the question.

Q Okay. When you read the last sentence of this letter, it says "Bonnie and I are most grateful for your continued support." How would you--

A That is a statement that Dick Bryan would write to someone who would provide an airplane, when he was Governor and fly him from Point A to Point B. That is a statement that he has made over the years when people continually support him in any way in providing services, in giving him a contribution.

Q Okay

A It is a statement that he makes on numerous occasions.

MR. BAUER: And let me just clarify again because, you know, if we're going to speculate about political people and the way in which they use words, I don't want there to be endless speculation beyond where it might be fruitful to extend it.

Is it also true that it could mean a history of having supported Dick Bryan--

THE WITNESS: Absolutely.

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MR. BAUER: --for public office.

THE WITNESS: Yes.

MR. BAUER: A history of having volunteered to assist him on Election Day. A history of having voted for him.

THE WITNESS: Yes.

MR. BAUER: Thank you.

BY MR. McDONNELL:

Q Do you know if Chris Karamanos ever volunteered to work on the Bryan campaign?

A I guess you could say that Chris Karamanos volunteered when he provided goods and services free of charge during the Governor's races.

Q Okay. During this time period.

A So you would say that he would--during this period?

Q Yes.

A No.

Q For the Senate campaign?

A No.

Q No? Okay. And is it safe to say that this is his note that's written on May 1988 is probably not for his vote, for Chris Karamanos' vote?

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A Again, I do not know what the intent of this note was for--

Q Okay. When was primary, when was the Democratic primary?

A September.

Q Okay. Let's move on now, back to Attachment 4, Exhibit 4. And look at the third and fourth pages.

Have you had time to review those? Pages 3 and 4?

A Three and 4?

Q I took off page 1, I'm sorry.

A I see, okay. That's why you--you were counting.

Q I was counting. I took off page 1 because it's your cover letter. I don't know if you'd object to having it in the record. Okay.

Are you ready?

A Yes, I am.

Q Okay. On page number 3, can you identify this document?

A This is a document that was written by Grant Sawyer to Irwin--the last name is Irwin Molasky--inviting them to join the Senator and Bonnie for an informal dinner.

Q Okay. And where was the dinner held?

A The dinner was held at Elias Ghanem's home at

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29901 Augusta Drive.

Q Okay. And what section of town in that in?

A Located on the Las Vegas Country Club.

Q Okay. And do you see where it says, the end of the first sentence, the last clause after the comment, "Hosted by"?

A Yes. It says "Hosted by Mr. and Mrs. Chris Karamanos."

Q Okay. Now, when did you first see this document?

A I don't know when I first saw this document. This was--Grant Sawyer sent this over to me at some point in time prior--I don't know whether it was prior to the event or after the event. I am really--I'm sorry, I don't remember the exact time when I received this.

Q And what event are you referring to?

A The event that he's inviting the Molaskys to for the informal dinner at Dr. Ghanem's home.

Q Okay. This is a different--rather than the brunch that you referred to earlier?

A Correct.

Q Okay. And do you see the date that it was held?

A April 27th.

Q Okay. Which is a Wednesday at 7 p.m.?

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A Correct.

Q Okay. And why did he send you this note?

A Governor Sawyer solicited funds for Senator Bryan throughout the '88 campaign.

Q Okay.

A And what he did is he invited all the people--he would telephone the people and talk with them and solicit funds and then what he wanted to do was bring all the people together for an event where the Senator and Bonnie would be in attendance as a thank you.

Q So is it your understanding that Governor Bryan attended this event?

A Yes, he did.

Q Did you attend the event?

A No, I did not.

Q Okay. And why is it that you didn't attend the event?

A It was Grant Sawyer's event.

Q Grant Sawyer's?

A Grant Sawyer literally coordinated the logistics of this event. I did not attend it.

Q Okay. And when you say coordinated logistics, what do you mean by that?

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A He made the arrangements for the home. He made the arrangements for the catering. He invited the people with this similar note and each person I'm sure--it was personalized to Mr. and Mrs.--

Q Why did he send you this letter?

A He is a very, very detailed man. He kept me completely informed in the event. He wanted the Senator to know, the Governor to know, who would be in attendance at the event. So that when he got there, he would know who would be actually attending and who couldn't.

Q Okay. So he informed you then so you would know?

A Uh-huh. Right.

Q Okay. And who collected the contributions for this event?

A Grant Sawyer did.

Q Collected it? Okay. And who did he distribute them to?

A It was the practice of the Bryan campaign to, one, either to send the money--give the money to me, or to send it directly to Frank Schreck's firm, where the process began.

Q Okay. What do you mean where the process began?

A The process would be that the check would be

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turned in to Frank Schreck's secretary, Judy Smith.

Q Okay.

A And Judy Smith would then do a thank you note and then send the check on to the treasurer.

Q Okay.

MR. BAUER: Can I just ask a clarifying question?

MR. McDONNELL: Sure.

MR. BAUER: Are we talking here now about a fund-raising event or not a fund-raising event, the April 12th 1988, Grant Sawyer event?

THE WITNESS: This was not a fund-raising event.

MR. BAUER: Okay. I want to make that clear.

THE WITNESS: This was a thank you party to those people that had already given money to the Governor--

MR. BAUER: At Grant Sawyer's request.

THE WITNESS: At Grant Sawyer's request.

MR. BAUER: People he had solicited.

THE WITNESS: He had solicited funds from all these individuals and this was a way of saying thank you and bringing them all together with the Governor and his wife.

MR. McDONNELL: Okay.

MR. BAUER: Excuse me. Could I take a one-minute break?

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MR. McDONNELL: Oh, sure.

(Off the record.)

MR. McDONNELL: Back on the record now. We're still examining document number 5, page number 4. Exhibit No. 4, page number 4.

BY MR. McDONNELL:

Q I see down here next to Mr. Parsons' name, it says, handwritten, it says "Paid." And then beside the other names on the front, on the left side of each person's name, it says--it looks like it has either a number or it says yes or no--or it just says no.

A Uh-huh.

Q Do you know what that's about?

A Yes, I do. I remember that the numbers on the left-hand column reflect how many people would be attending the dinner.

Q Okay.

A For instance, Baldwin, two people. And Bowman is not attending.

Q Okay. And the "paid" over there, do you know what that is?

A I haven't the slightest idea. I don't even--I don't know, I really don't know.

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Q How were you first informed about this event?

A Governor Sawyer indicated to me that he wanted to do this and it became a matter of scheduling.

Q Okay.

A So he would ask me to coordinate with him a date.

Q Okay. And what are the things that you did as far as coordinating this event?

A None. It was Governor Sawyer's event.

Q Did you give Governor Sawyer a list of the requirements of the Act?

A Yes, I did. I did that initially when the Governor indicated a willingness to raise funds. Again, I sat down at the very beginning with the Governor and gave him the same documents.

Q I see. Okay. And we've talking about Exhibit No. 1 I think, right? Correct? Yeah. The document you produced for us just so the record is clear.

MR. BAUER: Pardon me?

MR. McDONNELL: Exhibit No. 1, I just wanted to state for the record that was what we were referring to when we're talking about the list.

MR. BAUER: Okay.

MR. McDONNELL: I didn't clarify it originally so

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I'm just trying to--

MR. BAUER: Okay.

THE WITNESS: The list.

MR. BAUER: What list?

MR. McDONNELL: Originally when I said something about the list of requirements of the Act, I think I said--

THE WITNESS: Right.

MR. McDONNELL: That's what the question was about.

THE WITNESS: I don't consider that document a list.

MR. McDONNELL: Oh, okay.

MR. BAUER: Yeah. The memo.

THE WITNESS: The memo.

MR. McDONNELL: The memo, okay.

BY MR. McDONNELL:

Q Right. At least we were both saying the same thing that time.

Okay. And the note on the top of it is to, the memo?

A To me, to Chris Karamanos, and Elias Ghanem.

Q Okay. And do you know why they cc'd Chris Karamanos?

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A Because he was hosting the event.

Q Okay. He was?

A So he needed to know how many people would be in attendance and who.

Q And yet the event was held at the house of Dr. Ghanem, is that correct? Dr. and Mrs. Ghanem.

A Correct.

Q And when it says, "hosting the event," what does that mean to you?

A Providing the food.

Q Okay.

MR. BAUER: That is, however, speculation on your part, correct?

THE WITNESS: Correct.

MR. BAUER: You do not know exactly what relationship he had to the event.

THE WITNESS: You're right. Yes, you're right.

BY MR. McDONNELL:

Q Okay. At the time in question, did you see that, did you notice that it says Chris Karamanos, did you know that he was the one hosting the event?

A No, I really--I wasn't involved in the logistics of this event.

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Q All right. Did you call Governor Sawyer after receiving this and ask him any questions about it?

A No.

Q No? Okay. And, again, just for clarification, what was the reason that he was informing you of the guests at the party?

A So that Senator Bryan would know who would be-- Governor Bryan, excuse me, would know who would be in attendance that evening.

Q Okay. Well, did you have a normal procedure for conveying that to Governor Bryan?

A Yes.

Q What would that be?

A As often as I could, I would always try to get a prior guest list of those attending because Senator Bryan is a very quick study and he likes to be able to refer to people that have been good friends and supporters by their names.

Q Now, in this case, would you have taken this list and typed up the names of the people who were coming or would you just hand this list on to the Governor?

A I don't know. I don't know whether I would hand-- I doubt that I would hand it on to him, but I have no idea

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how I presented the list to the Governor.

Q I see. I understand it's a long time ago. But we're just trying to clarify.

A I have no idea.

Q You don't? Okay. Do you know if Governor Bryan's wife attended this event on Wednesday, the 27th?

A I do not know for sure.

Q Okay. Would this event have been entered on Governor Bryan's calendar?

A Yes, yes.

Q By Bess?

A Sara Besser.

Q Sara Besser.

A Yes.

Q Okay, okay. Let's move on to--I'm going to put this document aside for a time here.

The event, the April 27th event on Wednesday, do you know who catered the event? I'm sorry. You already said--you've pretty much testified to that. It appears that Chris Karamanos hosted it.

You didn't have any specific knowledge of that other than the letter--

A Other than the letter.

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Q And, again, you're saying you're speculating on the letter itself?

A I'm speculating on the letter and--

Q Right. But you had no other information conveyed to you about this particular event, how it turned out or anything like that?

A No.

Q Nobody who attended the event informed you of anything--

A I'm sure we received compliments on the event as far--not we, but I'm just saying I'm sure that people talked--or said that it was a wonderful event. I don't know. I mean I can't say.

Q Yeah.

A That's four years ago or whatever. I don't know what people said to me after the event. I wasn't there.

Q Did anyone else from the campaign attend the event--

A No.

Q --from the Bryan campaign?

A No.

Q Okay. Besides the Senator and possibly his wife. Do you know if Judy Smith was paid by the Bryan

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campaign for getting the contributions ready and forwarding them on?

A I don't exactly know how Judy Smith was paid. I would only be hazarding a guess and that's--no, I do not know.

Q Okay.

A I don't know. I have no personal knowledge of how she was paid.

Q Now, Governor Sawyer, was he the prior Governor of Nevada, is that--

A Yes, he was.

Q Okay. Is he still at that law firm where he was--

A Yes.

Q Does he live in Las Vegas?

A Yes, he does.

Q Okay. Is he still involved in political fund-raising?

A Yes, he is.

Q And how do you know that?

A I recently had a meeting with him.

Q All right.

A And he has indicated a willingness to raise funds again for Senator Bryan.

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Q During that meeting, did you discuss this matter with him?

A This matter?

Q Yes.

A No, I did not.

Q Okay. Did you discuss the event in 1988?

A No, I did not.

Q Okay.

MR. McDONNELL: I'd like to introduce another document here. This would be Exhibit No. 5.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 5.)

