



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3778

DATE FILMED 6/15/94 CAMERA NO. 2

CAMERAMAN EES

94043523572

MARGARET R. MATHNA
MARC, INC.
2919 OLIVE ST., N.W.
WASHINGTON, D.C. 20007
PHONE: 202-337-8547 FAX: 202-337-8529

RECEIVED
FEDERAL ELECTIONS
COMMISSION
MAY 20 11 51 AM '93
OAC 8824

May 17, 1993

MUR 3778

Mr. Larry Noble
Federal Elections Commission
999 E Street N.W.
Washington, D.C. 20463

93 MAY 20 PM 3:41

To the Federal Elections Commission:

I was contacted by telephone at my home in Washington, D.C. by Congresswoman Mary Rose Oakar on the evening of October 14, 1992 to write several versions of political advertisements for radio and television to be used in the last weeks of her Congressional Race.

She had asked my opinion on her previous commercials and discussed a change in her approach to her image and to the general course her campaign had taken. I found little that I liked about her campaign, tactics, media, her imagery, etc. We discussed my reasons for abandoning the hard-core negative, mud-slinging style that her campaign was projecting. I discussed with her the need to focus on her record of accomplishments and to focus on the positive as soon as possible.

I have done political consulting for Mary Rose since late 1987. I produced, wrote and edited her television commercials for her 1988 Congressional Campaign. Mary Rose usually pays my company with personal checks. Because of this her payments have always been irregular in nature. I have always billed her campaign, her congressional office, and her home addresses in Cleveland and Washington, D.C. I emphasized to her that this would be a rush job because of the late date request and the election was in November and that I would have to charge her extra because I would have to neglect my other work especially for her. She said that she understood. She just wanted the commercials. She told me to fax the rough and final versions to her campaign office manager, Trish Cooney, who was also one of her Congressional Case Workers in Cleveland. She gave me the fax number to the Campaign office and told me to call Trish first before I faxed. I did on several occasions. Mary Rose would call me either in Washington or Cleveland to discuss any changes she thought were needed. I put all other work aside for this project because of its apparent urgency. I even missed a birthday dinner that my friend and real estate agent, Dorothy Newman had planned for me.

Final versions were faxed to Oakar. I billed her. I billed her campaign committee on February 13, 1993 when I discovered that her debt to me was not part of her published debts listed on her FEC report. Also it was listed that she had reimbursed other vendors over one million and two-hundred thousand dollars with expenses incurred in her Congressional Campaign.

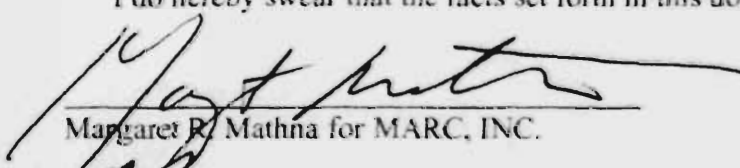
94043523573

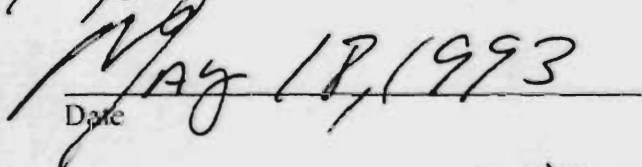
Oakar has made no attempt to pay my company for these services. We had an agreement, and oral contract. I have witnesses to this. Also I have enclosed samples of the work. I also have copies of work that I have done for her campaigns in the past.

I sent copies of the enclosed bill to the following addresses: Mary Rose Oakar for Congress Committee, Edgewater Branch P.O. Box 458, Cleveland, Ohio 44107-0458. I also sent a copy to her home on West 30th Street in Cleveland, Ohio and to her home in Washington D.C. 2730 Dumbarton Street, zip 20007.

I completed this work in good faith I expect payment for my professional services. I have attempted to call Oakar at least 2 or 3 times per week since November 1992.

I do hereby swear that the facts set forth in this document are true.


Margaret R. Mathna for MARC, INC.


Date May 18, 1993

I hereby certify that on this 18th day of May 1993, the above named MARGARET R. MATHNA, doing business as MARC, INC. appeared before me and made oath in due form of law that the matters and facts set forth in this document are true and correct as therein acknowledged, that the said statements did occur as stated and are correct and true.

As witness my hand and Notarial Seal this 18th day of May 1993.

Signed to and Sworn to Me this Date May 18th 1993

cc: Office of General Counsel


Brian R. Farnham


My Commission Expires: May 31, 1996

94043523574

MARGARET R. MATHNA
MARC, INC.
2919 OLIVE ST., N.W.
WASHINGTON, D.C. 20007
PHONE: 202-337-8547 FAX: 202-337-8529

February 13, 1993

Mary Rose Oakar for Congress Committee
Edgewater Branch
P.O. Box 458
Cleveland, OH 44107-0458

ATTN: Patrick O'Donnell

Mary Rose Oakar Contracted Peggy Mathna & MARC, Inc. by telephone on October 14 & 15 to write a series of Political advertisements for radio and television (including timing, blocking, direction for camera shoots, and voice overs).

Mary Rose Oakar stated that this was to be a rush job. Four different versions of television and radio commercials during the period of October 15 - 26 of 1992 (including final versions) were faxed to Trish Cooney at Oakar for Congress Headquarters per Mary Rose Oakar instructions and contractual agreement between Oakar and Margaret Mathna.

BILLING FOR 1992 PROFESSIONAL SERVICES:

October 15 - 26, 1992

October 15, 1992	18 hrs.	@ 160 per hr.
October 16, 1992	17 hrs.	
October 17, 1992	16 hrs.	
October 18, 1992	15 hrs.	
October 19, 1992	14 1/2 hrs.	
October 20, 1992	8 hrs.	
October 21, 1992	11 hrs.	
October 22, 1992	11 hrs.	
October 23, 1992	10 hrs.	
October 24, 1992	14 hrs.	
October 25, 1992	8 hrs.	
October 26, 1992	3 hrs.	

