

CAROLYN S. MALENICK

October 4, 2001

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OFFICE OF GENERAL
COUNSEL

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Mr. Mark Shonkwiler
Office of the General Counsel
Federal Elections Commission
999 E Street, NW
Washington, DC 20463

RE: MURs 4568, 4633, 4634 and 4736

Dear Mr. Shonkwiler,

This letter serves as my response and the response of Triad and related entities to the General Counsel's Brief dated July 18, 2001 for the above referenced matters under review.

Thank you for extending this deadline. I agreed to meet this deadline of October 4, 2001 as I sought new legal counsel in a letter dated, September 13, 2001. Unfortunately, I have been unable to retain new counsel on such a short deadline as I do not have the funds to continue to pay counsel, which was why prior counsel withdrew abruptly from the case.

Indeed, the legal costs associated with the last five years of investigations into Triad and related entities has thrust me into substantial debt; as I have already paid hundreds of thousands of dollars in legal fees with fees still outstanding. At this time, there is no more line of credit available that can be extended which now may result in my having to file bankruptcy. Therefore, I am responding to the FEC brief without legal representation.

I will begin my response by stating that I strongly disagree with the General Counsel's statement that there is "probable cause to believe that Carolyn Malenick d/b/a Triad Management Services, Triad Management Services, Inc., Carolyn Malenick, Citizens for the Republic Education Fund and Citizens for Reform each violated various provisions of the Act in connection with these matters".

I also vigorously deny the proposed findings of fact and law stated in the General Counsel's brief. At all times, I acted and relied on the advice of counsel, the same counsel who has now abandoned me. Everything was lawyered. I did not and Triad did not in any capacity act unlawfully or in violation of any Federal Election law. In particular, I deny that I or Triad ever "coordinated" with any candidate's campaign, and all decisions with respect to any advertisements aired by Citizens for the Republic Education Fund and Citizens for Reform were, to my knowledge, made independently of any campaign. Nor did Triad serve as a conduit for improper candidate or PAC donations. Further, neither, Citizens for the Republic Education Fund or Citizens for Reform made any expenditure expressly advocating the election or defeat of any candidate for federal office; they are not political committees and they did not violate the ban regarding corporate contributions.

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More over, the Commission should not approve the General Counsel's recommendation based on the legal and factual issues of the case as laid out by the General Counsel, because the General Counsel has not included or made reference to all evidence provided to the Commission.

In particular, I provided three affidavits and answered numerous interrogatories in response to MUR 4736 and 4633, which have been completely ignored.

the record does contain materials that refute the inferences that you would draw from that fact.

In any event, you should know that Triad has been moribund and non-operational for several years, and I have no plans or intentions to revive Triad or engage in any similar business.

Sincerely,



Carolyn S. Malenick

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