

# Klein & Solomon, LLP

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Of Counsel  
Solomon J. Jaskiel  
Stacy F. Sperka\*°

December 5, 2000

BY CERTIFIED MAIL, RRR

Federal Election Commission  
Office of General Counsel  
999 E Street, NW  
Washington, D.C. 20463  
Attn.: Delbert K. Rigsby

Re: Joshua Schwartz  
MUR 5057

Dear Mr. Rigsby:

We are counsel to Mr. Josh Schwartz, an apparent target of the Federal Election Commission's investigation of activities of Dear for Congress, Inc., during the 1998 election cycle.

Enclosed please find (i) a signed authorization for our firm to represent Mr. Schwartz, and (ii) an affidavit from Mr. Schwartz, explaining in detail that he had no connection whatsoever with the activities of Dear for Congress, Inc., during the 1998 election cycle or otherwise.

Please feel free to contact he undersigned with any additional questions you or the Commission may have. Also, please keep us apprised of the status of the investigation as it pertains to Mr. Schwartz, and ultimately a closing letter indicating that the Commission has concluded its investigation of Mr. Schwartz, and that no charges will be brought against him. Thank you.

Very truly yours,

Jay B. Solomon

JBS/sb  
cc: Mr. Josh Schwartz  
Enclosures  
j:\corresp\FEC-delb.d05

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
DEC 11 10 52 AM '00

JOSH SCHWARTZ  
2534 66th Street  
Brooklyn, New York 11234

To: General Counsel's Office  
Federal Election Commission

State of New York )  
County of New York )           ss.:

JOSH SCHWARTZ, being duly sworn deposes and says:

1. I am over eighteen years of age, and I reside at 2534 66th Street, Brooklyn, New York. I submit this affidavit in response to the Federal Election Commission's ("FEC") allegation that there is reason to believe that I have violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"), in regard to the activities of Dear for Congress, Inc. (the "Committee"), during the 1998 election cycle.

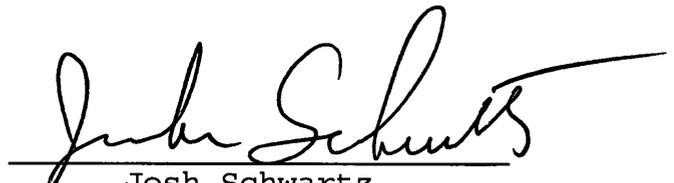
2. I submit to the FEC that I was not involved, in any manner whatsoever, with the Committee; that I did not contribute any money, property, time or anything else of value or otherwise to the Committee or to Congressman Dear; and that I did not permit or authorize anyone to use my name in connection with any Committee activity, donation or fund raising.

3. I am wholly and entirely unfamiliar with the Committee or with Congressman Noah Dear's election activities. I have never given Congressman Dear a money order, nor have I ever authorized anyone to put my name on a money order intended to assist Congressman Dear or the Committee with its efforts to elect

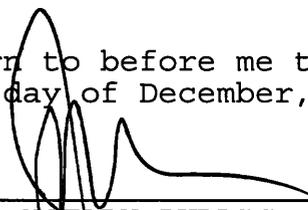
Congressman Dear, during the 1998 election cycle or at any other time.

4. I am not the "Joshua Schwartz" who contributed \$700.00 to the Committee in 1998, or who allegedly authorized someone else to sign his name to a money order in the amount of \$700.00, purporting to be a contribution from Joshua Schwartz. I have no knowledge of the incident.

5. I submit this affidavit with knowledge that the FEC will rely on the same in the course of its investigation of the activities of Dear for Congress, Inc., during the 1998 election cycle, as referred to in its letter of November 28, 2000, addressed to the undersigned.

  
Josh Schwartz

Sworn to before me this  
5th day of December, 2000

  
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NOTARY PUBLIC  
**JAY B. SOLOMON**  
Notary Public, State of New York  
No. 02SO4886826  
Qualified in New York County  
Commission Expires February 17, 2021  
J \lit\schw\osh.fec

**STATEMENT OF DESIGNATION OF COUNSEL**

MUR 5057

NAME OF COUNSEL: Jay B. Solomon, Esq.

ADDRESS: Klein + Solomon, LLP  
275 Madison Avenue  
New York, NY 10016

TELEPHONE: (212) 661-9400

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.

December 5, 2000  
Date

Josh Schwartz  
Signature Josh Schwartz

RESPONDENT'S NAME: Josh Schwartz

ADDRESS: 2534 East 66<sup>th</sup> Street  
Brooklyn, NY 11234

HOME PHONE: \_\_\_\_\_

BUSINESS PHONE: -(212) 869-6699

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