SUBTOTAL	145.50 hrs.	\$23,280.00
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Clerical	\$	350.00
Long Distance Phone & Fax	\$	110.00

TOTAL		\$23,740.00
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*If payment is not received within 10 days of receipt, copies of this statement and past statements owed since 1988 and supporting documents will be forwarded to The Federal Elections Commissions, The Ohio State Elections Commissions, and Secretary of State Bob Taft.

A copy will be sent to Mark Shaffer, Esquire.

94043523575

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(OPENING TAG)
(voice over)

Mary Rose Oakar's LEADERSHIP and EXPERIENCE in the Congress
Have brought RESULTS FOR THE PEOPLE of the 10th district

.....just look at HER RECORD on....

(voice over) (start Music)

JOBS

(voice over)

Mary Rose Oakar has brought more federal tax dollars back home to
CREATE NEW JOBS. She has proposed Tougher Trade Laws to keep AMERICA FIRST
and to KEEP JOBS right here in greater Cleveland.

MODERNIZE OUR INFRASTRUCTURES (voice over)

Mary Rose Oakar has brought back millions of dollars home to REPAIR our decaying bridges and highways and to create new infrastructures TO MOVE OUR PEOPLE and OUR AMERICAN-MADE GOODS AND SERVICES more efficiently.

EDUCATION (voice over)

Mary Rose Oakar was a teacher. She knows first hand the value of a good education. She has sponsored legislation to ensure the highest-quality EDUCATION for our children to prepare them for the competitive job market of the 1990's.

SMALL BUSINESS (voice over)

Mary Rose Oakar has been a STRONG ADVOCATE FOR SMALL BUSINESS. She has proposed a program to make EXPORT INFORMATION MORE AVAILABLE for OUR small business owners so they can compete in today's competitive world markets.

HEALTH CARE (voice over)

Mary Rose Oakar believes that QUALITY HEALTH CARE IS A RIGHT...NOT A PRIVILEGE. She has sponsored legislation that would make HEALTH CARE available to every american.

During the final days of the 103rd Congress Mary Rose Oakar arranged for 200 million dollars to be transfered from the defense budget to the National Institute of Health for BREAST CANCER RESEARCH.....A DISEASE THAT AFFECTS ONE OUT OF

94043523577

EVERY EIGHT WOMEN IN AMERICA.....

SENIORS

(voice over)

Mary Rose Oakar has been a leading advocate of our senior citizens.
and has sponsored legislation that protects medicare and social security.

(mro says this)

"I BELIEVE THAT OUR SENIORS ARE ENTITLED TO A COMFORTABLE AND
SECURE RETIREMENT AND A QUALITY OF LIFE THAT PRESERVES THEIR
DIGNITY."

(end tag....voice over)

ON NOVEMBER 3RD

RE-ELECT CONGRESSWOMAN MARY ROSE OAKAR

AN EXPERIENCED LEADER...WHO GETS RESULTS

(MRO DOES THIS DISCLAIMER)

9 4 0 4 3 5 2 3 5 7 8

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR TO
CONGRESS.....

9 4 0 4 3 5 2 3 5 7 9

MARC INC./ MATHNA

OCTOBER 17, 1992

OAKAR FOR CONGRESS

RADIO FORMAT

MALE VOICE OVER
OAKAR VOICE OVER
MUSIC

POLITICAL AD. # 1
JOBS

(OPENING TAG....VOICE OVER)

MARY ROSE OAKAR'S LEADERSHIP AND EXPERIENCE IN THE CONGRESS
HAVE BROUGHT RESULTS FOR THE PEOPLE OF THE 10TH DISTRICT

...JUST LOOK AT HER RECORD ON JOBS ...

MARY ROSE OAKAR HAS BROUGHT MORE FEDERAL TAX DOLLARS
BACK HOME TO CREATE NEW JOBS.

(MARY ROSE.....VOICE OVER IN QUOTES)

9 4 0 4 3 5 2 3 5 8 0

" TO SPEED UP THE PROCESS OF REBUILDING AMERICA WE NEED TO
REFOCUS OUR VISION INWARD.....TOWARD PEOPLE....

WE MUST COME TOGETHER ...BUSINESS, LABOR, AND GOVERNMENT, TO
SUPPORT PROGRAMS FOR JOB TRAINING TO MAINTAIN A
SKILLED WORKFORCE AND ECONOMIC CONVERSION TO MAINTAIN
OUR INDUSTRIAL MANUFACTURING BASE."

"THIS MODERNIZATION OF AMERICAN INDUSTRY IS IMPORTANT TO INSURE,
OUR GLOBAL COMPETITIVENESS, BUT EFFICIENCY SHOULD NEVER BE AN
EXCUSE FOR UNEMPLOYMENT."

"I HAVE PROPOSED TOUGHER TRADE LAWS TO KEEP AMERICA FIRST AND
TO KEEP JOBS RIGHT HERE IN GREATER CLEVELAND...WHERE OUR
STRONGEST ASSET IS OUR PEOPLE."

(END TAGVOICE OVER)

ON NOVEMBER 3RD

RE-ELECT

CONGRESSWOMAN MARY ROSE OAKAR

AN EXPERIENCED LEADER

WHO GETS RESULTS.....

(DISCLAIMER.....MRO VOICE)

9 4 0 4 3 5 2 3 5 8 1

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR
TO CONGRESS

POLITICAL AD # 2
EDUCATION

(OPENING TAG...VOICE OVER)

MARY ROSE OAKAR'S LEADERSHIP AND EXPERIENCE IN THE CONGRESS
HAVE BROUGHT RESULTS FOR THE PEOPLE OF THE 10TH DISTRICT
..JUST LOOK AT HER RECORD ON EDUCATION...

(MRO DOES VOICE OVER WITH QUOTES)

"I WAS A TEACHER ...AND I KNOW FIRST HAND,
THEVALUE OF A GOOD EDUCATION.

