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Timothy A. Diemand

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**By Facsimile (202) 219-3923 and First Class Mail**

December 22, 1998

Alva E. Smith  
Office of General Counsel  
Federal Election Commission  
999 E. Street, NW  
Washington, D.C. 20463

Re: Ruth Lord – MUR 4814

Dear Ms. Smith:

Following from our conversation the other week, I am writing to provide evidence demonstrating why no action should be taken against Ms. Ruth Lord in connection with the September 23, 1998 complaint filed against Congressman Jim Maloney's campaign (and others). Attached please find a copy of a counsel designation form authorizing me to represent Ms. Lord. (Tab A).

By letter dated September 30, 1998, the Federal Election Commission ("FEC") informed Ms. Lord of the complaint that was filed against the Maloney campaign, and indicated that the allegations in the complaint show that Ms. Lord may have violated the Federal Election Campaign Act of 1971. Specifically, the complaint alleges that Ms. Lord contributed \$1,500 to Congressman Maloney's general election campaign (\$500 over the permitted contribution limit).

Our investigation reveals that the Maloney campaign mistakenly designated the contributions made by Ms. Lord, thereby making it appear as though she made contributions in excess of the legal limit. As explained in the attached letter from the Maloney Campaign (Tab B), Ms. Lord made a \$1,000 contribution for the general election and a \$500 contribution for the primary election on November 21, 1997. These contributions were correctly reported to the FEC by the Maloney Campaign in its year-end financial disclosure report. However, the Maloney Campaign made an internal recording mistake and erroneously designated the November 21, 1998 \$1,000 contribution for the **primary election** and the \$500 contribution for the **general election**. Therefore, when Ms. Lord made an additional \$500 contribution for the primary election on June 25, 1998 (prior to the Connecticut Democratic Party's July 13, 1998 statewide convention referenced in the Complaint), the Maloney Campaign mistakenly believed that this contribution should be designated for the general election (as the campaign's internal records incorrectly indicated

Alva E. Smith, Esq.  
December 22, 1998  
Page 2

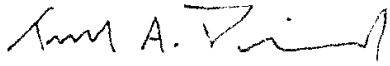
that Ms. Lord had already reached the \$1,000 contribution limit for the primary election). Based on this error, the Maloney Campaign erroneously indicated that Ms. Lord had contributed \$1,500 for the general election in the July 15, 1998 financial report filed by the Maloney Campaign with the FEC.

On October 15, 1998, after this mistake was revealed, the Maloney Campaign filed an amended disclosure report with the FEC (Tab C) correctly reporting the contributions made by Ms. Lord as: (1) \$1,000 for the general election on November 21, 1997; (2) \$500 for the primary election on November 21, 1997; and (3) \$500 for the primary election on June 25, 1998.

We believe that this evidence demonstrates that Ms. Lord is in full compliance with the Federal Election Campaign Act of 1971 and all applicable federal election campaign rules and regulations.

Please let me know if you have any questions or if the Commission requires any additional information to resolve this matter.

Sincerely,



Timothy A. Diemand

Attachments/Enclosures

cc: Charles N. Schenck, III, Esq.

# STATEMENT OF DESIGNATION OF COUNSEL

MUR 4814

NAME OF COUNSEL: Timothy A. Diemand

FIRM: Wiggin & Dana

ADDRESS: One Century Tower

New Haven, CT 06508

TELEPHONE: (203) 498-4346

FAX: (203) 782-2889

The above-named individual is hereby designated as my counsel  
and is authorized to receive any notifications and other communications  
from the Commission and to act on my behalf before the Commission.

Dec 10 1998  
Date

R.H. Lord  
Signature

RESPONDENT'S NAME: Ruth Lord

ADDRESS: 190 St. Ronan Street

New Haven, CT 06511

TELEPHONE: HOME \_\_\_\_\_

BUSINESS(\_\_\_\_\_)\_\_\_\_\_

A

FRIENDS OF  
**Jim Maloney**  
U.S. CONGRESS

December 3, 1998

Mr. Tim Diemand, Esq.  
Wiggin & Dana

VIA FACSIMILE: (203)782-2889

Dear Mr. Diemand:

Thank you for taking the time to contact me regarding the Federal Election Commission's recent letter to Mrs. Ruth Lord.

As you may know, individual contributions to federal campaigns are limited to \$1,000 for the "primary" election and \$1,000 for the general election. Unless contributions are designated for a particular election, they are attributed toward the election during which they were received.

Over the course of the 1998 campaign, the Friends of Jim Maloney received 3 contributions from Mrs. Lord, totaling \$2,000. On November 21, 1997 we received 2 checks, one for \$500 which was not designated for any particular election (and therefore went toward her \$1,000 limit for the primary period), and one for \$1,000 which was designated for the general election. These contributions were correctly reported on our year-end financial disclosure report which was filed with the Federal Election Commission on January 31, 1998.

However, the contributions were erroneously recorded in our internal database, which showed a contribution of \$1,000 for the 'primary' election, and \$500 for the general election. Therefore when Mrs. Lord made her final contribution of \$500 (which was received, undesignated, during the primary period on June 25, 1998) the campaign, based on a conversation with Mrs. Lord, applied this contribution to her limit for the general election, as our database showed that she was "maxed" for the primary. This error was then carried forward and the contribution was subsequently erroneously reported as \$500 for the general election on our June quarterly report which was filed with the Federal Election Commission on July 15, 1998.

As the error resulted from the campaign's reporting, the campaign filed an amendment to its June quarterly report on October 15, 1998 reflecting the contributions as Mrs. Lord initially submitted them: 11/21/97: \$500 (primary - undesignated); 11/21/97: \$1,000 (general - designated); 6/25/98: \$500 (primary - undesignated).

