



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MAY 1 - 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Sandler, Esquire
Sandler & Reiff, P.C.
6 E Street, SE
Washington, DC 20003


RE: MUR 4818
The Honorable Gene Stipe
The Stipe Law Firm

Dear Mr. Sandler:

Pursuant to its investigation of this matter, the Commission has issued the attached Subpoena to the Honorable Gene Stipe and attached Subpoena and Order to the Stipe Law Firm to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Act. The responses to the enclosed Subpoenas must be submitted to the General Counsel's Office within 20 days of your receipt of this letter.

If you have any questions or would like to discuss this matter, please contact me or Margaret Toalson, Esquire, at (202) 694-1650.

Sincerely,


Xavier K. McDonnell
Attorney

Enclosures:

Subpoenas

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4818

SUBPOENA TO PRODUCE DOCUMENTS


TO: The Honorable Gene Stipe

c/o Joseph Sandler, Esquire
Sandler & Reef, P.C.
6 E. Street, SE
Washington, DC 2003

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 20 days of receipt.

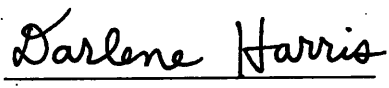
WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his
hand in Washington, D.C., on this 28th day of April 2000.

For the Commission,



Darryl R. Wold
Chairman

ATTEST:



for Mary W. Dove
Acting Secretary of the Commission

Attachments:
Instructions
Definitions
Document Request

INSTRUCTIONS

In answering this Subpoena to Produce Documents furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each response is to be given separately and independently, and is to repeat verbatim the document request to which it is responding. Unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories or requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the following document requests shall refer to the time period from January 1, 1998 to the present.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" or "your" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers; employees, whether paid or unpaid; supervisors; volunteers; agents or persons otherwise working on behalf of or at the request of the named respondent; co-workers; subordinates; staff or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers, records and magnetic or electronic media of every type in your possession, custody, or control, or known by you to exist. The term document includes but is not limited to books,

letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. If a document request calls for a document that is maintained on or in a magnetic, optical or electronic medium (for example, but not limited to computer tape, diskette, or CD-ROM), provide both "hard" (i.e., paper) and "soft" (i.e., in the magnetic or electronic medium) copies, including drafts, and identify the name (e.g., WordPerfect, Microsoft Word for Windows, Pro Write, etc.) and version numbers by which the document(s) will be most easily retrieved.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document, the author of the document, and all recipients of the document (including all persons, other than the primary recipient(s) of the document, who received copies, such as "cc" and "bcc" recipients).

"And" as well as "or" shall be construed distinctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and may otherwise be construed to be out of their scope.

DOCUMENT REQUESTS

1. Your "Option Contract" with Walt Robert states that you were to pay \$1,000 to Walt Roberts upon exercise of the option. Identify and produce all documents related to the \$1,000 payment and identify and produce any invoices from Mike Blessington, or any other attorney, for services rendered in connection with the drafting of the "Option Contract" (this request covers the period from 1997 to present.)
2. Identify and produce all documents related to all payments you provided to, or made on behalf of, Walt Roberts from 1996, 1997, 1998 and 1999 for any purpose, including but not limited to checks, check stubs, check registers, bank statements, memoranda, invoices, correspondence, tax records, diaries, calendars, etc. (Exclude any documents already produced to the Commission in this matter.)
3. Identify and produce all documents related to Walt Roberts' 1998 Congressional campaign, including fundraising letters, letters to supporters, correspondence, memos, agreements, contracts, receipts, invoices, diaries, calendars, (you may exclude documents related to publicly disclosed contributions made by you).

4. Identify and produce all documents related to the art auction held by Walt Roberts on or around September 11, 1998, including but not limited to invitations, memoranda, contracts, agreements, invoices, bank statements, checks, check stubs, check registers, diaries, calendars.

5. Identify and produce a copy of your 1998 tax returns (state and federal).

2025-09-11 10:00:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4818

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: The Stipe Law Firm

c/o Joseph Sandler, Esquire
Sandler & Reef, P.C.
6 E. Street, SE
Washington, DC 2003


Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents, within twenty (20) days of receipt.

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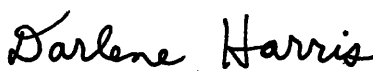
WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his
hand in Washington, D.C. on this 28th day of April, 2000

For the Commission,



Darryl R. Wold
Chairman

ATTEST:



for Mary W. Dove
Acting Secretary to the Commission

Attachments
Instructions and Definitions
Questions and Document Requests

2000 APR 28 10 43 AM

INSTRUCTIONS

In answering this Subpoena to Produce Documents and Order to Submit Written Answers, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

The response to each subpart is to be given separately and independently, and is to repeat verbatim the interrogatory or document request to which it is responding. Unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

If you cannot answer the following interrogatory in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories or requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the following interrogatory and document request shall refer to the time period from January 1, 1998 to the present.

The following interrogatory and request for production of documents is continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

“Document” shall mean the original and all non-identical copies, including drafts, of all papers, records and magnetic or electronic media of every type in your possession, custody, or control, or known by you to exist. The term document includes but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. If a document request calls for a document that is maintained on or in a magnetic, optical or electronic medium (for example, but not limited to computer tape, diskette, or CD-ROM), provide both “hard” (i.e., paper) and “soft” (i.e., in the magnetic or electronic medium) copies, including drafts, and identify the name (e.g., WordPerfect, Microsoft Word for Windows, Pro Write, etc.) and version numbers by which the document(s) will be most easily retrieved.

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“And” as well as “or” shall be construed distinctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and may otherwise be construed to be out of their scope.

QUESTION AND DOCUMENT REQUEST

List all payments you provided to, or made on behalf of Walt Roberts and/or Walt Roberts Auction Company for the years 1996-1999. With respect to each payment listed:

- (a) State the purpose of each payment, e.g., compensation, gift, salary;
- (b) If the payment was for services provided, state the type of service(s);
- (c) Identify and produce all documents related to the payments including but not limited to any work product (advertising materials, scripts of ads or tapes of ads, memos) contracts, agreements, correspondence, notes, memoranda, checks (both sides), check stubs, check registers, records used or kept for tax purposes, etc.

FILED OCT 12 2000