IN THE U.S. CONGRESS THE WOMEN MEMBERS HAVE ALWAYS BEEN THE
STRONGEST ADVOCATES FOR "PEACETIME AND DOMESTIC ISSUES" LIKE
EDUCATION SINCE THEY ARE DIRECTLY RELATED TO THE CARE AND
FUTURE OF THE AMERICAN FAMILY."

94043523582

(VOICE OVER)

MARY ROSE OAKAR HAS SPONSORED AND SUPPORTED LEGISLATION TO
ENSURE THE HIGHEST-QUALITY EDUCATION FOR OUR CHILDREN....SO
THEY ARE PREPARED FOR THE COMPETITIVE JOB MARKETS OF THE 1990'S.

(MRO VOICE OVER ...QUOTES)

"QUALITY EDUCATION ...MEANS THE OPPORTUNITY FOR A GOOD PAYING
QUALITY JOB.

I WANT TO MAKE SURE THAT OUR CHILDREN WILL HAVE THE SAME
..OR BETTER OPPORTUNITIES IN LIFE THAN WE'VE HAD."

(END TAG...VOICE OVER)

ON NOVEMBER 3RD
RE-ELECT CONGRESSWOMAN MARY ROSE OAKAR
AN EXPERIENCED LEADER
WHO GETS RESULTS...

9 4 0 4 3 5 2 3 5 8 3

(DISCLAIMER..MRO)

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR TO CONGRESS

POLITICAL AD # 3
SMALL BUSINESS

(OPENING TAG....VOICE OVER)

MARY ROSE OAKAR'S LEADERSHIP AND EXPERIENCE IN THE CONGRESS
HAVE BROUGHT RESULTS FOR THE PEOPLE OF THE 10TH DISTRICT

....JUST LOOK AT HER RECORD ON....SMALL BUSINESS AND
INFRASTRUCTURES

MARY ROSE OAKAR HAS BEEN A STRONG ADVOCATE FOR PROGRAMS
TO STIMULATE AND EXPAND MARKETS FOR SMALL BUSINESS.

(MRO ..VOICE OVER QUOTES)

"I HAVE PROPOSED A PROGRAM TO MAKE EXPORT INFORMATION
MORE AVAILABLE FOR OUR SMALL BUSINESS OWNERS SO THEY CAN

9 4 0 4 3 5 2 3 5 8 4

COMPETE MORE EFFECTIVELY IN TODAY'S COMPETITIVE WORLD MARKETS.
SMALL AND MEDIUM SIZE INDUSTRIES MAKE UP THE ECONOMIC BACK
BONE OF OUR AREA."

(VOICE OVER)

MARY ROSE OAKAR HAS BROUGHT BACK MILLIONS OF FEDERAL
DOLLARS TO OUR AREA .. TO INVEST IN OUR INFRASTRUCTURES.....
REPAIR OUR DECAYING BRIDGES AND HIGHWAYS
AND CREATE NEW, MODERN, TRANSPORTATION SYSTEMS THAT
MOVE OUR PEOPLE AND OUR AMERICAN-MADE GOODS AND SERVICES
MORE EFFICIENTLY.

(MRO ...VOICE OVER QUOTES)

"BEEFING UP OUR INFRASTRUCTURES IS THE KEY TO OUR ECONOMIC
SURVIVAL IN THE 90'S.

THE POTENTIAL OF OUR REGION HAS BEEN UNDER VALUED IN THE PAST.
OUR OTHER ASSETS ARE A TRAINED WORK FORCE, FRESH WATER - LAKE
ERIE WITH ITS PORT AND ACCESS TO INTERNATIONAL SHIPPING
MARKETS."

9 4 0 4 3 5 2 3 5 8 5

(END TAG..VOICE OVER)

ON NOVEMBER 3RD

RE-ELECT CONGRESSWOMAN MARY ROSE OAKAR

AN EXPERIENCED LEADER

.WHO GETS RESULTS

(MRO DOES THIS DISCLAIMER)

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR
TO CONGRESS.....

POLITICAL AD #4
HEALTH CARE

(OPENING TAG...VOICE OVER)

MARY ROSE OAKAR'S LEADERSHIP AND EXPERIENCE IN THE CONGRESS
HAVE BROUGHT RESULTS FOR THE PEOPLE OF THE 10TH DISTRICT

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...JUST LOOK AT HER RECORD ON HEALTH CARE

(MRO TAG....QUOTES)

"I FEEL SO STRONGLY THAT EVERY AMERICAN SHOULD HAVE ACCESS
TO QUALITY COMPREHENSIVE HEALTH CARE TODAY.

IT'S A RIGHT....NOT A PRIVILEGE IN ALMOST EVERY HIGHLY
INDUSTRIALIZED COUNTRY IN THE WORLD.

PRIVATE HEALTH INSURANCE POLICIES ARE OUT OF THE ECONOMIC
REACH OF MOST WORKING AMERICANS . UNLESS THEY ARE COVERED BY
THEIR EMPLOYER OR UNION.

WE SHOULD BE SECURE IN KNOWING THAT WE WILL HAVE MEDICAL
COVERAGE SHOULD A HEALTH EMERGENCY OR
CATASTROPHIC ILLNESS OCCUR.

THAT'S WHY I SPONSORED LEGISLATION THAT WOULD MAKE
HEALTH CARE AFFORDABLE AND AVAILABLE TO EVERY AMERICAN."

(VOICE OVER)

IN THE FINAL DAYS OF THE 103RD CONGRESS , IT WAS MARY ROSE
OAKAR WHO WON THE FIGHT TO TRANSFER 200 MILLION DOLLARS
FROM THE DEFENSE BUDGET TO THE NATIONAL INSTITUTE OF HEALTH
FOR BREAST CANCER RESEARCH.....A CANCER THAT AFFECTS ONE
OUT OF EVERY EIGHT WOMEN IN AMERICA.