BY MR. McDONNELL:

Q When you get a chance, let me know and I'll--

A Yes.

Q Okay. Can you identify this document?

A Yes. This was an invoice from The Caterers for the birthday bash, or the birthday party, held in July.

Q Okay.

A At the Harrisons' home.

Q All right. That you testified earlier was put on

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by you and paid for by you, being the Bryan campaign?

A Correct.

Q Okay. And you helped arrange that event?

A Yes, I did.

Q And you were at the event?

A Yes, I was.

Q Okay. Now, during the time you placed this order, you said you probably spoke to Steve Osterhous, is that correct?

A Yes.

Q I think he came over to your office or either that you went over there or something.

A Yes.

Q You did meet with him though in connection with this matter?

A Yes, I did.

Q Okay. Did you ever tell Steve Osterhous that you really wanted to make sure that he billed Governor Bryan for this event?

A Absolutely, absolutely. We paid for everything in the federal campaign. I entered into a contract for this event.

Q You did?

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A Yes.
Q Do you have--
A Not a contract. Not literally, I'm sorry.
Q Not a written contract.
A Not a written contract.
Q An oral contract.
A An oral contract.
Q But did you specifically convey to Steve Osterhous that you didn't want The Caterers to comp this order?
A Absolutely.
Q Oh, you did?
A Absolutely. Let's repeat that question. The way you said it.
Q Okay.
A You said did I tell him to comp it?
Q No, I said did you specifically tell Steve Osterhous that you did not want The Caterers to comp this order?
A Absolutely. I specifically told Steve Osterhous that we were in a federal campaign and that we must pay according to the regulations for all services rendered.
Q Okay.
A And food provided. Yes.

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Q And that was because of your prior activities with him?

A Well, keep in mind, that I had dealt with this company for six years prior to that and we were in a comp situation because he was a state-elected official and he could receive comps from corporations.

Q Okay.

A I was very explicit with The Caterers.

Q All right.

A Very.

Q Okay. Did he ever try to comp any orders, while you were in a federal campaign, did Chris Karamanos ever try to comp any orders?

A No.

Q Never did?

A No.

MR. BAUER: I think we've gone over the fact that the record shows the exhibit presented involves a check to The Caterers for $4732.50, that is in the exact amount billed by The Caterers.

MR. McDONNELL: Okay. That's correct.

Okay. Let's turn to another exhibit, Exhibit No. 6.

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(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 6.)

BY MR. McDONNELL:

Q And just take a look at that and when you're ready--

A I'm ready.

Q Okay. Can you identify this document?

A Yes. This is an invoice to Bryan for the U.S. Senate from The Caterers for food that they provided for the Nevada National Bank fund-raiser held on October 10th.

Q Okay. And--

A And a check in the amount of the invoice bill written on the account of "Friends for Bryan" signed by the treasurer, Michael Kern.

Q And you would have placed the order with The Caterers--

A Yes, I did.

Q --for this food?

A Yes, I did.

Q And you agreed to this price prior to receiving it?

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A Yes, I did.

Q Did you have caterers on duty there?

A Oh, yes. This is, as I told you earlier in my testimony, this was a building that was not completed and they brought their trucks and they had to bring their kitchens and everything on site and prepare the food.

Q Okay. This is a building owned by the National Bank, Nevada National?

A I don't know who owns the building.

Q Okay

A The name of the building was the Nevada National Bank Building.

Q Who did you contact in order to set up this event?

A The president of the bank. You mean literally?

Q Whoever you contacted.

A The president of the bank.

Q Okay. And who is that?

A Bill Martin.

Q Okay.

MR. BAUER: Do you think we could take the last very brief break now that Ms. Corley has returned.

MR. McDONNELL: Sure.

MR. BAUER: And you tell me how long you'd like it

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to be, and we'll take a couple of minutes to talk to Lou about the balance of the proceeding.

(Whereupon, there was an off-the-record discussion.)

MR. McDONNELL: I believe when we left off we were examining Exhibit No. 6. An invoice from The Caterers.

BY MR. McDONNELL:

Q And, Lou, can you identify this document?

A Yes. This is an invoice to the Bryan for U.S. Senate Campaign from The Caterers for food provided for the Nevada National Bank fund-raiser, the fund-raiser held in the Nevada National Bank Building on October 10th, 1988.

Q Okay.

A And also reflects a check paid from the "Friends for Bryan Campaign" signed by the treasurer, Michael Kern, in the amount of the invoice.

Q Okay. And would you have placed this order with The Caterers?

A I'm sorry?

Q Would you have been the person who had placed this order with The Caterers?

A Yes, I did.

Q Okay. And what was served at this event?

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A I can't tell you specifically what was served at the event.

Q All right. But it was a sit-down dinner you said? Formal?

A It was a sit-down formal dinner.

Q Okay. Was this a fund-raiser?

A Yes, it was.

Q Okay. And was there a charge to be admitted, or a minimum contribution that night?

A Yes, there was a charge.

Q Okay.

A And I'm sorry I don't remember the amount that was charged. $125 sticks in my mind.

Q Okay. Sticks in your mind. Okay.

A Around in the area of $125 per person.

Q I see. Very good. Thanks. This was billed to the Senator's office, is that right, his campaign office?

A Yes.

Q And did you deal with Chris Karamanos or Steve Osterhous?

A Steve Osterhous.

Q Steve Osterhous. Okay. And you received this invoice, you being the Bryan campaign?

9403097073 2

A Yes.

Q Okay. Would you be the person who would have received this invoice? Or would it go to someone else in your--

A It would have arrived at the Desert Inn address most likely, given to me because it was a bill that needed to be paid, I would then send it over to the treasurer.

Q At his address?

A Yeah, we had runners who would take things back and forth.

Q Okay. Michael Kern's office.

A Correct. He was with Deloitte Touche.

Q Okay.

A Accounting firm.

Q Right. And the event actually was on October 10th because that's the Governor's birthday, is that--

A No, you're confusing the events. This event was on October 10th.

Q That's what I just said.

A But you said the Governor's birthday.

Q Okay, yeah, I'm sorry.

A That is in July, when we did the Harrison party.

Q How do you remember this as being October 10th?

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A Because it was a significant event to me.

Q Oh, okay. So your order was written out on the 4th, it looks like, the date the invoice was written out. Okay. Dated the 11th, the day after the event then, correct?

A Yes.

Q Yeah, okay. All right. Let's put that aside.

I'd like to focus a little bit on Election Day 1988. I guess in the weeks prior to the election, it must have been pretty, is that correct?

A Yes.

Q Okay. What kind of things were you doing at that point?

A I was doing fund-raising.

Q Okay. Holding fund-raisers?

A No, not particularly. Between the primary and the general election, we pretty much stopped the fund-raising. We would maybe have like fund-raising lunches or breakfasts where the Senator would meet with one person, one on one.

Q Okay. And you were arranging those and that type of thing?

A Which I would work with scheduling. I can't honestly tell you exactly what we were doing in fund-

9403097073 4

raising, the weeks between the primary and the general.

Q Okay.

A This was the last major event, the October 10th was the last major event. We had a lot of voter contact events, as I recall, because football games had started at UNLV.

Q Voter contact?

A Voter contact.

Q And what does that entail?

A Having events at football games. I mean not events, but I mean you have tailgates where you--

Q All right. And what kind of things would you do to organize those?

A I would set up the tailgates. We'd bring out a trailer and we'd tailgate. You know what you do. You gather together and you tailgate, prior to the game, you get together.

Q So you got trailers, you rented trailers?

A No, we didn't--well, I mean it would be volunteers that would drive their homes out. Their motor homes.

Q And that was strictly for Governor Bryan running for the Senate campaign?

A Yes, yes. And you put all your campaign stuff up

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and balloons up, hand out your literature.

Q All right. Did you do any phone work, soliciting contributions by phone?

A I can't remember whether I solicited money by phone. I'm sure I did. I mean I just--I don't know. It was very hectic.

Q Were there a group of people soliciting funds by phone at that time?

A No.

Q In that time period?

A No.

Q No?

A It would be me.

Q That would be it?

A That's correct.

Q In the weeks before the election--

A I need to clarify the record.

Q Okay.

A You said were there people soliciting by phone. There could be supporters out there, a Grant Sawyer or someone else--

Q I see.

A Yes. That would be soliciting contributions

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during that period.

Q Right. I wasn't referring to that. You're right.

A And I just wanted to make that clear.

Q Okay. I mean paid employees.

A No, no.

Q Okay. I'm only talking about paid employees.

A No, no.

Q Okay. Now, in maybe the two weeks prior to the election, did you do any work for the State Party?

A Yes.

Q You did?

A Approximately three weeks before election, the campaign manager called me in his office and asked me to assist in the "Get out the Vote" program.

Q And the campaign manager is Mr. Bible, is that correct?

A Correct.

Q And what did he tell you about that?

A He asked me to assist and use my energy and help out with the "Get out the Vote" program and I was given a certain amount of tasks. I was in charge of the poll watchers for Election Day and the area coordinators.

Q Okay. Poll watchers and the area coordinators?

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A Correct.

Q Okay. What are the--poll watchers, I guess, that's pretty self-evident. Could you tell me a little about what they do though?

A Yes. The definition of a poll watcher would be a volunteer that would be assigned to a designated precinct.

Q Okay.

A A targeted precinct. A particular group of voters.

Q Right.

A It might be a low-voter turnout precinct. And that volunteer would sit from seven in the morning until seven at night, the entire Election Day and monitor individuals as they came up to the table to vote. And they would be given a computer run-out list of all Democrats and as an individual would approach the table, a name is automatically called out. They would check their list to see if that name appeared on their list and if it did, then they would cross it out. That meant that that person on their list had voted.

Q Okay.

A So I had in the area of around 200 plus, 300. I don't remember how many volunteers I needed to secure, to

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cover targeted precincts for Election Day.

Q Just for poll, you mean.

A For poll watching.

Q Yeah. Did they have to be trained to know how to do this?

A They were trained. Yes, they were trained.

Q Trained by you?

A No, they were not. They were trained by Vicki Hulbert.

Q In the weeks prior to the election, is there anything else that they did?

A The volunteers?

Q Yes.

A No, no. The weeks prior to the election, I was constantly contacting people and trying to get volunteers and assigning them locations.

Q I see.

A I believe the training for the poll watchers took place like on Saturday or Sunday, prior to the election on Tuesday. The Tuesday election.

Q Where did that training take place?

A In the Bryan headquarters on the "Get out the Vote" side of the Bryan headquarters.

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Q All right. Could you tell us about the setup for us? First of all, the location, the address?

A It's 2929 East Desert Inn.

Q Okay. Desert Inn, okay. Is that a separate building or--

A It was two offices. If you can visualize two long narrow offices that would be a stereo-typical office arrangement in a shopping center with a central wall, and the wall was literally cut out so you could go between the two. And so on one side was volunteers and the "Get out the Vote" with a phone bank in the back.

Q All right. What was on the other side?

A Staff, Bryan staff.

Q Just the Bryan staff?

A Yeah.

Q Okay.

A The Bryan campaign staff.

Q And your office was over there?

A Well, if you want to call it an office. We were all in one big room with desks, you know. I'd say my desk was over there.

Q Okay. So you did the training in the whole office?

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A I did not do the training.
Q I mean the training was done--
A The training was done on the other side opposite the desks because it would have been impossible to assemble masses of people.
Q Right.
A And we had I believe, if memory serves me correctly, two different times that they were asked to come.
Q Okay.
A Because of the numbers.
Q Oh, right.
A And Vicki Hulbert, who was in charge of the "Get out the Vote" program did the actual training.
Q Okay.
A This was my first participation in "Get out the Vote."
Q She did the training, Vicki Hulbert?
A Yes. She was in charge of the program.
Q All right.
MS. CORLEY: For the State Party.
BY MR. McDONNELL:
Q For the State Party.
A For the Democratic--yes, the Nevada State Party.