Yours truly,  
  
Meg Tansey  
Finance Director

Meg Tansey  
Finance Director

# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

USE FEC MAILING LABEL  
OR  
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) Friends of Jim Maloney		2. FEC IDENTIFICATION NUMBER C00327924	
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported. 1325 East Main Street, Suite 12		3. IS THIS REPORT AN AMENDMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
CITY, STATE and ZIP CODE Waterbury, CT 06706	STATE/DISTRICT CT / 05		

## 4. TYPE OF REPORT

- ☐ April 15 Quarterly Report ☐ 12-Day Pre-Election Report for the \_\_\_\_\_ (Type of Election)  
election on \_\_\_\_\_ in the State of \_\_\_\_\_
- ☒ July 15 Quarterly Report ☐ 30-Day Post-Election Report following the General Election  
on \_\_\_\_\_ in the State of \_\_\_\_\_
- ☐ October 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid-Year Report (Non-election Year Only) ☐ Termination Report

This report contains activity for ☒ Primary Election ☐ General Election ☐ Special Election ☐ Runoff Election

## SUMMARY

5. Covering Period	6/24/98	through	6/30/98	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Net Contributions (other than loans)					
(a) Total Contributions (other than loans) (from Line 11(a))				60,376.03	364,592.39
(b) Total Contribution Refunds (from Line 20(d))				-0-	250.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))				60,376.03	364,342.39
7. Net Operating Expenditures					
(a) Total Operating Expenditures (from Line 17)				21,543.80	288,388.18
(b) Total Offsets to Operating Expenditures (from Line 14)					216.30
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))				21,543.80	288,171.88
8. Cash on Hand at Close of Reporting Period (from Line 27)				127,765.11	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)					
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)				79,036.37	

For further information  
contact:  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Toll Free 800-424-9530  
Local 202-219-3420

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Margaret Tansey, Assistant Treasurer	Date 10/15/98
Signature of Treasurer 	

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

**DETAILED SUMMARY PAGE**  
**of Receipts and Disbursements**  
 (Page 2, FEC FORM 3)

Name of Committee (in full) Friends of Jim Maloney		Report Covering the Period: From: 6/24/98 To: 6/30/98	
I. RECEIPTS		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized (use Schedule A)		19,100.00	
(ii) Unitemized		2,790.00	
(iii) Total of contributions from individuals		21,890.00	182,992.94
(b) Political Party Committees		486.03	2,060.78
(c) Other Political Committees (such as PACs)		38,000.00	179,538.67
(d) The Candidate			
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(iii), (b), (c) and (d))		60,376.03	364,592.39
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES			
13. LOANS:			
(a) Made or Guaranteed by the Candidate			
(b) All Other Loans			
(c) TOTAL LOANS (add 13(a) and (b))			
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			216.30
15. OTHER RECEIPTS (Dividends, Interest, etc.)		232.73	1,419.93
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		60,608.76	366,228.62
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES		21,543.80	288,388.18
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES			
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate			
(b) Of All Other Loans			
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))			
20. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other than Political Committees			250.00
(b) Political Party Committees			
(c) Other Political Committees (such as PACs)			
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))			250.00
21. OTHER DISBURSEMENTS			1,000.00
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)		21,543.80	289,638.18
III. CASH SUMMARY			
23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD		\$	88,700.15
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)		\$	60,608.76
25. SUBTOTAL (add Line 23 and Line 24)		\$	149,308.91
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)		\$	21,543.80
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)		\$	127,765.11

## SCHEDULE A

## ITEMIZED RECEIPTS

See separate schedule(s) for each category of the Detailed Summary Page	PAGE	OF
	1	8
FOR LINE NUMBER		
11a1		

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Friends of Jim Maloney

FEC ID No. C00327924

A. Full Name, Mailing Address and ZIP Code Mark B. Powers 4 Round Rock Road Niantic, CT 06357	Name of Employer Pullman & Comley	Date (month, day, year) 6/24/98	Amount of Each Receipt this Period 250.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Lobbyist	Aggregate Year-To-Date > \$	250.00
B. Full Name, Mailing Address and ZIP Code Ruth Lord 190 St. Ronan Street New Haven, CT 06511	Name of Employer Self Employed	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 500.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Writer	Aggregate Year-To-Date > \$	500.00
C. Full Name, Mailing Address and ZIP Code Donald E. Weeden 85 Middle River Road Danbury, CT 06811	Name of Employer Weeden & Co	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Executive	Aggregate Year-To-Date > \$	1,000.00
D. Full Name, Mailing Address and ZIP Code Helen Davis Hermes 46 Dorethy Road Redding, CT 06098	Name of Employer	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Retired	Aggregate Year-To-Date > \$	1,500.00
E. Full Name, Mailing Address and ZIP Code John Ruffalo, III 415 Howe Avenue Shelton, CT 06484	Name of Employer John Ruffalo, III Architects	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 250.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Architect	Aggregate Year-To-Date > \$	250.00
F. Full Name, Mailing Address and ZIP Code Michael E. Shay 31 Sharpbill Road Wilton, CT 06697	Name of Employer Flynn Blakeslee & Shay	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 250.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Attorney	Aggregate Year-To-Date > \$	300.00
G. Full Name, Mailing Address and ZIP Code Richard C. White 1541 Foxhall Road NW Washington, DC 20007	Name of Employer Alpine Group	Date (month, day, year) 6/25/98	Amount of Each Receipt this Period 250.00
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Consultant	Aggregate Year-To-Date > \$	250.00

SUBTOTAL of Receipts This Page (optional)

2,500.00

TOTAL This Period (last page this line number only)