9 4 0 4 3 5 2 3 5 8 7

(END TAG...VOICE OVER)

ON NOVEMBER 3RD

RE-ELECT CONGRESSWOMAN MARY ROSE OAKAR

AN EXPERIENCED LEADER

WHO GETS RESULTS

(MRO DOES DISCLAIMER)

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR
TO CONGRESS

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POLITICAL AD #5
SENIORS

(OPENING TAG...VOICE OVER)

MARY ROSE OAKAR'S LEADERSHIP AND EXPERIENCE IN THE CONGRESS
HAVE BROUGHT RESULTS FOR THE PEOPLE OF THE 10TH DISTRICT

..JUST LOOK AT HER RECORD ON SENIOR CITIZENS...

CONGRESSWOMAN MARY ROSE OAKAR HAS LONG BEEN A LEADING
ADVOCATE OF OUR SENIOR CITIZENS AND HAS SPONSORED AND
SUPPORTED LEGISLATION THAT PROTECTS MEDICARE AND
SOCIAL SECURITY.

(MRO DOES THIS VOICE OVER)

"EVERY DAY SOME 3000 PEOPLE CELEBRATE THEIR 65TH BIRTHDAY
MANY OF THEM ARE THE POOREST PERSONS I N THIS COUNTRY.
I BELIEVE THAT OUR SENIORS ARE ENTITLED TO A COMFORTABLE

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AND SECURE RETIREMENT AND A QUALITY OF LIFE THAT PRESERVES
THEIR DIGNITY."

(END TAG...VOICE OVER)

ON NOVEMBER 3RD

RE-ELECT CONGRESSWOMAN MARY ROSE OAKAR

AN EXPERIENCED LEADER

WHO GETS RESULTS

(MRO DOES THIS DISCLAIMER)

PAID FOR BY THE COMMITTEE TO RE-ELECT MARY ROSE OAKAR
TO CONGRESS.....

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 28, 1993

Margaret R. Mathna
Marc, Inc.
2919 Olive St., NW
Washington, D.C. 20007

RE: MUR 3778

Dear Ms. Mathna:

This letter acknowledges receipt on May 20, 1993, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Congresswoman Mary Rose Oakar, Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3778. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, which appears to read "Jonathan Bernstein", is written over the typed name.

Jonathan A. Bernstein
Assistant General Counsel

Enclosure
Procedures

94043523591



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 28, 1993

Mary Rose Oakar for Congress Committee
Patrick J. O'Donnell, Treasurer
P.O. Box 458
Cleveland, OH 44107

RE: MUR 3778

Dear Mr. O'Donnell:

The Federal Election Commission received a complaint which indicates that the Mary Rose Oakar for Congress Committee ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3778. Please refer to this number in all future correspondence.

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

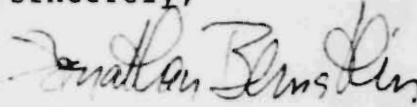
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed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

94043523592

Mary Rose Oakar for Congress Committee
Patrick J. O'Donnell, Treasurer
Page 2

If you have any questions, please call (202) 219-3690 and ask to speak with a member of the Central Enforcement Docket (CED). For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jonathan A. Bernstein
Assistant General Counsel

Enclosures

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MAY 28, 1993

Congresswoman Mary Rose Oakar
c/o P.O. Box 458
Cleveland, OH 44107

RE: MUR 3778

Dear Congresswoman Oakar:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3778. Please refer to this number in all future correspondence.

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

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

94043523594

Congresswoman Mary Rose Oakar
Page 2

If you have any questions, please call (202) 219-3690 and ask to speak with a member of the Central Enforcement Docket (CED). For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jonathan A. Bernstein
Assistant General Counsel

Enclosures

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

9404352355

RECEIVED OGC 9053
FEDERAL ELECTION COMMISSION
93 JUN 14 AM 11:03
COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P. O. BOX 7566

WASHINGTON, D.C. 20044

(202) 662-6000

TELEFAX: (202) 662-6291

TELEX: 89-593 (COVLING WSH)

CABLE: COVLING

RICHARD D. SHORE

DIRECT DIAL NUMBER

(202) 662-5452

ACHESON HOUSE:

68 HERTFORD STREET

LONDON W1P7TF ENGLAND

TELEPHONE: 44-71-495-5655

TELEFAX: 44-71-495-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE: 32-2-512-9890

TELEFAX: 32-2-502-1598

June 11, 1993

BY FACSIMILE

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
Room 657
999 E Street, N.W.
Washington, D.C. 20463

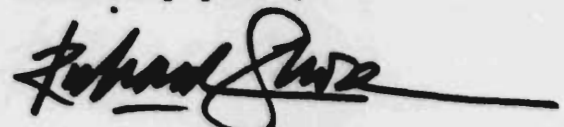
Re: MUR 3778 -- Mary Rose Oakar
for Congress Committee and
Patrick J. O'Donnell as
treasurer, and Congresswoman
Mary Rose Oakar, Respondents

Dear Mr. Noble:

I am writing on behalf of the Respondents in the above-referenced Matter Under Review to confirm the request that I made earlier today to Ms. Abbey Shaine of your office that the Respondents be granted an extension of 30 days -- that is, until at least July 16, 1993 -- to respond to the complaint in the MUR. The Respondents require the extension in order to respond fully to the complaint.

I will send the original of this letter by messenger first thing Monday morning, June 14, 1993.

Sincerely yours,



Richard D. Shore

cc: **BY FACSIMILE**

Abbey Shaine, Esq.
Assistant General Counsel

94043523596



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

JUNE 15, 1993

Richard D. Shore, Esquire
Covington & Burling
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3778

Dear Mr. Shore:

This is in response to your letter dated June 11, 1993, received the same day by facsimile transmission, confirmation copy received June 14, 1993, requesting an extension of 30 days until July 16, 1993 to respond to the complaint. After considering the circumstances, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on July 16, 1993.

If additional time is still required, your request and justification for another extension must be received before July 16, 1993.

If you have any questions, please contact the Central Enforcement Docket staff at (202) 219-3400.

Sincerely,

A handwritten signature in cursive script, reading "Abigail A. Shaine", is positioned above the typed name.