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Q When did the Nevada State Party first occupy that office?

A The phone banks had been in existence--gosh, from the very beginning. I can't tell you exactly when we actually--I don't remember the exact date that we moved in to 2929 Desert Inn.

Q Okay.

A But phone banks were installed immediately because part of the "Get out the Vote" effort starts in the beginning of a campaign.

Q All right. And who was heading the project over there?

A Vicki Hulbert.

Q The phone banks?

A No. Well, there was--and her name was Pam something, and I don't remember her last name--was actually in charge of the phone banks.

Q All right.

A And those phone banks would start like at five o'clock at night, between five and nine.

Q Okay. What did they do?

A They would be calling voters, and I am not an expert in "Get out the Vote" so it's not for me to explain.

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It was my perception that they were calling voters to find out if they were Democrats or not, and to target those people at that stage.

Q Okay.

A But I am not--you cannot--I am not familiar with the "Get out the Vote" program at that particular stage.

Q That's fine.

A I know how the phone banks operated on Election Day with my involvement.

Q All right.

A Prior to that, I don't know. I really didn't know the program at all.

Q Okay. And you said there was another area beside the poll watchers that you were involved in, some other area?

A The area coordinators.

Q The coordinator area.

A Which oversaw the poll watchers.

Q Oh. Okay.

A There were, I believe, 12 -- 12 sticks in my mind -- area coordinators.

Q Okay.

A You would have your poll watchers in schools.

9403097074 3

Q Right.

A You would have X number. You'd have several precincts in a polling place.

Q Okay.

A And you'd have several poll watchers at each precinct targeted. An area coordinator would be over maybe four or five polling places with 10 poll watchers in each polling place.

Q Okay. Would they be paid employees--

A No. They're all volunteers.

Q All volunteers. Okay. And what other types of things did you do?

A The responsibility, as I told you, with the poll watcher was to watch for the voters and to mark the voters as they came in to vote. They also were the ones that were constantly in the polling place on a constant basis, because your area coordinator would leave and go from Point A to Point B to Point C and on. And if they had any problems within the polling place, they would report that to the area coordinator. And the area coordinator would get back to their polling place.

Q Okay. And what exactly would be your role in it?

A My role was I was like the command post. On

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Election Day, the polls opened at seven o'clock in the morning and all my area coordinators were hooked up to telephones. They had their telephones and they would let me know if a poll watcher wouldn't show up. Then that would mean we'd have to get a--I would have poll watchers in front of me ready to dispatch to an area that wasn't being covered.

Q Yeah.

A And I literally was the command post with all the 12 area coordinators coming to me with information. The area coordinators were also responsible for overseeing the polling places in the event of voter problems.

Q Okay. Was there anything else you were doing for the State Party other than that?

A At that particular time on Election Day?

Q It sounds like enough. Yeah.

A Let me tell you, that was enough. I mean it was--yes.

Q Okay. That was it, okay, on Election Day?

A On Election Day. I was--

Q What about drivers? Were you involved with any drivers?

A No. That was another desk over here.

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Q Who was involved in that? Who was in charge of that?

A Chuck Johnston was in charge of the drivers.

Q Is he a salaried person?

A Yes, he was.

Q Johnston. Do you know anything about how that went about? Were the drivers in a central location--

A Well, I guess I need to explain that the area coordinators were designated four times a day at specific times to go to their individual polling places and pick up one of the four-ply computer sheets that each poll watcher had.

Q Uh-huh.

A And they would bring--they start with the last sheet. And they would bring that sheet as fast as they could back to the phone banks, and we had two phone banks operating.

Q Okay.

A One in Commercial Center and one in our headquarters. And there was always a phone bank operating for the "Get out the Vote" effort in the Commercial Center location also.

Q Where is that? Commercial Center?

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A Commercial Center is on Sahara, on West Sahara or East Sahara.

Q Is that an office that you had? Was it the State Party's office?

A The State Party's office.

Q Okay.

A I never even physically stepped foot in that phone bank.

Q Okay. And who is over there in charge?

A I don't know exactly was in charge. I remember from our campaign Mike Besson was over on Election Day in charge of the phone bank.

Q And how do you spell Besson? Do you know?

A Besson, B-E-S-S-O-N. Besson. I think.

Q He was over there on Election Day you said?

A On Election Day in charge of the phone banks.

Q Okay.

A But, again, I was not over there. I did not see for myself on Election Day. I had my hands full where we were.

Q Okay. Right. How many people would you say were in the offices on Election Day?

A Physically in our office or both offices?

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Q The two offices, the GOTV office--

A Oh, okay. You're talking at 2929 Desert Inn?

Q 2929, right.

A Between the drivers and the poll watchers and the volunteers, that day you had people on phone banks coming and going through that office, hundreds would be a guess.

Q Yeah.

A It started at five in the morning with door hangers. Like 300 people were there to go out.

Q What was their job?

A Their job was to take a door hanger, which had all the listing of the Democratic members. It would be--you could hang them on your door knob so that you would wake up in the morning before the polls opened and we were hoping that they will take that to the poll and we would have a list of all the Democratic people that we would want them to vote for and that would be door hangers.

Q And that was a GOTV--

A That was a GOTV effort.

Q Okay. Now, you're talking generally about all these poll watchers and everyone. This is the Southern Nevada or is this the entire state that you were doing?

A Oh, no. This is just in Southern Nevada, and not

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all of Clark County.

Q Oh, not--

A Not my people. There was a separate effort going on in the west side.

Q And who was in charge of that?

A I don't know.

Q That was a State Party operation?

A Yes.

Q Did Governor Bryan have any other offices besides the main office at 2929?

A Campaign office.

Q Yes.

A The only campaign office we had was 2929. Then we had our treasurer, who was housed at--he was part of Deloitte Touche.

Q The firm.

A And then--no, that was it.

Q That's it. There's no other offices around?

A Right.

MS. CORLEY: I believe you had one in Reno as well.

THE WITNESS: Oh, I thought he said Southern Nevada.

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MR. McDONNELL: I did, yeah.

THE WITNESS: He did. He said Southern Nevada.

BY MR. McDONNELL:

Q That helps.

A But, yes, we did, to clarify the record, there was an office in Reno.

Q All right. Thank you.

A Gigi Hay was in charge of that office.

Q Okay. She's a paid employee?

A Yes.

Q Okay. Any other State Party offices besides the ones we've talked about?

A State Party offices?

Q Right. Where--

A I'm not sure I know where all the State Party offices were. The Commercial Center address where the biggest phone bank was located was clearly where the State Office was. I'm not familiar if there were other offices.

Q Okay.

A I have no knowledge of that.

Q If there was, you had nothing to do with it.

A I had nothing--I was given specific tasks for Election Day.

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Q Okay. Now, when Mr. Bible assigned you to this project, why did he do that, why were you assigned to work on those particular tasks?

A Well, the "Get out the Vote" effort, of course, certainly benefited our candidate. And that was--you know, for Senator Bryan as well as other candidates, other Democratic candidates, so we had a vested interest in getting the right energy level going in the right places.

Q When did you first hear about his request? When did you first learn of his request to work with the State Party?

A Approximately three weeks prior to the election.

Q And prior to that time, was there someone planned to take this function?

A There were--Vicki Hulbert was in charge of it. There were other people. There was a gentleman by the name of Paul Hewin, that was working on the poll watchers, and you can imagine, it's a monumental task to assemble almost 300 or 300 plus--I don't remember--people. And get ready for this.

Q Yes.

A I mean this is a monumental task. There's a lot of things that went on in getting ready for Election Day.

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Q Okay. Do you remember any specific things you did in the days just prior to Election Day, specific types of activities, just to prepare yourself for the day itself?

A Well, my poll watchers needed to have food. So Vicki brought that to my attention and this is, as I told you before in my earlier testimony, this was my first effort on being involved in "Get out the Vote"--

Q Okay.

A And Vicki said to me, "You've got to get food in the form of sack lunches for the poll watchers," because they are literally, as I said, in the polls from seven in the morning until seven at night. And so she asked me to arrange for food.

Q Okay. And what did you do?

A I called The Caterers, spoke with Steve Osterhous.

Q Right.

A And I asked him if he could provide us with those needed sack lunches.

Q Okay.

A And I remember working out the contents of the sack lunches and going back and negotiating--him giving me a price, and then I went back to Vicki and asked her if they could afford to pay $3 and I don't remember exactly, 50

9403097075 2

cents or $3.25 per sack lunch.

Q All right.

A And she gave me permission.

Q She did. Okay. And how orders for other people, food for other--

A There was food--she would say, "I need food sent up to the phone bank in Commercial Center and we need food for the volunteers." I ordered sandwiches and sandwich trays to be sent to those two locations.

Q Okay. Could you repeat those locations? One is the--

A The Bryan headquarters at 2929 East Desert Inn.

Q Right, right.

A And the Commercial Center. I believe it's 9 something, East Sahara. 950 something.

MS. CORLEY: Can I clarify something?

MR. McDONNELL: Sure.

MS. CORLEY: On the Bryan headquarters. When you refer to the Bryan headquarters, you have to remember that that was half of it.

THE WITNESS: I know.

MR. McDONNELL: The other half was the Nevada State Party's "Get out the Vote" type of effort.

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MR. McDONNELL: Okay.

MS. CORLEY: So when she says she sent it to the Bryan headquarters, we're talking about that address.

MR. McDONNELL: Oh, I see. Just for the State Party's part of it.

BY MR. McDONNELL:

Q Okay, what about for the Bryan campaign workers?

A Well, how do you decide who the Bryan campaign workers are on the day of election when all the Bryan campaign volunteers are a part of "Get out the Vote"?

Q Okay. They weren't specifically segregated out. That's fine.

A No. I mean everybody is in this joint effort--

Q I see.

A And we have mass confusion going on at the polls that day.

Q Well, how about the paid employees? Where were they working?

A In this same office area.

Q Okay. How many people were paid employees and full-time staffers would have been within that office that day?

A Well, I believe I testified earlier that I thought

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there were like eight.

Q Eight? Okay.

A But I don't--

Q About eight, right.

A I guess I could count them again. Eight to--I don't know. I don't know.

Q Well, I have some names of people that we may go over it later and see if it refreshes your memory.

A Okay.

Q Are there any other places that you ordered food for, any other activities?

A No.

Q The drivers? Did you say you ordered food for the drivers?

A Well, those drivers were in the headquarters so the sandwich trays that were brought in fed the drivers.

Q Okay.

A But all these masses of people were not there over the lunch hour, does that make sense? They would come in. They might be dispatched out to drive and they would say that they would give their skills of driving from eight to 10. I mean I'm just saying--

Q Yeah. But when you're--

9403097075 5

A Keep in mind, you don't have masses, hundreds and hundreds of people standing--

Q At once.

A At once.

Q But when you're preparing the orders though, how did you consider what you were going to order?

A Whatever Vicki told me. I mean Vicki was the expert and she would give me--she gave me suggestions. That's the only thing I can recall. I can specifically remember the sack lunches because of my involvement. I knew I had X number of poll watchers and I wanted to make sure that they ate.

Q All right. You say you started at, what, 5:30?

A I happened to start at the campaign at five o'clock.

Q And were people there already?

A Yes, they were there for door hanging.

Q Okay. And what about for the morning hours, the food provided? Coffee?

A I can't tell you. I don't know. There was doughnuts and coffee. I did not order that. I did not--and I don't know where that came from.

Q Okay. And you informed Vicki that you were

9403097075 6

ordering this from The Caterers, these foods?

A Yes.

Q Okay.

A Yes, yes, yes.

Q And did anybody from The Caterers come out to-- obviously to deliver the food they came out, but--

A Yes, they dropped it off.

Q But at any prior time did they come out?

A No. It was done by the telephone.

