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May 10, 2001

Xavier McDonnell
Office of General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 4919

Dear Mr. McDonnell:

This letter confirms the contents of our conversation yesterday. On behalf of Charles Ball, we request that the deposition scheduled for May 16, 2001, in Oakland, California be postponed for thirty days.

We are still awaiting return of the computers we provided the Commission in the course of this investigation. One computer, Dell Computer No. 5Y73F, was sent to you January 25, 2001. The second, a Toshiba Equium No. 380-15377, was sent to you February 5, 2001. When we produced these computers, you assured us that they would be returned to us as soon as possible, and that we would also receive copies of any documents your retrieved from them. We are also awaiting return of the CD-ROM and copies of documents retrieved from it, as promised in your letter to us of January 12, 2001.

As you know, in our continuing telephone conversations we have reiterated these requests. In fact, in a message left at my office April 11, you stated that the computers would be returned in the coming week or the week after that.

As I am certain you can understand, we cannot permit our client to be deposed by you until we have these materials, and have time to review them ourselves. We realize that the delay is in part beyond your personal control, but if the Commission genuinely desires to depose Mr. Ball, the Commission will work productively with its computer analysts to secure the return of these materials.

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Letter to Xavier McDonnell

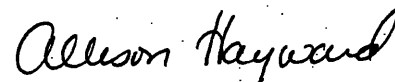
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We also have additional legal questions to look into, but if this experience is any guide, in the time it takes the Commission to return the computers and documents as promised we should be able to do a thorough job of this research.

Thank you for your prompt attention to this matter.

Very truly yours,



Allison R. Hayward

ARH:ljs

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