Abigail A. Shaine
Assistant General Counsel

94043523597

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P.O. BOX 7800

WASHINGTON, D.C. 20044

(202) 682-6000

TELEFAX: (202) 682-6881

TELEX: 89-883 (COVLING WSH)

CABLE: COVLING

RICHARD D. SHORE

STREET DIAL NUMBER

(202) 682-6482

1201 PENNSYLVANIA AVENUE, N.W.
 P.O. BOX 7800
 WASHINGTON, D.C. 20044
 (202) 682-6000
 TELEFAX: (202) 682-6881
 TELEX: 89-883 (COVLING WSH)
 CABLE: COVLING

BRUSSELS CORRESPONDENT OFFICE:
 48 AVENUE DES ARTS
 1050 BRUSSELS, BELGIUM
 TELEPHONE 234-888-8888
 TELEFAX 234-888-8888

June 15, 1993

BY FACSIMILE

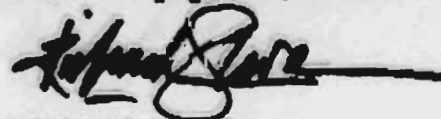
Lawrence M. Noble, Esq.
 General Counsel
 Federal Election Commission
 Room 657
 999 E Street, N.W.
 Washington, D.C. 20463

Re: MUR 3778 -- Mary Rose Oakar
 for Congress Committee and
 Patrick J. O'Donnell as
 treasurer, and Congresswoman
Mary Rose Oakar, Respondents

Dear Mr. Noble:

At the request of Ms. Sarah Strange of your office, this supplements my letter of June 11, and a previous telephone conversation with Ms. Abbey Shaine of your office, requesting on behalf of the Respondents in the above-referenced Matter Under Review an extension of 30 days -- that is, until at least July 16, 1993 -- to respond to the complaint in the MUR. We are requesting the extension because Mr. Charles Ruff of this firm, Congresswoman Oakar's counsel, will be out of the country for the next two weeks on a U.S. government mission to South Africa.

Sincerely yours,



Richard D. Shore

cc: **BY FACSIMILE**

Abbey Shaine, Esq.
 Assistant General Counsel

93 JUN 15 PM 3:05

RECEIVED
FEDERAL ELECTION COMMISSION

94043523598

OAC 9468

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P.O. BOX 7566

WASHINGTON, D.C. 20044

(202) 662-6000

TELEFAX: (202) 662-6291

TELEX: 89-593 (COVING WSH)

CABLE: COVING

RICHARD D. SHORE

DIRECT DIAL NUMBER

(202) 662-5452

ACHESON HOUSE

46 HERTFORD STREET

LONDON W1T7TF ENGLAND

TELEPHONE 44-71-486-3655

TELEFAX 44-71-486-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE 32-2-512-8890

TELEFAX 32-2-502-1598

July 16, 1993

BY MESSENGER

Jonathan A. Bernstein, Esq.
Assistant General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3778

Dear Mr. Bernstein:

Enclosed please find the Joint Submission Of The Mary Rose Oakar For Congress Committee, Patrick O'Donnell, Treasurer, And Mary Rose Oakar in the above-captioned matter under review. The Joint Submission attaches facsimile version of affidavits by Congresswoman Oakar and Patricia Cooney, the former office manager for the Mary Rose Oakar for Congress Committee. We will provide the originals of these affidavits next week.

We have enclosed a second copy of the Joint Submission to be date-stamped and returned for our files.

Thank you for your attention to this matter.

Sincerely yours,


Richard D. Shore

Enclosures

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RECEIVED
FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION

93 JUL 16 PM 4:39

In re:

Mary Rose Oakar for Congress
Committee, et al.,

Respondents.

MUR No. 3778

JOINT SUBMISSION OF THE MARY ROSE OAKAR FOR CONGRESS COMMITTEE,
PATRICK O'DONNELL, TREASURER, AND MARY ROSE OAKAR

The Mary Rose Oakar for Congress Committee, Patrick O'Donnell, the Committee's treasurer, and Mary Rose Oakar make this joint submission in the above-captioned matter under review ("MUR 3778").

INTRODUCTION

This MUR arises from a letter dated May 17, 1993, from Margaret R. Mathna to the Federal Election Commission ("Commission"). In the letter, Ms. Mathna appears to be seeking the Commission's assistance in establishing and collecting a debt that she claims she is owed by the Mary Rose Oakar for Congress Committee ("the Committee") or Congresswoman Mary Rose Oakar, or both. Ms. Mathna claims that she is owed the debt in connection with Congresswoman Oakar's 1992 congressional reelection campaign.

Ms. Mathna's letter does not allege a violation of any federal election law or regulation. It does not allege facts

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that, if true, would constitute a violation of any federal election law or regulation. Given the requirement in the Commission's regulations that a complaint triggering enforcement action must contain "a clear and concise recitation of the facts which describe a violation of a statute or regulation over which the Commission has jurisdiction,"^{1/} the Commission should never even have docketed this matter.

Ms. Mathna's letter is simply an attempt to use the Commission's enforcement apparatus to compel the Committee and Congresswoman Oakar to pay a non-meritorious commercial claim. The Commission is not an arbiter of commercial disputes. Accordingly, Ms. Mathna's "complaint" should be dismissed, and the file in this MUR should be closed.

FACTS

On April 3, 1992, Congresswoman Oakar filed petitions in Ohio to place her name on the ballot for reelection to the U.S. House of Representatives from the newly-formed 10th Congressional District. At about that time, the Mary Rose Oakar for Congress Committee, Congresswoman Oakar's principal campaign committee, retained Politics, Inc., a well-established Washington, D.C. public relations consulting firm, to handle political advertising -- television, radio and print -- for the 1992 campaign. Oakar Aff. ¶ 1.^{2/}

^{1/} 11 C.F.R. § 111.4(d)(3).

^{2/} In support of the facts provided in this Submission, we have attached affidavits of Congresswoman Mary Rose Oakar (attachment A) and Patricia Cooney (attachment B), the office manager of the Mary Rose Oakar for Congress office in Cleveland during the 1992 reelection campaign.