Q Okay. Were there any people from The Caterers working there?

A No.

Q Did they assist?

A No.

Q In handing out the food or anything?

A No.

Q And did you have anything set up in the parking lot of the building?

A For election night. Prior to election night, I was charged with setting up for the election night party.

Q Okay.

A So I had made arrangements for Richard Bryan, United States Senate, election night victory party.

9403097075 7

Q Okay.

A So I had made those arrangements.

Q What kind of arrangements were those?

A I arranged for food. I arranged for beverages. I arranged for a disc jockey. I arranged for TV monitors. I arranged for a chalk board. I arranged for stanchions. I put a western--

Q What is stanchions?

A Stanchions, you know, chains and stanchions. Tables and chairs. And I had a western theme. I had a barbecue theme.

Q Okay.

A And then Kitty Dees, the day of election, implemented my plans.

Q She did?

A Yes.

Q And how did she do that?

A Well, she was in charge of the setup and she would actually go out and set it up and with people who would come and help.

Q Okay.

MS. CORLEY: Can I add a clarifying--this was not at the headquarters offices or it was?

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THE WITNESS: The election--

MS. CORLEY: The election night party for Senator Bryan.

THE WITNESS: The election night victory party was at 2929 East Desert Inn in the parking lot.

MR. McDONNELL: In the parking lot.

THE WITNESS: In the parking lot.

BY MR. McDONNELL:

Q And how many people were expected that you needed to prepare for at that time?

A You think in terms of feeding 500 to 750 because you can't feed everybody. You usually run out of food at victory parties. That's kind of SOP. You pick a target. So you don't know. We expected a cast of thousands, but you don't plan on feeding them.

Q I see.

A I believe I planned on feeding 500 or 750. I don't recall.

Q These are people, not only the campaign workers, but also the general public?

A Oh, yes. Your Democrats, your good Democrats, your voters, your supporters. Sure, everybody comes down to congratulate the winner.

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Q Okay. And when you say barbecue, what kind of food was served?

A Barbecue beef sandwiches. Corn on the cob. Bags of chips. We may have had cold slaw. I can't remember whether we had cold slaw. We had Pepsi. We had beer and wine.

Q Okay. Anything else?

A No.

Q Okay. And where did you get this food from?

A A volunteer and good friend of Senator Bryan, by the name of Dave Kent.

Q Okay.

A We would purchase the food and he would cook it. He loved doing it. He had made himself a chuck wagon because he was a rancher. And he would bring his chuck wagon out and then volunteers would help serve it.

Q Okay. Did anyone else order food from him?

A No.

Q For that?

A No.

Q And do you know approximately how much that cost?

A Well, it would be the cost of the food. What we would do is I would buy the food ahead, like the meat,

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because Dave would have to prepare it. And I believe we provided you with all the invoices.

Q Okay.

A I pretty much I think reconstructed, as best I could, all the expenses that were incurred for election night.

Q All right.

A And it was clear that--I think the Conestela Beverage, Valley Foods, Ratner's Meat--

MR. McDONNELL: Okay. Let's introduce Exhibit No. 7 now. Here's a copy for you and Ms. Corley.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 7.)

MS. CORLEY: Thank you.

BY MR. McDONNELL:

Q Could you just take a look through there and just see the different checks written on page 2, 3. I think it's all the way through the end, just to refresh your memory.

A Okay.

Q All right. And page number 2 of this exhibit is made out to Dave Kent, is that correct?

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A Uh-huh.

Q Okay. And what would that be for?

A As I recall--

Q A $108 check.

A --it was for a couple of different invoices, like, let's see, I think it was like the baking, the Nevada Baking Company, $34.63. And the Valley Foods. Does that add up to--

Q Valley Foods?

A The amount is not on the Valley Foods invoice that you've copied here.

Q Does Dave Kent have an interest in these two businesses?

A No, no, no, no.

Q Oh, you were reimbursing him for--he had purchased the goods?

A Exactly.

Q Okay.

A And I believe that that's what--that there's not an amount here, I think it was 70 something dollars, so I believe this $108.50 reflects those two invoices.

Q The Valley was for the meat?

A No. Ratner's was for the meat.

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Q Ratner's the meat, okay.

A See corn on the cob and the margarine. See, there's the corn on the cob.

Q Okay. All right. And then the other expenses were for drinking, drinks?

A Pepsi Cola. That would be for the Pepsi Cola. That with a gun. That's a bar that they bring, and that was the product that was consumed.

Now, there's two checks to Dave for $108, so that's a duplication. All right. Excuse me.

Q And basically this--I've added it up roughly, comes out to about maybe $600 for this.

A In your packet that you're presenting to me, you have two checks that are the same.

Q Oh, I do?

A Yes, you do. You have $108.50 twice made out to Dave Kent.

Q Okay.

A So whatever these checks add up to--but those two checks reflect the same.

Q But in relation to some of the other events that were catered by The Caterers, this is quite a bit lower. It's like $500.

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A Oh, absolutely, of course it would be. I mean that would be like our campaign kickoff party. Our primary night party. When you do these types of things, you're not generating income, so you keep your overhead pretty low.

Q All right.

A But I mean this was--this type of event, the western theme, throughout the Bryans' political history that I've been involved with him, has always been their theme.

Q Okay.

A They've always done--

Q There's enough food for all the people?

A Oh, absolutely, absolutely. I believe he made 600, 700, or 800 sandwiches.

Q Okay.

A These are little sandwiches.

Q All right.

A We spend--let's take a look at your Ratner's meat. You spend $270. That's a lot of meat.

Q Yeah. Now, were there any--were you there when they set this up outside?

A No, I was not.

Q Okay.

A No, I was not. No. Kitty was in charge of the

9403097076 4

logistics.

Q Kitty, okay.

A Kitty Dees was in charge of the logistics of setting it up.

Q All right. And was there any other food served this evening?

A Yes. There was other food served that evening, that I did not request. I came back. I had been out monitoring polls in the afternoon. And I came back approximately at 8:30 at night. And I drove in fully expecting to see what I had drawn, and there was this very fancy display, professional display, in one corner.

Q Okay.

A I got out. I walked over and I said, "Excuse me. Who are you?" And this gentleman, who I had never seen before, said, "Chris Karamanos sent food over to the volunteers." And they set up a very fancy professional--it stuck out like a sore thumb when you've got a western theme--

Q Right.

A --and you've got tiered tables with big flowers cascading out of it.

Q Okay. And who was this person? You have no idea?

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A I have no idea. It was a member of the catering company. He was there serving food. And I looked down, and I recall specifically seeing sweet and sour pork.

Q Okay. Was there anybody else from the company there with him?

A Not to my knowledge.

Q No?

A As I recall, there was one person from the catering company when I arrived, and that was at 8:30.

Q And did you find out when they arrived originally?

A I don't know. I have no idea.

Q Did you talk to Vicki about this?

A No. I didn't. No, I didn't.

Q You didn't ask anyone in the campaign if they ordered the food?

A No. Well, nobody ordered the food. Because I was in charge of the event, I know what food was ordered. Kitty or I would have ordered the food. Kitty did not order the food.

Q Uh-huh.

A I have not set the record straight on this. Unfortunately we can't ask. Kitty's passed away.

Q Oh.

9403097076 6

A So I think the record needs to reflect that.

Q Yeah, that's important. Yeah, that's good for us. Thank you.

A She developed cancer during the campaign and she died two years later.

Q Okay. But you said that you feel that Kitty didn't order the food--

A I know Kitty didn't order the food.

Q How do you know that?

A Because I asked her that.

Q Oh, you did ask her?

A I asked her specifically. And I know. I order the food -- I was the only person throughout the campaign. Kitty would implement what I would create, so to speak. She was my assistant.

Q Now, did you contact Chris about this, Chris Karamanos?

A No. You mean after?

Q Yeah, afterwards.

A No, I did not.

Q Okay. Did you tell Mr. Bible about this?

A No, I don't know--I can't specifically remember saying to him--you know, he had eyes. I'm sure he could see

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it.

Q Did you attempt to--

A But I believe--I really believe that Chris was sending food--what he thought was to the "Get out the Vote" volunteers.

Q Okay.

A Because he had sent sandwiches to the "Get out the Vote" and I tried from the "get-go" to make it crystal clear that the "Get out the Vote" program was paying for the foods that I ordered.

Q Okay. You did--

A I made that crystal clear.

Q Okay. Who did you talk to on--

A Steve Osterhous.

Q Okay. Steve, okay. And you told him it wasn't for Senator Bryan's campaign?

A Correct.

Q Okay. Did you talk to anyone else about the--after you received this food, did you talk to anyone else about that, informed them that you received this food that you didn't order from The Caterers?

A Did I talk to anybody else?

Q Right.

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A You mean just in general conversation?

Q Yeah.

A I'm sure that--I don't know. I mean specifically I would say, "Where did you come from?" type thing and, you know, I might have asked. I mean the food was gone. It was gone. I mean they brought it out I believe--trying to convince people in the community the difference between the campaign and "Get out the Vote" is almost impossible.

Q Right.

A It's very hard for people that are not involved in politics to understand.

Q I understand that. Did you tell Senator Bryan about this food that was provided free of charge?

A I don't remember specifically saying, "Senator Bryan, food was sent over." No, I did not specifically.

Q Do you know if there was any effort to pay, to pay The Caterers for this food?

A No, because I didn't view it as food that was responsible for the "Bryan for Senate" campaign, "Friends for Bryan."

Q Okay.

A I viewed that as I had nothing to do with billing with the "Get out the Vote" program.

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Q Okay.

A I had nothing to do with that as far as tracking billing.

Q Who was in charge of that?

A Vicki Hulbert.

Q Vicki?

A Uh-huh.

Q Who oversaw her work?

A Well, in all honesty, I don't know. Overseeing her work--I really don't know. The State Chairman is an elected person.

Q Who was the elected Chairman at that time?

A I'm going to hazard a guess, and I believe it was Beecher Avance, but--

Q Avance?

A I'm not sure.

Q A-V-A-N-C-E?

A A-V-A-N-C-E. I can't remember for sure, 1988. Beecher Avance sticks in my mind, but he could have been the Party Chairman.

Q Okay. Were any thank you notes sent out in relation to these orders you received from The Caterers? Any kind of recognition?

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A Again, I had nothing to do with that follow-up, the follow-through on the "Get out the Vote" effort.

Q All right. Who would have taken care of that?

A Vicki.

Q She would have done that? Okay. What other State Chairmen have you had during the last few years besides--

A Tick Segerblom is our State Chairman today. He's the current one.

Q When did he get elected?

A Oh, geez.

Q That's okay.

A I think 1990, I think.

Q And Avance, was he the chairman just prior to Segerblom?

A I believe so. Beecher Avance.

Q Beecher Avance, okay. Let's look at page 1 of Exhibit 7.

A Which is that?

Q Which is Exhibit on hers.

A Okay.

Q The last one we just looked at. And can you identify this page?

A I saw this for the first time yesterday. I don't

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know where this came from. I don't know how this was provided to you.

Q Did you ever see this before?

A No, not until yesterday.

Q Okay. Do you know whose writing this is?

A No, I don't.

Q Okay. It says something about Lee Wastell.

A Lee Wastell worked with Vicki and he was in charge of voter registration throughout--as I understand it. I do not know all his duties but he was in charge of the registrars. As Vicki was too. So I don't know whether they were joint coordinators. I don't know.

Q Okay. He wasn't paid staff as far as you know then, was he? Or--

A I don't know. I don't know who was paid or how they were paid.

Q Okay. Over here on the right-hand side is this "support activities, senior citizens groups." Do you see that, can you read that?

A Yes, I see "senior citizens groups."

Q Do you know what that would be about?

A "Getting out the Vote, Senior Centers Retirement." No, I don't.

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Q Okay. You don't know about the volunteers working at senior citizens or anything?

