



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 12, 1999

Via Fax and First Class Mail

Edward P. Faberman, Esquire
Michelle Faust, Esquire
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1747 Pennsylvania Ave., N.W. Suite 900
Washington, DC 20006-4604

RE: MUR 4721
Didrickson for U.S. Senate and
Tom Hughes, Treasurer

Dear Mr. Faberman and Ms. Faust:

This is a follow-up to my conversation with Ms. Faust, regarding your clients' responses to the Commission's discovery requests. As we discussed, there are several areas in which the responses appear incomplete or not entirely responsive and two areas in which additional information is requested.

Question 2(f). In response to the request for "all persons involved in negotiating and executing" the agreement for the use of the bus, you identify persons associated with the campaign. Your response, however, does not identify any persons from the bus company. Please have your clients identify any such person(s).

Question 7(a). Your response does not provide the dates and locations of the "out-of-town trip."

Question 7(b). In many locales, it is customary to provide a gratuity to tour bus drivers. Please clarify whether this was done, and if, state how much was provided, identify who paid any such gratuity and whether the amount was reported by the campaign.

Question 7(c). Please clarify whether the campaign or its former personnel has any other documentation related to the arrangements with the bus company, notes or memos (note that documents stored on computer are covered by this and all other requests).

Question 8 (c). As I explained during our call, this question—which seeks some explanation as to why the bus company invoice regarding the use of the bus in early November, 1997, was not sent and/or received until February of 1998—is applicable.

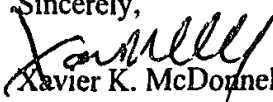
Question 10. Your response does not identify any of the bus companies that were contacted by the campaign. As you indicate that some campaign personnel had prior experience with bus companies, they should recall other companies contacted. If not, please state so. In addition, the campaign did not produce any notes (even internal notes) related to discussions with the bus companies about terms and conditions. You indicated that you would clarify whether any such documents were in the possession of the campaign or its former personnel..

Question 11—You agreed to determine whether the copies of invoices from Ushman Communications in your possession are legible (the copies we received are not). You also indicated that the campaign apparently just informed you that it does not possess invoices (or other documentation?) from Duchossois, Inc. You indicated, however, that you would attempt to make further efforts to locate such invoices, perhaps by contacting the vendor itself.

As I also mentioned during the call, your response has generated some follow-up questions. First, the documents produced and responses leave unclear how the campaign's accountants inadvertently omitted approximately \$49,000 in debt. You suggested that you might obtain and provide further information regarding this error. In addition, as I indicated, the document request sought all documents related to the "failure to initially report" that debt. You agreed to check to see if there was any other such documentation, including any that might explain the error. Note that the requests call for information "in the possession of" or "otherwise available" to your clients. We also discussed the possibility of conducting a teleconference with the campaign's accountants to get some further explanation.

Second, although not raised during our call, state why the written agreement contains the date January 4, 1998 (why that date was chosen), state when the written agreement was sent or faxed to the bus company and returned to the campaign and when the written agreement was actually signed by the parties (whether earlier or later than January 4, 1998). If the written agreement was not signed until January or February of 1998 (or later), explain the delay in executing an agreement first made in November of 1997.

We appreciate your efforts at assisting the Commission in this matter. As I stated, it would be preferable if your clients' response to these questions was sworn to under oath. If you have any questions, please call me at (202) 694-1650.

Sincerely,

Xavier K. McDonnell
Attorney