



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

5 December 1997

VIA FAX AND FIRST CLASS MAIL
FAX (202) 624-7222

Charles H. Roistacher, Esq.
Brett G. Kappel, Esq.
Powell, Goldstein, Frazer & Murphy, LLP
1001 Pennsylvania Avenue, N.W., Sixth Floor
Washington, D.C. 20004

RE: MURs 4322 and 4650


Dear Messrs Roistacher and Kappel:

In my letters of October 8 and 29, 1997, I requested certain information which you had agreed to provide at the depositions of Enid and D. Forrest Greene in September. In your November 5, 1997 letter, you advised that you would provide the materials in the near future. To date the materials have not been provided, and you have not indicated a date certain when the materials would be provided. The information is important to the Commission's investigation, and this Office would like to complete the investigation as promptly as possible. Therefore, we ask that you provide the materials by December 17.

In your November 5 letter, you also objected to providing a copy of the declination letter the United States Attorney's Office provided to you at the conclusion of its grand jury investigation of Ms. Greene's congressional campaign. You based your objection on the secrecy requirements of Rule 6(e) of the Federal Rules of Criminal Procedure. However, those requirements do not appear to apply to third parties, such as yourself or your clients. Therefore, there does not appear to be any impediment to you providing the letter to us. Accordingly, this Office renews its request for a copy of the letter. We also request that you provide the letter by December 17.

Your continued cooperation in this matter is appreciated. Please feel free to contact me at (202) 219-3690 with any questions you may have regarding this matter.

Sincerely,


Kamau Philbert
Attorney