A No, I don't.

Q Okay. And how about--it says "food and drink on Election Day."

A Uh-huh.

Q "Coffee and doughnuts for door hangers, lunches for poll checkers, coupons for--" something.

A What is that?

Q "Drivers to ride to polls for drivers."

A "Coupons."

Q I don't know--

A I don't know what that means either. I don't know what that means.

Q These are things that you ordered, correct?

A No, I did not get coffee and doughnuts for the coordinators.

Q You think Vicki did that?

A I don't know who did that. I don't know who did that.

Q But you got the lunches for the poll checkers?

A I got the lunches for the poll checkers.

MS. CORLEY: For your poll checkers.

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THE WITNESS: For my poll checkers. My poll checkers.

BY MR. McDONNELL:

Q Okay. And which were those?

A The 300 plus that I dealt with.

Q Oh, just for your area you mean?

A For my area.

Q Okay. But they were the State Party poll checkers, right?

A Yes. They're volunteers. They are volunteers. They are not necessarily members of the State Party.

Q They weren't Bryan workers, they're volunteers.

A Yes, they are. They are all synonymous. I mean, you know, Bryan volunteers were poll checkers.

Q Okay. Volunteers--they weren't workers. They weren't paid workers.

A No, no, no, not paid. "Coupons for--" You think that says "drivers"? I don't know that that says drivers.

Q Yeah.

A Is that what that says?

MS. CORLEY: I think it says "headquarters rides to polls" or something.

THE WITNESS: I don't know what that means. I

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don't know what that means. "Sign on cars." I don't know what that means.

BY MR. McDONNELL:

Q You don't know? Okay. And so I guess you have no idea why this document is--

A I don't know where it came from.

Q All right. Does it look to you like it's missing something in the middle there?

A It looks like maybe there was--I don't know, I don't know.

Q Well, where do the campaigns keep files for past elections? Where are they currently kept, the files?

A In our storage, in storage. I mean and then I have some files that I have brought with me just for reference.

Q Brought with you where?

A Into my file cabinet that I have.

Q Where you have that--

A At the Senate office.

Q In the Senate office?

A Yeah.

Q Did you look through there for anything related to this--

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A That's how I produced most of these documents.

Q Most of them? Okay. Not this particular one, you did not produce?

A This I did not produce.

Q Okay.

A I do not know where this came from.

Q And who is in charge of the records up there at the storage?

A Well, Sara Besser who was over the campaign.

Q Is she still with the campaign?

A No. She's working for the Senator.

Q That's what I mean.

A She's working for Senator Bryan.

Q Bryan, okay.

A But I mean in charge of over the things. We have desks out there. We have signs.

Q Okay.

A I mean you save things from campaign to campaign.

Q Okay, okay. Let's move on then to--

MR. McDONNELL: I want to introduce--here is Exhibit 8. These are a series of invoices. I'm going to clip them together for you like that, or you can take them apart if you want. Whichever is easier for you to handle.

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(Whereupon, the document referred to was marked for identification as Deposition Exhibit 8.)

BY MR. McDONNELL:

Q Just take a few minutes to look those over.

A Okay. I have some questions. Go ahead.

Q Okay. Can you identify this first document on page 1?

A Oh, you want me to identify it. It appears--you want me to describe it?

Q Right. Could you?

A It appears that it's an invoice from The Caterers. I can't tell who it's to.

Q Okay.

A Dated November 8th, in the amount of $327.50.

Q Okay. Go ahead.

A Go ahead.

Q Go on to the next page then.

A That's what I was going to do. And then it's attached with a description--oh, assorted sandwiches on disposable trays. Delivered to the Bryan headquarters at 10 in the morning.

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Q Okay. Now, is this order consistent with your earlier testimony that you were--

A Yes, yes. This is what I ordered. I did not remember the amount.

Q But they had told you the amount at the time? They being The Caterers?

A I cannot remember that. I really can't. I really zero in on the sack lunches. I do not remember.

Q Okay. Do you see up top where it says "Order placed by"?

A Yes.

Q Does it state your name?

A Yes, it does.

Q And you would have called this order in to Steve Osterhous, is that correct?

A Yes. Yes, I would have.

Q And did you receive authority from the State Party to order this?

A Yes, I did.

Q Okay. And who particularly gave it to you?

A Vicki.

Q Vicki did? Okay. So this is consistent--who would this have been for?

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A The "Get out the Vote" volunteers.

Q It would have been what meal, their lunch?

A Throughout the day. This was delivered at 10 in the morning, so this would be food, sandwiches, throughout the day.

Q Would this be for precinct workers? Would you call them precinct workers or--

A No. Those poll watchers were out at their precincts.

Q Okay.

A They were already out there. They would receive the sack lunches.

Q Where did they receive those? From your office?

A From my area coordinators. Around the lunch hour, they would bring them their sack lunches.

Q Okay. Again, this would be for which--

A You can see it was served. It was brought in on disposable trays, so that is indicative to me, when I deal with caterers, that this is a huge gigantic tray for people that are in the headquarters, in the GOTV headquarters--

Q It's for headquarters.

A --to utilize throughout the day.

Q All right. Let's go to the second invoice, pages

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3 and 4. Take a look at those and see if you can identify this document.

A Yes. I ordered these. Three hundred and twenty-five sack lunches that I ordered for the poll watchers and they were delivered to the phone bank.

Q These are the phone bank?

A This is at the phone bank. And it's $3.50.

Q And what makes you say this is for the phone bank?

A It says it right here on the--

Q Oh. "Submitted to the phone bank."

A And it was delivered at 9:30 to the phone bank.

Q All right. And you placed this order?

A Yes, I did.

Q And you see where it says who it's placed by?

A Uh-huh.

Q Do you know Jay Brewer?

A Yes, I do.

Q Okay. How do you know him?

A He is a member of the Union at the time. He's since retired. And he was Vicki's "significant other."

Q Okay.

A He worked in the "Get out the Vote" program.

Q All right. Was he a paid employee or volunteer?

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A I can't answer that. Again, I don't know about all that.

Q Okay. How long did he work with the State effort? Approximately.

A I don't know.

Q Was he working full time on the effort or just a few hours?

A I really don't know. I mean he was a Union boss so I don't know whether it was volunteer. I don't know.

Q I'm just saying how often did you see him? Was he frequently--in the weeks before the campaign, was he--

A Oh, I don't know.

Q Was he there all the time?

A No.

Q Did he have a desk there?

A No, no.

Q Did Vicki have a desk there?

A Yes, she did. Yes, she did.

Q What was his function besides what you just told us about? What was his function? What did he do?

A Oh, I have no idea. I have no idea.

Q When you saw him, what was he doing?

A Talking to Vicki. I mean I don't know. I mean,

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you know, I don't know what his specific responsibilities were.

Q Okay.

A Or if he even had any.

Q I see.

A I mean he is one of many that was a friend of Chris Karamanos.

Q He was?

A I do not know how his name got on this invoice.

Q All right.

A That is a puzzlement to me. I don't know how that happened. I know that I ordered sack lunches for my poll workers. And I know that I had them delivered to the phone bank in Commercial Center.

Q Oh, okay. He's looking for lunches then?

A That's what it appears.

Q Okay.

A I mean it says 325, 9:30 phone bank.

Q All right.

A And I know that I ordered those.

Q So it was for the--

A And I think this is indicative of the confusion of all this billing. I mean this is--

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Q Now, these two orders here, have you seen either one of those invoices before?

A Yes. Yes, I have.

Q When did you see them?

A I saw them this year.

Q Oh, okay.

A I saw them this year for the first time.

Q Okay. The first time this year. You never saw them--

A For the first time this year.

Q You never saw them in the 1988--

A No, I did not.

Q In what capacity did you see them? When was it?

A Earlier this year as a result of an FBI investigation with Chris Karamanos. Senator Bryan was asked to give some responses and Jean Neal sat in that meeting and during that meeting with the FBI, Jean Neal asked if she could copy records and they gave her permission to go to the copying machine and make copies of it. And that was the first time I had ever seen this.

Q And that was this year, '92?

A Yes.

Q Okay.

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A No, no, no.

MS. CORLEY: No.

THE WITNESS: No, no. I'm sorry. I am very sorry. It was back in 1990--late '89 or '90

BY MR. McDONNELL:

Q Okay.

A I'm sorry.

Q I just wanted to clarify it.

A The years are going together on me.

Q That's all right. I know what you mean. It's hard to believe they're going so fast.

Okay. Let me turn now to the third invoice. Page 5 and 6.

A Okay. It appears that this is an invoice for the food that I did not order that appeared, and it even says here that they delivered it at 6:30 and there's my sweet and sour pork.

Q Right. You have a very good memory. And do you see here where it says "Buffet tables, blue skirting, and blue lace."

A Oh, I can still see the flowers. They stuck out.

Q Such a large staging.

A It was--yeah. I mean they had like kind of an L

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shaped table. And then they had two or three tables with tall flowers sticking up.

Q When you were gone to the poll watchers, who was left in charge of the setting up?

A Kitty.

Q Kitty?

A Uh-huh. Kitty was in charge of setting up.

Q Okay. Did you ever talk to her about this order?

A I don't recall talking to her about it specifically. You've got to keep in mind that I had been through a very hectic day.

Q I'm sure. What does Kitty do presently? I think you've stated--

A She passed away.

Q Kitty did?

A Kitty died.

Q Okay. How about Vicki Hulbert?

A Vicki Hulbert is in Las Vegas.

Q She's still working. Okay. I'm getting confused. I'm sorry.

Was there anybody else along with Kitty who was in charge of--

A Bryan volunteers would have helped her set up. I

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mean we had regular people that were good friends that will just, you know, on a regular basis, come to the headquarters and help us set up.

Q What would the rest of the staff be doing, the eight employees that you testified about?

A I don't know that I can paint a picture for you with that voter intimidation going on in the polls. We were dispatching attorneys out to challenge the challengers. We were just taking--everybody was taking care of business. I mean you've got your press people, the media, and you've got all kinds of confusion.

Q How about the campaign manager, Mr. Bible?

A He was right in the middle of the whole thing.

Q Was he there at that time?

A Absolutely.

Q He was there all day?

A Yes, he was.

Q Okay.

A I can't tell you that he was there every minute of the day, let's clarify that.

Q I see. Would he be indoors basically or would he be outdoors by that time?

A Basically he would have been indoors in his

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office. He would have been indoors the bulk of the time.

Q What time did the party start?

A Around 6:00, 6:30. It gets dark then in Nevada. So usually when the sun goes down, that's when the party begins.

Q Right. There's no celebration as yet, is that right?

A Oh, no.

Q Okay.

A The polls haven't closed. The vote is not in. The Senator is up north.

Q Okay. What about, if you can recall, when the victory was actually announced?

A Well, do you want CBS or--

Q Was it a late-night announcement or was it early?

A Well, as I recall, I mean the Senator was declared a winner pretty early in the evening, but as far as the Senator's arrival to the headquarters, he didn't arrive until late evening. 10:00, 10:30. We flew him down by private airplane.

Q Okay.

A From Reno.

Q From Reno, okay.

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A Five hundred guests. What did I do, go back to something else?

Q That's the $1500 one? The $1500 orders.

A I am not familiar with this. I never saw this. What is this, 3:30? And, again, Jay Brewer.

Q What are you saying, 330?

A Isn't that 3:30?

Q Oh, 4:30 a.m.?

A Oh, what's that?

Q Setup time.

A Oh.

Q 4:30 I think.

A Oh, is this the coffee and doughnuts?

Q Yes. It says on here "coffee, Decaf."

Q Oh, sorry.

A Well, that explains where those came from. Okay. I did not order these.

Q All right.

A I did not. That's interesting because here on this heading, Jay--I have not seen this document until this very minute.

Q Okay.