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Politics, Inc. formulated, planned and executed the media campaigns for both the primary and general elections. Among other things, Politics, Inc. drafted and produced a series of television and radio advertisements. Politics, Inc. was the only public relations consulting firm retained by the Committee or by Congresswoman Oakar in connection with the 1992 reelection campaign, and it had overall responsibility for all of the political advertisements produced in connection with the campaign. Oakar Aff. ¶ 3; Cooney Aff. ¶ 2.

Politics, Inc. produced approximately four television and three radio spots in the course of the primary election campaign. The ads ran continuously from the third week in April 1992 through the date of the primary election, June 3, 1992. They played an important role in Congresswoman Oakar's successful primary election campaign. Politics, Inc. produced approximately four additional television and radio ads for the general election campaign. Due to the fact that, twenty days prior to the general election, the Committee's cash-on-hand balance was just \$56,226.96, the Committee ran the ads only during the last nine or ten days of the campaign. A number of ads, including one in which former Speaker of the House Thomas P. "Tip" O'Neill endorsed Congresswoman Oakar's candidacy, never were aired. Oakar Aff. ¶ 4.

In mid-October 1992, Congresswoman Oakar had a telephone conversation with Margaret Mathna, a personal and professional acquaintance, in the course of which Ms. Mathna criticized Congresswoman Oakar's media campaign and indicated

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that she would send Congresswoman Oakar some of her own "ideas." At the time, as described above, Congresswoman Oakar already had a full media campaign in place, and she had no need for Ms. Mathna's, or anyone else's, ideas or advice. Nonetheless, as a matter of courtesy, Congresswoman Oakar told Ms. Mathna that she could send the ideas. Oakar Aff. ¶ 5.

Congresswoman Oakar did not, at that time or later, indicate to Ms. Mathna that she was being hired as a consultant to the campaign. Ms. Mathna did not request a job or a consulting arrangement with the campaign and did not indicate that she expected to be paid by Congresswoman Oakar or by the Committee. Oakar Aff. ¶ 6; Cooney Aff. ¶ 2.

Indeed, under the circumstances, there was no reason for Congresswoman Oakar to hire Ms. Mathna to provide media advice. The Committee's funds were limited, and Congresswoman Oakar was concerned about conserving available resources to pay for air time for the television and radio spots that Politics, Inc. had already produced. The work that Ms. Mathna now says that she did for the Committee was already being handled by others. There was no need or desire to duplicate that effort. Oakar Aff. ¶ 6.

Subsequently, Congresswoman Oakar received from Ms. Mathna some materials regarding the Committee's media campaign. Congresswoman Oakar was busy campaigning and paid little attention to these unsolicited materials. She did not share them with anyone involved in the campaign. The media campaign designed by Politics, Inc. was well under way, and there

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was no need for additional media advice or advertising spots. In short, Ms. Mathna's materials were of no value to Congresswoman Oakar, and she either filed them away or simply discarded them, unused. Oakar Aff. ¶ 7.

In February 1993, the Committee received a bill from Ms. Mathna seeking \$23,740 for "professional services," ostensibly in connection with "a series of Political advertisements for radio and television." See Attachment to Letter dated May 17, 1993, from Margaret R. Mathna to Mr. Larry Noble [sic], Federal Election Commission. Congresswoman Oakar was surprised when she learned about the bill, because neither she nor the Committee had any commercial relationship with Ms. Mathna in connection with the 1992 campaign. The bill was particularly puzzling given that Congresswoman Oakar had spoken with Ms. Mathna on a number of occasions since mid-October, and Ms. Mathna never mentioned that she had provided any "professional services" to the Committee or that she expected to be paid for anything. Because the Committee did not owe Ms. Mathna anything, the bill was not paid. This apparently was the only bill the Committee ever received from Ms. Mathna in this matter. Oakar Aff. ¶ 8; Cooney Aff. ¶ 3.

DISCUSSION

As the foregoing facts make clear, this MUR involves a commercial dispute that has nothing to do with federal election law. The only question raised by Ms. Mathna's letter to the Commission is whether Congresswoman Oakar or the Committee, or both, owe her \$23,000 for the preparation of some advertising

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copy -- a purely commercial matter. For the record, the Respondents categorically deny that Ms. Mathna is owed anything by the Committee or by Congresswoman Oakar in connection with the 1992 reelection campaign. Further, the Respondents categorically deny that Ms. Mathna ever was hired or retained to provide advertising copy or media consulting to the campaign. In any event, the failure to pay a consultant -- or the inability to do so -- would not constitute a violation of federal election law.

Nor does Ms. Mathna make out a reporting violation. The amount claimed by Ms. Mathna is not even potentially reportable unless it constitutes a "disputed debt" under the Commission's regulations.^{3/} The term "disputed debt" is defined as follows:

[D]isputed debt means an actual or potential debt or obligation owed by a political committee . . . where there is a bona fide disagreement between the creditor and the political committee as to the existence or amount of the obligation owed by the political committee.

11 C.F.R. § 116.1(d) (emphasis in original). Here, there is no bona fide disagreement regarding the existence or amount of any obligation owed by the Committee. Ms. Mathna simply has no basis to assert that the Committee has any obligation to her at all. Consequently, the amount claimed by Ms. Mathna is not a "disputed debt," and it does not have to be reported. Moreover, even if the amount claimed by Ms. Mathna were a "disputed debt," it would

^{3/} See 11 C.F.R. § 116.10(a).

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not have to be reported because Ms. Mathna did not provide the Committee with anything of value.^{4/}

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In short, Ms. Mathna's letter does not allege a federal election law violation; and it does not allege facts that, even if they were true, would constitute a federal election law violation. Ms. Mathna's letter is nothing more than an attempt to enlist the support of a government agency to establish and collect on a commercial claim that has no merit. It should be dismissed immediately.

^{4/}See 11 C.F.R. § 116.10(a) ("A political committee shall report a disputed debt . . . if the creditor has provided something of value to the political committee."); see also Oakar Aff. ¶¶ 5-7.

