



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OCT 23 2003

VIA FIRST CLASS MAIL

Larry Morgan
HC 74 Box 272-1
Harthshorne, OK 74547

RE: MUR 4818

Dear Mr. Morgan:

On October 9, 2003, the Federal Election Commission found that there is reason to believe you knowingly and willfully 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.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such

1051 504 403 1331

Larry Morgan
MUR 4818
Page 2

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, please contact Margaret J. Toalson, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



David M. Mason
Commissioner

Enclosures:

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

24-04-403-1302

¹ The activity in this case is governed by the Act and the regulations in effect during the pertinent time period, which precedes amendments to the regulations made by the Bipartisan Campaign Reform Act of 2002 (“BCRA”).

1 such a contribution. 2 U.S.C. § 441f. Moreover, no person may knowingly help or assist any
2 person in making a contribution in the name of another. 11 C.F.R. § 110.4(b)(1)(iii).

3 **B. Facts & Analysis**

4 Walter L. Roberts was a candidate for Oklahoma's Third Congressional District for the
5 U.S. House of Representatives in 1998. The primary election for the Democratic nomination to
6 represent Oklahoma's Third Congressional District occurred on August 25, 1998. Roberts also
7 owned an auction company. -Walt Roberts for Congress (the "Committee") was the political
8 committee within the meaning of 2 U.S.C. § 431(4) for Roberts' campaign.

9 Gene Stipe was the founder of the Stipe Law Firm where he was a senior partner until
10 2003. Mr. Stipe was also an Oklahoma State Senator representing a portion of Southeastern
11 Oklahoma, and a political mentor and friend to Roberts. Mr. Stipe was involved in running
12 Roberts' campaign, from making strategic decisions to hiring and firing of staff.

13 Charlene Spears was an employee at the Firm and Gene Stipe's personal assistant. Spears
14 was involved in the Roberts' campaign, making decisions on campaign purchases, instructing
15 staff, and handling some of the campaign's banking.

16 Michael Mass is a friend of Roberts and former Representative in the Oklahoma House of
17 Representatives. Larry Morgan is an acquaintance of Michael Mass.

18 On March 26, 2003, Stipe was charged with perjury under 18 U.S.C. § 1621, and two
19 counts of conspiracy under 18 U.S.C. § 371. On April 1, 2003, Stipe pleaded guilty to perjury, a
20 felony violation of 18 U.S.C. § 1621, conspiracy to obstruct a Commission investigation, a
21 felony violation of 18 U.S.C. § 371, and conspiracy to violate the Act, a misdemeanor violation
22 of 18 U.S.C. § 371. In the plea documents, Stipe admitted that through Larry Morgan, Stipe was

1 able to make contributions in the names of another through five straw contributors totaling
2 \$15,000.

3 On a date uncertain, while visiting Gene Stipe at the Firm, Stipe asked Mass to funnel
4 money to the Committee that Stipe would provide in the form of campaign contributions. Stipe
5 asked Mass to recruit persons that could be used as straw-contributors using his money to the
6 Committee. Mass approached Morgan and informed him of this scheme. Morgan agreed to
7 assist Mass and Stipe in the making of campaign contributions in the names of others to the
8 Committee.

9 On a date uncertain, Mass went to the Firm and picked up a check, drawn on a Firm
10 account, from Spears for \$15,000.

11 On October 8, 1998, Mass took this check and gave the check to Larry Morgan. Mass
12 instructed Morgan on how to handle the money from the Firm. Mass told Morgan that the
13 reimbursement scheme is how Stipe and Spears wanted the money handled.

14 Morgan then deposited the \$15,000 check into his personal account. After making the
15 deposit, Morgan in turn wrote Mass a check on his account for \$6,000, which Mass deposited
16 into his personal account.

17 On October 9, 1998, Mass then took that money and made three \$1,000 contributions to
18 the Committee. On that same date, Suzanne Mass, Mass' wife, also made three \$1,000
19 contributions to the Committee.

20 Morgan then wrote two checks for \$3,000 to his mother, Altaclair Morgan, and sister,
21 Carolyn Trueblood, for the purpose of them to each contribute \$3,000 in return to the Committee.
22 On October 9, 1998, Larry Morgan, Altaclair Morgan and Carolyn Trueblood each made three
23 \$1,000 contributions to the Committee with the money that Mass provided.

24-04-408-1305

As a result of the reimbursements, the Committee reported these contributions as from the straw contributor and not the actual contributor, Gene Stipe and the Firm. These contributions were as follows:

Straw Contributor	Conduit	Amount of Contribution	Date of Contribution	Date Report filed with FEC
Suzanne Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Suzanne Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Suzanne Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Mike Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Mike Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Mike Mass	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Larry Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Larry Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Larry Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Altaclair Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Altaclair Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Altaclair Morgan	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Carolyn Trueblood	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Carolyn Trueblood	(Mass/Morgan)	\$1,000	10/9/98	10/21/98
Carolyn Trueblood	(Mass/Morgan)	\$1,000	10/9/98	10/21/98

Larry Morgan knew that his contributions and those of the other straw contributors were illegal when he made them and assisted others in the making of them.

III. CONCLUSION

Accordingly, there is reason to believe that Larry Morgan knowingly and willfully violated 2 U.S.C. § 441f.