A Because as you know from my testimony, I did not

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know where doughnuts and coffee came from for the door hangers.

Q That's right.

A And this substantiates what I've been saying all along, the confusion in who ordered. I know that I clearly ordered the sack lunches. And their documentation indicates that Jay Brewer ordered it.

Q Yeah.

A And I will stand by the statement that I ordered it.

Q All right. Let's go to the next invoice, also for November 8th, 1988. It's for 200 guests. It's in the amount of $600.

A All right. That indicates a Bryan West.

Q Yes. Do you know--

A Las Vegas headquarters.

Q Okay.

A This is the first time I have seen this document.

Q All right.

A I am going to assume that that was the West Las Vegas headquarters where they had a "Get out the Vote" program.

Q That was a State Party--

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A I can't say that. I don't know whether this was--they had a "Get out the Vote" effort going on on the west side, and we had a headquarters--Bryan had a headquarters on the west side.

Q Okay. You didn't--

A And I would--Bryan for Senate had a headquarters on the west side. This is the black neighborhood. And I would be jumping to conclusions, so I can't tell you whether we had a "Get out the Vote" effort going out of our headquarters on the west side. I did not physically see it.

Q You didn't know about that. Okay. Do you know who was in charge over there?

A I know who was in charge of the West Las Vegas Bryan headquarters.

Q Okay. Who would that be?

A Brenda Williams.

Q Brenda Williams. Okay. Was she an employee, a paid employee?

A Yes, she was a paid employee of "Friends for Bryan."

Q And was anyone else for "Friends of Bryan" a paid employee over there?

A To my knowledge, no. But, again, not my area.

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Q What was her position?

A Coordinator of the west side. West side coordinator for Bryan for Senate.

Q Okay. Let's turn to the next page, an invoice dated November 8th, 1988, for 50 guests. This total $890. The work order indicates that for 953 E. Sahara State Street side.

A State Street side. Correct. Now, again, this would have been trays of disposal trays of sandwiches sent over for the phone bank.

Q Phone bank, okay.

A The 953. There's the address.

Q Right.

A East Sahara. That was the--

Q 214 and 215 those are the--

A That's right. It was delivered at 10 a.m., and, again, my name is not reflected on this. Oh, here it is. Here's my name.

Q Yes. "Requested by Lou Gamage." Now, this is an order that you placed?

A Yes, I did.

Q Okay. For 50 sandwiches, ham, roast beef and turkey.

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A That's what it says.

Q Yeah.

A On disposal trays.

Q Right. And lastly we have the order for $1000 for Election Day.

A Uh-huh.

Q This is Senator Bryan Election Night.

A Uh-huh.

Q For $1000.

A Uh-huh. I don't know what this represents. Do we know what coffee and sandwiches--I did not see it. I saw the sweet and sour.

Q Right, right. Okay. Would this be for the GOTV drivers? Coffee for the drivers?

A I can't--

Q Did you order anything for the drivers besides what you testified?

A No, no.

Q Nothing at all?

A No. Remember that the drivers were all in the campaign.

Q Right.

A They were all part of the mass. So they would eat

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off the trays, the sandwiches that were provided.

Q Okay. All right. We're done with that part now. I do have to take a quick break. We shouldn't be much longer.

MR. McDONNELL: This would be Exhibit No. 9.

(Whereupon, the document referred to was marked for identification as Deposition Exhibit No. 9.)

BY MR. McDONNELL:

Q And please take a look at that. Take time to study it.

A Okay.

Q Okay. Can you identify this document?

A Do you want me to repeat what I am looking at?

Q Yeah, sure. That would be fine.

A I am looking at an invoice from The Caterers to Governor Richard Bryan at the State Building on May 16th, '88, dinner at Ghanem's residence, $300 per person, 45 guests. $13,500.

Q All right.

A I have never seen this document.

Q You've never seen this? Okay.

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A I have never seen this document before.
Q All right. If the bill was sent to the State Building, would you have normally received that bill?
A No.
Q No?
A I mean I--
Q If it was connected with a fund-raising event, would you have seen it?
A Again, I mean in May of 1988, I was in the headquarters, so this is a State building.
Q Right.
A That is the Governor's office.
Q I see.
A Southern Nevada office address.
Q Okay.
A So I have never seen that.
Q Okay. If these were sent to Governor Bryan's office, do you know who would receive this invoice?
A I could only tell you that when I was serving as the Governor's liaison prior to the campaign, mail was opened by the receptionist. So whether the mail procedure changed when I went on campaign, I can't tell you.
Q Okay. And then it was given direct to Governor

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Bryan from the receptionist?

A I'm really not sure of the office procedures.

Q Did he have a specific receptionist that he used?

A On this date?

Q Right. In that time.

A I can't remember whether it was Rhoda Erbeck at the time. I'm sorry. I don't remember who was the receptionist. I'm sorry. I don't remember that.

Q Okay, sure. Back to the April event, the April 27th event, that was hosted by Governor Sawyer.

A Correct.

Q Or put on by Governor Sawyer.

A Yes.

Q Do you know if Jean Marie Neal went to that event?

A No.

Q She did not go?

A No, she did not attend.

Q Okay. How do you know that?

A I just--I know that I did not go to that event. Originally I was going to go and didn't. And I can't tell you why I didn't. And there would have been no reason for Jean Neal to be in Southern Nevada at that time. She was doing national fund-raising.

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Q Okay.

A I mean her trips to Nevada, gosh, were in January. So she would have been in Washington, D.C. I don't remember.

Q And you said you originally going to go. What makes you think that you were originally going to go?

A I just assumed I would go, but I didn't. I didn't go at all.

Q Who did you speak to about that?

A Grant had originally invited me and I said, no, it wasn't appropriate for me to go. I had nothing to do with the event. And I think he saw my name was on there and it was crossed off.

Q And that's why it was crossed off?

A Yes. It wouldn't have been appropriate for me to go because I didn't make the arrangements.

Q Was it crossed off before you received it? Or was it during--

A No, that's my handwriting. That's my handwriting.

Q Let's go back and look at that document again. Exhibit No. 2.

A That's my handwriting.

Q You have it there too. I've got the wrong thing

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here. No. 3 I guess it is. No. I hope I have it in here.

A It's right here.

Q It's here? Oh, we're missing it here. Okay. Anyway. So you're saying this is your handwriting on here?

A Yes. That's my handwriting right here. So as I told you these numbers here reflected who was attending--

Q Right.

A Because I was compiling a list for the Governor.

Q Okay. These are all your handwriting on the left. Okay.

A Uh-huh.

Q And how were you informed of who was going and who wasn't going?

A Grant Sawyer.

Q He would call you up and tell you?

A Yes. His secretary, Lois, or Louise, or whatever her name was.

Q And writing that says "paid," that is not your writing?

A No. That is my writing. That is my writing. And that probably indicates that probably at some point in time there would be people that Grant--

Q Pardon me? I'm sorry.

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A There would be people that Grant had contacted and I'm just guessing, I'm hazarding a guess, that maybe Steve Parsons, one of those people that maybe hadn't given the check to the Senator, and then Grant had collected the money.

Q Okay. To the Senator, a check to the Senator?

A I'm sorry. The Governor. Governor. Correct that.

Q You mean Governor Sawyer?

A Governor Sawyer.

Q Okay.

A Because Governor Sawyer solicited the funds from all these people.

Q And the invitation that was attached, did you receive that invitation?

A As I earlier testified, I can't remember when I saw this.

Q Okay.

A I couldn't even begin to tell you.

Q Would there be an invitation in your file now?

A I provided this.

Q No. I'm saying it says there's an invitation attached.

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A That's what I provided to my attorneys, these two documents.

Q Yes, I understand that.

A Out of my file.

Q But it says "Attached is a sample copy of the invitation letter."

A These two things were attached.

Q Yeah, but was there anything else with it I'm saying.

A No.

Q It says, "Invitation letter mailed to the following people."

A I'm sorry. Where are you seeing that? That's this. This is the attached invitation letter.

Q Oh.

A That he's making reference to.

Q Oh, it's in front of that.

A He's saying "Attached is a sample--" Exactly.

Q Okay.

A This just happens to be stapled on top of it.

Q All right. And, again, when you received this, and indicated that Chris Karamanos was hosting that, you didn't inquire of Governor Sawyer about how he was going

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about doing that?

A No.

Q Okay. When you said the contribution--it's marked paid here--

A I'm hazarding a guess. I just am telling you that Governor Sawyer solicited funds from all those individuals. And the possibility of the explanation on that is that maybe Mr. Parsons hadn't paid and that he did eventually pay Grant or something prior to the event or just at the event. I have no idea.

Q Okay.

A But he had solicited funds from all those individuals and this was a thank you card.

Q Okay. So whether they could go or not--in other words, these people like Susan Bowen, who had not made a contribution--I mean it says he didn't go, that isn't necessarily--

A You are interpreting "no" to mean no, they didn't go.

Q No, I'm trying to say it does not mean--

A "No" means that they couldn't attend the event.

Q Okay. They may have--

A And "2" doesn't mean $2000. It means two people

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were attending the event.

Q Right. Okay. And was there a minimum amount that had to be given to attend the event?

A No. Again, Governor Sawyer solicited funds from these people and they would be in various amounts that he would deem they were capable of giving.

Q Okay. Did you check on your records within the campaign to see if these people had given money to the Bryan campaign?

A No. It would appear when they gave, their names and the amount that they gave would appear on the FEC.

Q All right. Yeah, but I'm saying did you yourself check these or did someone on the committee check these to see if these people had given money?

MS. CORLEY: At the time--

BY MR. McDONNELL:

Q Yeah, at the time you received this?

A I can't answer that. I have no way of remembering that.

Q And it's your understanding that this money was solicited prior to the time of the event?

A Yes.

Q How much prior?

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A Governor Sawyer was actively soliciting funds for, I don't know, a month, two months. I really don't know the time span.

Q And it's your understanding at the time he solicited those funds he did not indicate that there would be a fund-raising party in connection with that? That's not your understanding?

A I'm sorry, I'm sorry. It's not my understanding.

Q Okay.

A I don't know what Governor Sawyer said to the people.

Q I'm only asking what was conveyed to you--

A Yes. I don't--

Q --by Governor Sawyer.

A I don't remember what he would have said. I know that it was the Governor's wish, Governor Sawyer's wish, to bring all the people together for a thank you gathering with the Governor and Bonnie together at that event.

Q In other words, it could be that these people marked "no" on here did give a contribution to the Bryan campaign?

A Oh, they would have given a contribution.

Q Okay.

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A They just simply could not have attended. I mean those are the names that Grant solicited funds from. So they would not have been on that list if he had not received a contribution from them.

Q Okay. You wrote these three over here underneath your name?

A Yes, I did.

Q Okay. And, again, you're not sure whether Governor Sawyer forwarded them to you or on to the campaign to Michael Kern?

A Checks?

Q Yes, checks.

A I believe that Governor Sawyer gave me the bulk of the checks and I, in turn, then processed them.

Q Okay. And when was that he gave them to you?

A Whenever he would get them. I mean he would make a call to an individual and then he would get the check.

A All right. And so he would just send the checks over to me and I would process them in the normal fashion for "Friends for Bryan."

Q Okay. But, again, they were not marked specifically in connection with the fund-raiser? Just for the record, I want to get that straight.

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A Well, make yourself clear.

Q Okay.

A Let's make sure that I understand what you're saying here. Because he went out. He solicited funds from individuals. He picked up the telephone. He called them. And he asked them to make a contribution to the Senate campaign -- to Richard Bryan.

Q Right.

A For U.S. Senate. They agreed. And then they would send a check to Grant. Grant then, in turn, would give the check to me and I would process through normal channels.

Q I understand that. But at the time, when checks came in, you were informed they were for a political fund-raiser?

