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July 31, 1997

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

Re: MUR 4646  
Kennedy for Senate 1994  
Kennedy for Senate 2000  
John Zamparelli, as treasurer

Dear Mr. Noble:

This letter is the response of Kennedy for Senate 1994, Kennedy for Senate 2000 and John Zamparelli, as treasurer, (collectively referred to as the "Respondents") to the above-referenced complaint filed with the Federal Election Commission. We request that the Federal Election Commission ("FEC" or "the Commission") take no further action in this matter.

- I. There is no legal or factual basis for the Commission to find that the Respondents accepted illegal contributions.

The complaint alleges that the Respondents may have received contributions which were not made from personal funds, but provides no factual or legal basis to support this allegation. The only evidence presented is Ms. Lewis' affidavit, which indicates that she was asked by Ms. Amy Robin Habie, on behalf of her friend Mr. David Boies, to make a contribution to Congresswoman Jane Harman's campaign. In her affidavit, Ms. Lewis indicates that she was told by Ms. Habie "that Senator Kennedy also received such donations from Mr. Boies."

Apart from Ms. Habie's unsubstantiated assertion recounted in Ms. Lewis' affidavit, no evidence whatsoever has been submitted which would suggest that the Respondents received any particular contributions from certain individuals who did not use personal funds to make the contribution. If specific information regarding particular

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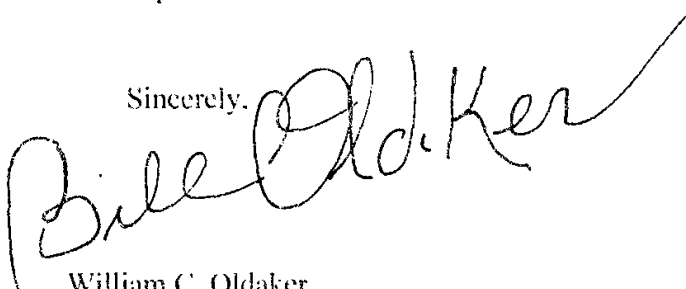
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contributions comes to the attention of the Respondents, they would return the money as required by 11 C.F.R. § 103.3 (b)(2). However, based on the lack of evidence presented in this affidavit, there is no legal or factual support for the Commission to find that the Respondents received any contributions made in the name of another.

The allegation made in this complaint, that the Respondents violated the Act by accepting illegal contributions, is wholly unsupported. No evidence whatsoever was offered to sustain the allegation that any part of the Act was violated. Thus, there is no reason for the Commission to believe that Kennedy for Senate 1994, Kennedy for Senate 2000 and John Zamparelli, as treasurer, violated any provision of the Act. As such, the Commission should close this matter as it pertains to the Committee.

Sincerely,

A handwritten signature in cursive script that reads "Bill Oldaker". The signature is written in dark ink and is positioned above the printed name.

William C. Oldaker