Notwithstanding that it is not obligated to do so, to avoid giving rise to an issue on this point, the Committee currently plans to report the amount claimed by Ms. Mathna on its next-filed campaign finance report. Given that Ms. Mathna billed the Committee in February 1993 -- that is, within the current reporting period -- this is the Committee's first opportunity to report this amount.

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CONCLUSION

For the foregoing reasons, the Respondents respectfully request that the Commission dismiss the "complaint" in this MUR or, in the alternative, find no reason to believe that any violation of the Act may have taken place and close the file in this MUR without delay.

Respectfully submitted,



Charles F. Ruff
Scott D. Gilbert
Richard D. Shore
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044
(202) 662-6000

Attorneys for the Respondents

July 16, 1993

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FEDERAL ELECTION COMMISSION

In re:

Mary Rose Oakar for Congress
Committee, et al.,

Respondents.

MUR No. 3778

AFFIDAVIT OF MARY ROSE OAKAR

Mary Rose Oakar, being duly sworn, deposes and says:

1. I was a Member of Congress from Ohio's 20th Congressional District from 1977 to 1993.
2. On April 3, 1992, I filed petitions in Ohio to place my name on the ballot for reelection to Congress. At about that time, the Mary Rose Oakar for Congress Committee, my principal campaign committee, retained Politics, Inc., a well-established Washington, D.C. public relations consulting firm, to handle the political advertising for my campaign, including television, radio and print advertising.
3. Politics, Inc. formulated, planned and executed media campaigns for both the primary and general elections. Among other things, Politics, Inc. drafted and produced a series of television and radio advertisements. Politics, Inc. was the only public relations consulting firm we retained during the campaign, and they had overall responsibility for all of our political advertisements.

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4. Although I was not involved in the day to day execution of the media plan, I believe that Politics, Inc. produced approximately four television and three radio spots in the course of the primary election campaign. The ads were run continuously from approximately the third week in April through the date of the primary election, June 3, 1992, and they played an important role in my campaign. I believe that Politics, Inc. produced approximately four new television and radio ads for the general election campaign. Due to limited funds, however (as of 20 days prior to the general election, the Committee's cash-on-hand balance was only \$56,226.96), we could not afford to run our ads at nearly the frequency in the general election campaign that we had in the primary campaign. We were able to run television ads only during the last nine or ten days of the campaign, and a number of the ads that we had on hand, including one in which former Speaker of the House Thomas P. "Tip" O'Neill endorsed my candidacy, were never aired at all.

5. In mid-October 1992, I spoke by telephone with Margaret Mathna, a personal and professional acquaintance. She criticized the media campaign that had been put together by Politics, Inc. and offered to send me some of her own ideas. Given that I already had a full media campaign in place, I was not particularly interested in Ms. Mathna's, or anyone else's, unsolicited ideas or advice. Nonetheless, as a matter of courtesy, I told her that she could send me her ideas.

6. I did not, at that time or later, hire Ms. Mathna as a consultant to the campaign. Ms. Mathna did not ask for a

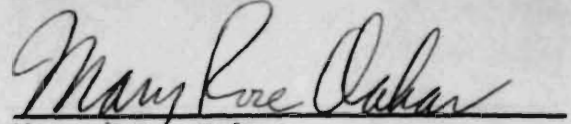
job or a consulting arrangement with the campaign and did not indicate that she expected any sort of payment. At the time, the Committee's funds were limited, and I was trying to conserve resources to pay for air time for existing television and radio spots. The last thing that the Committee or I needed at that point was to pay for additional personnel to duplicate work that already was being done by others.

7. Following the telephone conversation in mid-October, I received some materials regarding the Committee's media campaign from Ms. Mathna. I was busy campaigning at the time and frankly did not pay much attention to the materials. Nor did I share them with anyone involved in the campaign. Since we already had a comprehensive media plan, we had no need for any media-related materials from Ms. Mathna. Such materials were of no value to us. I believe that I either filed the materials away or simply discarded them.

8. In February 1993, the Committee received a bill from Ms. Mathna for \$23,740 for "professional services" in connection with the preparation of advertising copy. I was surprised by this, since we had never retained Ms. Mathna or asked her to prepare any scripts. Also, I had spoken with Ms. Mathna on several occasions during the fall and winter, and she never said anything that would have led me to believe that she thought we had any kind of a commercial relationship.

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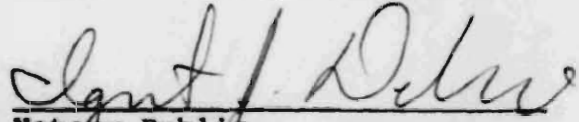
Because the Committee did not owe Ms. Mathna anything, the bill was not paid. As far as I know, that was the only bill that the Committee received from Ms. Mathna in this matter.


Mary Rose Oakar

City of Cleveland :
State of Ohio : SS:

SWORN TO AND SUBSCRIBED before me this 16 day of July, 1993.

IGNATIUS J. DOMIO
Notary Public - State of Ohio, Cuyahoga County
My Commission Expires Oct. 11, 1994


Notary Public

My commission expires:

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FEDERAL ELECTION COMMISSION

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In re:

Mary Rose Oakar for Congress
Committee, et al.,

Respondents.

MUR No. 3778

AFFIDAVIT OF PATRICIA COONEY

Patricia Cooney, being duly sworn, deposes and says:

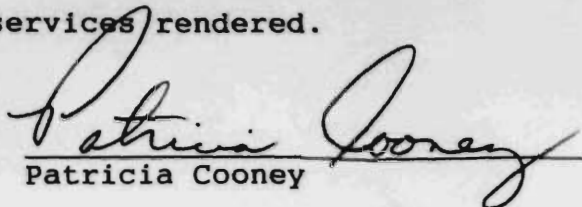
1. For several months between May and November 1992, I was on leave from Congresswoman Mary Rose Oakar's congressional staff to serve as the office manager of the Cleveland campaign headquarters of the Mary Rose Oakar for Congress Committee (the "Committee"), Congresswoman Oakar's principal campaign committee for her 1992 reelection campaign to Congress. The campaign headquarters were located at 21555 Lorain Avenue, Fairview Park, Ohio.