A No. It was my understanding all along that Grant wanted to have a gathering at some point when he was finished soliciting funds. And bring these people together for a thank you party with the Governor present, Governor Bryan present.

Q I see.

MS. CORLEY: I think it's fairly--if I could maybe help to clarify this.

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MR. McDONNELL: Sure.

MS. CORLEY: It's fairly common in political campaigns for contributors to the campaign to have an opportunity to meet with the candidate.

Is that correct?

THE WITNESS: That's absolutely correct.

MS. CORLEY: I mean those meetings, if you will, or events are not necessarily fund-raisers, where you have to pay admission to get in or you aren't allowed to come if you haven't made a contribution to that particular event.

And I think what Lou is saying here is that this event was not specifically a fund-raiser, although the people who came to the event had made contributions at various times to the Governor.

MR. McDONNELL: Okay. I'm still a little hazy about--

BY MR. McDONNELL:

Q When the contributions are coming in, whether you were notified that these people had been invited to this at a later time, when this was specifically--

A I didn't know about the event at the later time when the checks would be coming in. I will repeat myself and tell you that Governor Sawyer had indicated he would

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like to bring all these people together at some time during the campaign when the schedule permitted for Governor Bryan and his wife.

Q And what did you say?

A That's fine. That becomes a scheduling event.

Q Do you agree that he would do so, the Governor would--

A Oh, certainly. I mean because one of the nice things is that you have an interaction between someone that is generous enough to dip down into their pocket, where they can spend some quality time with the candidate. These people were solicited by Grant. They had no connection with Dick Bryan or association. They didn't have lunch. They didn't have breakfast. They didn't have that quality time.

Q Okay.

A So this event, which was orchestrated by Governor Sawyer, was held to thank these people for their generous contributions.

Q Okay. At the time Governor Sawyer was soliciting these--let me start again.

You're not sure whether at the time he solicited these contributions he informed his people that for giving this money they'd probably have the opportunity to meet with

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Governor Bryan?

A I'm sure he would have said that. I'm sure he would, because he's--

Q What makes you say that?

A Because that was always his instinct--his intent was to get them together. So I don't know what he said on the telephone.

Q No, we want to know what you know from him, from him talking to you.

A That I knew his intent was once he had gathered all the funds together, he wanted to have an event. Now, whether he physically said that over the telephone, I wasn't there. I didn't hear him.

Q But to you though, what did he say to you?

A To me, I was always aware that he wanted to do that.

Q Did he convey that to you then?

A Yes, he conveyed that he wanted to bring--

Q And you checked your schedule again and you checked your schedule--

A No, you are talking about times here when he's soliciting funds and maybe it was two or three months later that we actually have the event. So when he has gone--he's

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gone through his list that he has compiled and he has decided that he is finished with his fund-raising effort, he then comes to me and says, "Let's pick a date."

Q Right. But prior to that time, you agreed that Senator Bryan would probably be able to meet--

A Certainly. Oh, absolutely. Senator Bryan would want to do that. He'd want to give quality time to these people who were generous.

Q And it was definitely agreed by the date of this note, April 12th, the date of the--

A Well, wasn't that the event?

Q No. The event was on--

A April 12th he sent out the letter, so obviously we had to discuss and pick a date, because it became a scheduling matter.

Q So by that time you know for sure--

A Oh, absolutely.

Q But prior to that time, you're not really sure exactly--

A Prior to that time, I'm not sure what?

Q You're not sure of the exact date that you agreed to an exact date for Senator Bryan to attend this event.

A Until Grant Sawyer said, "I have completed my

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solicitations from individuals," we couldn't have picked a date.

Q Okay.

A Until he indicated at such time that he wanted to do a thank you party.

Q Would he have done that in writing or just over the phone?

A I don't know.

Q All right.

A He made phone calls. I do know that. He called people. So--

Q Okay. Thank you. Okay. I'd like to go over some personnel, some of the names you've mentioned previously, but I'd like to just check with you about what their jobs were and where they are now.

A Okay.

Q Bill Bible, where is he now?

A Bill Bible--you want to know what his job was previous and what he is now?

Q I already know he was campaign manager, but just his--

A Okay. He is the chairman of the Gaming Control.

Q Okay. In Nevada?

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A He's still in Nevada.

Q Okay. And does he live in Las Vegas?

A No. He lives--well, yes, he lives in Las Vegas as well as Zephyr Cove. His primary residence is in Zephyr Cove, Nevada, at Lake Tahoe.

Q Okay. Does he do any work for Senator Bryan's new election?

A No, absolutely, no, cannot.

Q How about Sam Singer?

A Sam Singer is in San Francisco. And he was the Senator's press secretary. And he has his own public relations advertising.

Q At the time in question, 1988, what was his position?

A Press secretary.

Q For the Senator when he was Governor?

A No. For the "Friends for Bryan." The Senate campaign.

Q Okay. And how about Dick Cooper?

A Dick Cooper was research director I believe was his title.

Q All right.

A He was a former press secretary in the '86

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campaign. And he was the nuts and bolts that did all the research and assisted all of the media.

Q Okay. Issue research.

A Pardon me?

Q Did issue research?

A Yes, issue research, yes.

Q Carol Martini.

A Carol Martini. Friend and supporter in Northern Nevada. Assisted in the campaign and lived in Carson City. I don't know what her role was.

Q Okay.

A But she did work in some capacity in the campaign.

Q Okay. And Shelley Berkley.

A Shelley Berkley was a fund-raising--and individual who volunteered her time and raised funds in the Jewish community.

Q She was a volunteer. Okay. And we've already talked about Sara Besser. And you told me where she is presently. How about Julie Foley?

A Julie Foley. That's interesting. What did Julie Foley do in the campaign? Julie Foley is a head of--oh, Julie Foley helped in Northern Nevada. I forgot about that. She lived in Northern Nevada and worked on the Northern

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Nevada campaign in some capacity. I don't know what her job description was. Oh, she did events. She did events up there with Gigi. Gigi Hay.

Q Hay, right.

A Who was the Northern Nevada coordinator. And Julie Foley is now living in Southern Nevada and she's head of the UNR alumni association.

Q Janet Nitz?

A Jan Nitz?

Q Yes.

A She was secretary/receptionist during the '88 campaign. She is now living in Las Vegas and she is our accounts manager for "Friends for Bryan." Works with Michael Kern.

Q Okay. In Las Vegas.

A She writes the checks. She does the FEC reports.

Q All right.

A She does all the--

Q Ms. Smith, Judy Smith?

A Judy Smith is no longer working with us. Judy Smith, in 1988, worked for Frank Schreck. And you asked me earlier whether she was paid by the "Friends for Bryan." I honestly do not know how that arrangement was worked out.

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She was a part of our processing with our checks. And she works now for Frank Schreck. She's not involved with Senator Bryan.

Q Okay. And you said Judy Smith was in your office. Is that the campaign office?

A No, she was not. She worked out of her boss's. He's an attorney. She was secretary to Frank Schreck. She worked out of--

Q Not Judy Smith. I meant--I'm sorry. I meant the other one we talked about, Foley.

A Julie Foley?

Q Yes.

A She worked out of our Northern Nevada office. She worked with Gigi Hay. She was living at the time--

Q No, that's not the one I meant. The one that you said was a secretary.

A Jan Nitz.

Q Jan, right.

A Jan Nitz was receptionist, point person in the campaign, secretary, and now is our accounts manager.

Q Was she at 2929 at that time?

A Yes.

Q Okay. All right. Charles Johnston.

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A Chuck Johnston worked in the campaign headquarters. 2929 East Desert Inn.

Q Okay. And where is he now?

A He's in Las Vegas. Recently changed jobs and I honestly don't know. I don't remember.

Q Has he worked for any other campaign since the '88 election?

A Anybody else's?

Q Like Senator Reid's campaign, the State Party?

A I have no idea.

Q You don't know? Okay.

A I have no idea.

Q Where is Gigi Hay now?

A Gigi Hay is working for Lewis Homes in Northern Nevada.

Q Where?

A In Reno? Okay. And Judith Brusa?

A Judy Brusa was in charge of volunteers in 1988. She is now presently employed for the State of Nevada. Senator Bryan. Or Governor Miller.

Q Okay. And you mentioned Kitty Dees. You've already told us about her.

A Kitty Dees has passed away.

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Q Okay. And Doug Cook? Doug Cook, you know him?

A You embarrass me now.

Q Am I saying something wrong?

A No. You embarrass me. I don't remember Doug Cook. Tell me he was one of the young ones that came out or something.

Q Okay. Pamela Smith?

A I want to think that Pamela--I will hazard only a guess. Is that acceptable?

Q Sure. As long as you frame it that way. I mean that's up to your counsel.

A I think Pam Smith was in charge of the phone bank. I had mentioned a Pam earlier and--

Q Yeah.

A I told you I did not remember her last name.

Q That's right. Okay, good.

A And I believe that it was Pam Smith. And I do not know where she's living now.

Q How about Tim Hay?

A Tim Hay? Worked for the State of Nevada in '88. Did not work for the campaign. And is working for Senator Bryan.

Q He is now?

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A He worked for the Governor. And he's now working for Senator Bryan in Washington, D.C.

Q But he did volunteer work only for the campaign?

A Yes, I'm sure. It was strictly volunteer work, because he--

Q What does he do now? What's his job?

A He is the I believe legislative director, but don't hold me to his title.

Q Okay. And Sim Singer.

A Sam Singer?

Q I'm sorry. Lauren Dunn?

A Lauren Dunn. Specific duty, she worked in the campaign. I can't tell you. She was the child of a supporter-type thing. Very smart young lady and I honestly don't remember. She worked closely with Sara Besser.

Q Okay. And where is she now?

A I don't know. I'm sorry. I don't know.

Q Brenda Williams?

A Brenda Williams was in charge of our west Las Vegas office.

Q When was that?

A In '88. And she is now presently employed in the Senate office in Las Vegas.

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Q You mentioned her before, I'm sorry. You mentioned her. David Washington.

A David Washington. He assisted and also worked in the West Las Vegas office and he is now presently in charge of the fire training division of the Las Vegas Fire Department.

Q And Jathery Mason? Am I saying that right? J-A-T-H-E-R-Y?

A Zachary?

Q It's with a J. Jathery Mason.

A I don't know Jathery Mason.

Q Jodie Feldman?

A Another young one. Right there with Lauren Dunn. Again, she helped Sara and I don't remember what her responsibilities were nor do I know where she's at.

Q She was at the main office during election time?

A I saw her come and go from the main office.

Q How about Brown, Incorporated?

A Brown, Incorporated, were--I'm not going to be able to give you specifics. They did our printing. They did a lot of our media. They were consultants. They were political consultants to "Friends for Bryan."

Q Okay. That's generally--

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A And I believe he's still in New Mexico.

MS. CORLEY: Okay. Is there a lot more of this?

MR. McDONNELL: No, that's all today.

MS. CORLEY: Because this doesn't really seem to be particularly relevant to what we were talking about--

MR. McDONNELL: We just want to get all the people that worked to see who has information about it.

And I think we're just about done, but I will take a short break and I will be through after that. Okay.

(Off the record.)

MR. McDONNELL: We're back on the record.

You've indicated you'd like to change--not change, but just add something to your testimony?

THE WITNESS: Yes. I just remembered. You had asked me regarding the Grant Sawyer event at Elias Ghanem's house. If I had any prior notice of an event down the line or whatever.

I remember seeing a letter that Grant sent to me where he would make a telephone call to the individual and then he would follow it up immediately with another typed short memo, same type of format. That would say something like, "Pursuant to our telephone conversation, you have agreed to give X number of dollars to the Bryan for Senate

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campaign." I don't know the exact wording. "And Senator Bryan will show his appreciation at a later time."

BY MR. McDONNELL:

Q All right.

A And I remember that.

Q Okay. Thank you. That was something you had in your files?

