



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1999

Ginger Barnes  
3216 Elmwood Ave.  
Oklahoma City, OK 73116

RE: MUR 4818  
Ginger Barnes

Dear Ms. Barnes:

On October 6, 1999, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of this matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of these matters. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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You may consult with an attorney and have an attorney assist you in the preparation of your response. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions or would like to discuss this matter, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures:

Factual and Legal Analysis  
Designation of Counsel  
Description of Procedures

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**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT:      Ginger Barnes

RE: MUR 4818

**I. GENERATION OF MATTER**

This matter involves contributions made to 1998 Congressional candidate Walt Roberts ("candidate"), his authorized committee, Walt Roberts for Congress Committee, and its treasurer ("Roberts campaign" or "committee"). The information at hand suggests that Ginger Barnes may have been reimbursed for a contribution that she reportedly made to the Roberts campaign, in violation of Section 2 U.S.C. § 441f. The Commission's finding, discussed below, was generated based upon information provided to the Commission in the normal course of carrying out its supervisory duties. *See* 2 U.S.C. § 437g(a)(2).

**II. APPLICABLE LAW**

The Federal Election Campaign Act of 1971, as amended (the "Act"), limits the amount that persons other than multicandidate committees may contribute to any candidate for federal office to \$1,000 per election. 2 U.S.C. § 441a(a)(1)(A). Candidates and political committees are prohibited from knowingly accepting contributions in excess of the limitations at Section 441a. 2 U.S.C. § 441a(f).

The Act provides that no person shall make a contribution in the name of another person or knowingly permit his or her name to be used to effect such a contribution and no person shall knowingly accept a contribution made by one person in the name of another person. 2 U.S.C. § 441f; 11 C.F.R. § 110.4(b).

### III. ANALYSIS

The committee's disclosure reports indicate that Ginger Barnes contributed to the Roberts campaign \$500 on October 17, 1998. Disclosure reports filed in 1996 state that Ms. Barnes was at the time an administrative assistant at the Stipe Law Firm.

The above contribution was sizable. It is reported that the Roberts campaign operated from the Stipe Law Firm. Mr. Gene Stipe from the Stipe Law Firm was apparently a campaign advisor and chief fund-raiser for the Roberts campaign. In light of the above, it appears that the contribution may have been made by the Stipe Law Firm or Gene Stipe, in the name the respondent, in violation of 441f. Accordingly, there is reason to believe that Ginger Barnes violated 2 U.S.C. § 441f.