2. Among my other responsibilities, I was involved in oversight of the Committee's media campaign, which was being handled by Politics, Inc., a Washington public relations firm. At no time during my tenure as office manager did Congresswoman Oakar or anyone else say anything to me about Margaret Mathna's having been retained to provide media advice, or any services, to the campaign. Nor did Congresswoman Oakar ever tell me that

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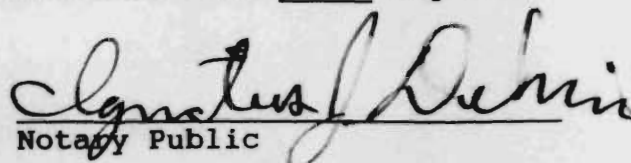
Ms. Mathna would be sending the Committee any materials regarding the Committee's media campaign.

3. I do not recall ever having received from Ms. Mathna either materials related to Congresswoman Oakar's media campaign or a bill for any services rendered.


Patricia Cooney

City of Cleveland :
State of Ohio : SS:

SWORN TO AND SUBSCRIBED before me this 16th day of July, 1993.


Notary Public

IGNATIUS J. DeMIO
Notary Public - State of Ohio, Cuyahoga Cty.
My Commission Expires Oct. 11, 1994

My commission expires:

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MARGARET R. MATHNA
MARC, INC.
2010 OLIVE ST., N.W.
WASHINGTON, D.C. 20007
PHONE: 202-337-8647 FAX: 202-337-8528

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RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

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October 25, 1993

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

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OFFICE OF GENERAL COUNSEL
93 NOV - 1 PM 3:57

Ref. Case: MUR3778

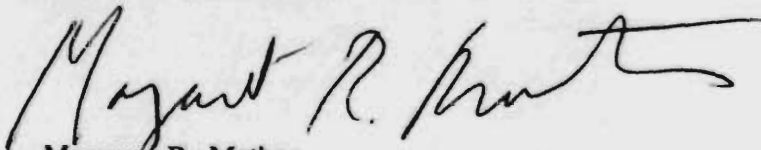
Gentlemen:

Subsequent to my filing of the complaint referenced above, former Congresswoman Okar and I have reached a mutually satisfactory settlement of all issues contained therein.

Although my complaint is styled as one of failure to include her debt to me on her list of published debts in her FEC report, we now believe that she acted in good faith. Because we have had an ongoing business relationship involving several other matters, she may have believed that it was not necessary to list the work that was similar in nature to the other formal and informal business arrangements we have had for a number of years and for which we have always reconciled payments in due course.

Since Ms. Okar and I have resolved this matter to our mutual satisfaction, I now genuinely believe that this was a matter of mutual mistake rather than a violation of any law or regulation on her part. Accordingly, I respectfully request that the Commission dismiss this case as unfounded at your earliest convenience.

Respectfully submitted,


Margaret R. Mathna

MRM/llp

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOVEMBER 19, 1993

Margaret R. Mathna
Marc, Inc.
2919 Olive Street, N.W.
Washington, D.C. 20007

RE: MUR 3778

Dear Ms. Mathna:

This is in reference to your letter dated October 25, 1993, requesting that the complaint you filed in the above noted matter be withdrawn.

Under 2 U.S.C. § 437g, the Federal Election Commission is empowered to review a complaint properly filed with it and to take action which it deems appropriate under the Federal Election Campaign Act of 1971, as amended ("the Act"). A request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act. Your request will become part of the public record within 30 days after the entire file is closed.

If you have any further questions about this procedure, please contact Joan McEnery at (202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

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GENERAL COUNSEL'S REPORT, DATED APRIL 5, 1994,
AND CERTIFICATION OF COMMISSION VOTE, DATED MAY 5, 1994,
ARE FILED AT THE FOLLOWING MICROFILM LOCATION:

MUR ROLL: 352

FRAMES: 2832-2847

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 6, 1994

Richard D. Shore, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3778
Mary Rose Oaker for Congress Committee,
and Patrick O'Donnell, as treasurer
and Mary Rose Oaker

Dear Mr. Shore:

On May 28, 1993, the Federal Election Commission notified your clients, the Mary Rose Oaker for Congress Committee and Patrick O'Donnell, as treasurer, and Mary Rose Oaker, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

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Richard D. Shore, Esq.
MUR 3778
Page 2

If you have any questions, please contact Joan McEnery at
(202) 219-3690.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

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MUR 3778

MARY ROSE OAKER FOR CONGRESS

The complainant, Margaret Mathna, alleged that the Mary Rose Oaker for Congress Committee failed to report as outstanding debt \$23,740.00 which the Committee owed her for political advertisements. The Committee responded that no contractual relationship existed between the Committee and Ms. Mathna, Politics Inc. handled media for the Committee, and the media-related materials which Ms. Mathna sent to Congresswoman Mary Rose Oaker were never solicited or used. On October 25, 1993, the complainant requested that the complaint be withdrawn because the matter involved a misunderstanding between the parties.

There is is no evidence that the activity had any impact on the process. This matter involves less significant issues relative to the other issues pending before the Commission.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Margaret R. Mantha
Marc, Inc.
2919 Olive Street, N.W.
Washington, D.C. 20007

RE: MUR 3778

Dear Ms. Mantha:

On May 20, 1993, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on June 3, 1994. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043523620

MUR 3778

MARY ROSE OAKER FOR CONGRESS

The complainant, Margaret Mathna, alleged that the Mary Rose Oaker for Congress Committee failed to report as outstanding debt \$23,740.00 which the Committee owed her for political advertisements. The Committee responded that no contractual relationship existed between the Committee and Ms. Mathna, Politics Inc. handled media for the Committee, and the media-related materials which Ms. Mathna sent to Congresswoman Mary Rose Oaker were never solicited or used. On October 25, 1993, the complainant requested that the complaint be withdrawn because the matter involved a misunderstanding between the parties.

There is is no evidence that the activity had any impact on the process. This matter involves less significant issues relative to the other issues pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 3778

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