A I remember seeing a letter because I remember Grant is such a detail-oriented person like I am. And that's how he would follow up so he had, you know, these people, to remind the people immediately.

And I can go back and check and see if I have it. I remember seeing something to that effect.

Q Yeah, we'd appreciate it if you could do that.

A Okay. I'll be happy to do that.

Q If you'd do that for us. Thank you.

A Okay.

BY MR. REFFNER:

Q So you would have received a courtesy copy of the letter?

A Grant was always, like he was doing, like you can see. He would provide me--it was a courtesy copy, exactly, a courtesy copy would be a good description.

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BY MR. McDONNELL:

Q I just wanted to ask you one more question about the State Party. You received a number of invoices--the State Party received a number of orders on Election Day from The Caterers that we talked about earlier?

A Yes.

Q And after the Election Day, I gather from your testimony that you had no more involvement in the State Party activities?

A No, no.

Q Who was in charge of carrying out the execution of wrapping up after the elections?

A For the State Party?

Q For the State Party, yes.

A I don't know.

Q Okay.

A I don't know. I mean I was involved in getting ready for an inauguration and wrapping up our campaign. I have no idea.

Q And, Ms. Hulbert, how long did she live after the election? If I have the right person.

A No.

Q Kitty Dees, Kitty Dees.

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A Kitty Dees.

Q I'm sorry. Poor woman.

A No problem. Besides being my best friend in the whole world.

Q Oh, she's your best friend?

A Yeah.

Q Okay.

A I can get emotional just thinking about it.

Q I'm sorry.

A She died on April 15th, 1990.

Q Okay. And Vicki was involved at the State Party at that--

A Vicki Hulbert.

Q Vicki Hulbert, right. Is it H-O-L or--

A H-U-L-B-E-R-T. Hulbert.

Q Okay. What did she do following the election? Where was she following the election? What kind of work was she doing?

A She, as far as immediately following the '88 campaign, I can't tell you exactly, but she has been operating in the capacity of the Nevada voter contact program in preparation for Senator Reid's race this year.

Q Nevada voter contact?

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A Yes.

Q Was that a volunteer group capacity?

A Oh, I'm sure not. But I don't know. No, she was salaried.

Q Okay. By who?

A The State Party. The Nevada State Party.

Q And Lee Westow?

A I don't know what Lee is doing. I don't know.

Q In Nevada?

A He is in Nevada because I've recently seen him but I do not know what he's doing.

Q Okay. Thanks.

MR. McDONNELL: Before I finish, I'd like to tell you you have a $40 witness fee that you'll be receiving. It's $40, right? And also you'll get mileage from the airport I guess, if you'd like it, we'll give you mileage from the airport round trip, 25 cents a mile.

THE WITNESS: Thank you.

MR. McDONNELL: How many miles was it? Would you guesstimate? I guess it's hard for you to say. It is three or--

MS. CORLEY: On both ends?

MR. McDONNELL: Well--

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THE WITNESS: I have no idea. I don't know my distances here in Washington, D.C., so I couldn't even hazard a guess.

MR. McDONNELL: From National Airport.

MR. REFFNER: We've got a mileage chart.

MR. McDONNELL: Yeah, we can check for you. I think it's probably six miles round trip, I would think. Maybe a little more.

THE WITNESS: That's fine.

MR. McDONNELL: Ten, yeah. Okay.

And do you have anything to add?

THE WITNESS: No.

MR. McDONNELL: No. Okay. Now, the next question is the signing of the deposition. Would you like to sign the deposition?

MS. CORLEY: I think we'd like to see it first.

MR. McDONNELL: Pardon me?

MS. CORLEY: I think we'd like to see it first.

MR. McDONNELL: That's what I mean. You'd like to sign it. Okay. Can she come to the office to sign it, to Heritage Reporting?

MS. CORLEY: No, no, no. She'll be back in Las Vegas.

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MR. McDONNELL: Pardon me?

MS. CORLEY: She'll be back in Las Vegas.

MR. McDONNELL: Can you arrange some way for her--can you sign for it or something?

MS. CORLEY: Oh, to sign for the receipt of it?

MR. McDONNELL: Well, usually it's held in the office, if I have it correct, until the receipt of signature on it, is that correct?

Let's go off the record.

(Whereupon, there was an off-the-record discussion.)

MR. McDONNELL: I just wanted to clarify that your responses to the Commission's outstanding orders are going to be produced by tomorrow, November 19th, 1992.

MS. CORLEY: Yes.

MR. McDONNELL: Okay. The responses on behalf of the DSCC as well as the Bryan campaign?

MS. CORLEY: That's correct.

MR. McDONNELL: And we'd also like to--you produced earlier in response to the Commission's reason to believe findings this Exhibit C, which is part of your response you filed back in I think it was July or August. And we noted today during our testimony here that there

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appeared to be something missing on that page.

MS. CORLEY: To be honest with you, I was not working on the case when that was done, so I don't know why, if there was anything excised or why if there was.

MR. McDONNELL: Okay.

MS. CORLEY: I would have to check on that.

MR. McDONNELL: All right. Could you check please for that.

MS. CORLEY: Sure.

MR. McDONNELL: And see if there's any reason, I would like to know the reason. If it's a privilege, then we would like to know the privilege.

And finally, you testified that you would check your records and go back and see about the date of the brunch at the Ghanem residence, the one that you attended.

THE WITNESS: Oh, could you make a note of that? I think Bob took--you're talking about the fund-raiser that he had.

MR. McDONNELL: Right.

THE WITNESS: Yes, I will check that.

MR. McDONNELL: Okay.

THE WITNESS: And that was a fund-raiser for the Senator.

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MS. CORLEY: Okay.

THE WITNESS: It was a brunch also.

BY MR. McDONNELL:

Q About how many people were at that?

A Twenty, 25. I don't remember exactly.

Q Your recollection was that it was The Caterers, Incorporated, that catered it?

A I believe it was.

Q And you remember seeing Steve--

A Steve was in the kitchen and Chris came by.

Q Okay. Chris was there as a guest?

A Yes.

MR. McDONNELL: Okay. I want to thank you for coming today.

THE WITNESS: Thank you.

MR. McDONNELL: Do you have anything to add?

THE WITNESS: No.

MR. McDONNELL: Okay. We'll just have to end it. We'll adjourn for now. Thank you.

THE WITNESS: Thank you.

(Whereupon, at 2:15 p.m. the proceedings were concluded.)

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ACKNOWLEDGEMENT OF DEPONENT

BEFORE THE FEDERAL ELECTION COMMISSION

Deposition of:

MILLIE LOU GAMAGE

I do hereby acknowledge that I have read and examined the foregoing pages 3 through 236, inclusive, of the transcript of my deposition and that:

(Check appropriate box:)

( ) the same is a true, correct and complete transcript of the answers given by me to the questions therein recorded.

( ) except for the changes noted in the attached errata sheet, the same is a true, correct and complete transcription of the answers given by me to the questions therein recorded.

_____ (Date)

_____ (Signature)

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ERRATA SHEET

BEFORE THE FEDERAL ELECTION COMMISSION

Deposition of:

MILLIE LOU GAMAGE

PAGE/ LINE	RECORDED IN TRANSCRIPT	CHANGE IN TRANSCRIPT

9403097008228

CERTIFICATE OF COURT REPORTER/NOTARY PUBLIC

I, Peter M. Dixon , the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me and thereafter reduced to typewriting; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto; nor am I financially or otherwise interested in the outcome of the action.

Peter M. Dixon

Court Reporter/Notary Public

My Commission Expires:

My Commission Expires April 14, 1993

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WASHINGTON, D.C. 20463

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THE PUBLIC RECORD IN CLOSED MUR 3522.

4/11/94

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April 8, 1994

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

Re: MUR 3522 - Friends of Bryan and Michael J. Kern, as Treasurer

Dear Mr. McDonnell:

I understand from the voice mail message you left me yesterday that the Commission has no record of having received a letter from us to be placed on the public record in the above-referenced Matter Under Review.

Enclosed is a reissued copy of the letter. As I understand the file in this matter has already been made public, I would appreciate your assistance in ensuring that this letter is placed on the public record with the other materials as soon as possible.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Judith L. Corley

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607 FOURTEENTH STREET, N.W. • WASHINGTON, D.C. 20005-2011
(202) 628-6600 • FACSIMILE (202) 434-1690

April 7, 1994

Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3522 - Friends of Bryan and Michael J. Kern, as Treasurer

Dear Commissioners:

The Friends of Bryan were recently notified that the Commission has decided to close the file in the above-referenced Matter Under Review without any finding of liability or imposition of any fine or penalty. The Committee asked that this letter be placed in the file when it is made public.

Attached to the notification was a General Counsel's Report for this matter prepared by the Commission's Office of General Counsel ("OGC"). The Report was apparently adopted by the Commission as part of its decision to close the file in this case, but it reflects, Respondents understand, only the views of OCG and not the Commission. Respondents are seeing this Report for the first time as it is placed on the public record.

The Report is based on a record OGC itself calls "unclear," on "important witnesses and documents" that OGC acknowledges are deceased or "unavailable," and on facts that it calls "conflicting and incomplete." Yet OGC makes statements and draws conclusions about the case on which Respondents have had no opportunity to comment.

The Bryan campaign raised over $3.0 million in support of the Senator's 1986 election. The campaign's finances were at all times tightly and responsibly managed. All bills, including all bills for catering services, were paid in full. All such bills were also paid in a timely fashion. The case now closed by the Commission involves events which the Committee did not organize; for which it was not and should not have been billed; and for which it was not responsible.

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The basic issue in this matter involves the provision of catering services provided at no charge. The Report suggests that this resulted in an in-kind contribution to the Bryan campaign, but fails to take into consideration the information provided by the Bryan campaign during this investigation. The campaign showed that it made extensive efforts to ensure that the law was complied with in all respects:

- The campaign provided copies of a memorandum outlining the rules for in-home events to those who expressed an interest in holding one and even that the campaign met with the individuals involved in some of the events of this case to discuss the rules with them.

- For events organized by the Bryan campaign using the caterer in question, the staff placed orders only after being assured that the campaign would be billed properly.

Where the campaign had responsibility, it met that responsibility. But the Report also fails to note events which were under the control of others, not the Bryan campaign:

- The brunch held by the Democratic Senatorial Campaign Committee was arranged entirely by that committee, without any involvement of the Bryan campaign.

- The dinner and brunch involving the Bryan campaign were in-home events, organized by individuals, not the Bryan campaign.

- The GOTV catering orders were placed by the state party for state party events.*

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* The Report discusses one catered event on election night, set up in the parking lot of the Bryan/State Party headquarters. As the sworn testimony of the Bryan campaign staffer in this matter shows, however, this food was not ordered by the Bryan campaign (the campaign had its own catered food for election night).

In each case, it appears that the Commission is imposing on the campaign a requirement to monitor the activities and spending of individuals and groups not a part of the campaign, even though the federal campaign laws and the Commission's own regulations do not contain such requirements.

In the case of the in-home events, for example, the law provides for a specific exemption from the contribution limits where an individual holds an event in their home on behalf of a campaign up to $2,000 per election ($1,000 per spouse). The events are arranged and paid for by the individuals holding the event. The campaign benefiting from the event receives no contribution and has no obligation to report the event. The purpose of the exemption is to encourage volunteer activity by individuals. OGC, by suggesting some requirement on candidates' campaigns to monitor volunteers' spending, adds a layer of complication which discourages, rather than encourages, individual involvement in the political process.

The Bryan campaign made extensive and successful efforts to meet its responsibilities under the law in connection with the matters involved in this case. It cannot be expected to have anticipated, six years earlier, that OGC would now interpret its regulations to suggest that it be held accountable for the activities of others.

Very truly yours,

Robert F. Bauer
Judith L. Corley
Counsel to Respondents

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