



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUG 10 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Abraham Roth, Treasurer
Dear for Congress
c/o Marc E. Elias, Esq.
Perkins & Coie, LLP
607 Fourteenth Street, NW
Washington, D.C. 20005

RE: MURs 4935 and 5057
Dear for Congress

Dear Mr. Roth:

On July 25, 2000, you were notified that the Federal Election Commission had found reason to believe that Dear for Congress, and you, as treasurer, violated 2 U.S.C. § 441a(f), 2 U.S.C. § 441b(a), and 2 U.S.C. §§ 434(a)(6)(a), 434(b)(4)(F) and 434(b)(8), provisions of the Federal Election Campaign Act of 1971, as amended, (the "Act") and 11 C.F.R. § 104.5(a), 11 C.F.R. § 110.9(a) and 11 C.F.R. § 114.2(d), regulations promulgated pursuant to the Act.

Pursuant to its investigation of this matter, the Commission has issued the attached subpoena and order requiring Dear for Congress and you, as treasurer, to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Act.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to submit the information within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

Abraham Roth
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If you have any questions, please contact me at (202) 694-1650 or 1-800-424-9530.

Sincerely,



Delbert K. Rigsby
Attorney

Enclosure
Subpoena and Order

2025-01-10 10:10:10

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 4935 and 5057
)

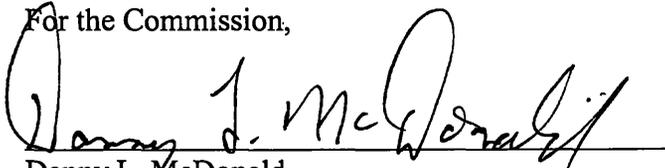
**SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS**

To: Abraham Roth, Treasurer
Dear for Congress, Inc.
5612 18th Avenue
Brooklyn, NY 11204

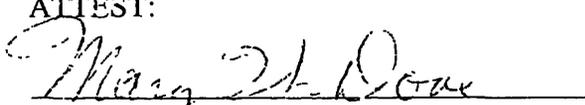
Pursuant to 2 U.S.C. § 437d(a)(1) and (3) in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit to written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Attached to this subpoena are instructions and definitions that you must follow in responding to this Subpoena and Order.

Answers must be submitted under oath and answers and documents responsive to this subpoena must be forwarded to the Office of General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 30 days of your receipt of this Order. Legible copies which, where applicable, show both sides of the documents may be substituted for the originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 9th day of August, 2001.

For the Commission,


Danny L. McDonald
Chairman
Federal Election Commission

ATTEST:


Mary W. Dove
Secretary to the Commission

Attachment
Interrogatories and Document Requests

ATTACHMENT TO SUBPOENA AND ORDER

This Subpoena to Produce Documents and Order to Submit Written Answers has been issued by the Federal Election Commission under the authority of 2 U.S.C. § 437d(a)(1) and (3). Return this original with an original affidavit signed by the appropriate official attesting to the truth of the answers and that all responsive documents have been provided. The affidavit must be sworn to and notarized.

INSTRUCTIONS

In answering these interrogatories and requests for production of documents, furnish all documents and other information specified below, however obtained, including hearsay, that are in your possession, custody or control, or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and 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.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the discovery requests 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 or other objection with respect to any documents, communications, or other items about which information is requested by the following interrogatories and requests for production of documents, describe each item in sufficient detail to provide justification for the claim or other objection. Each claim of privilege must specify in detail all grounds on which it rests. No part of a discovery request shall be left unanswered merely because an objection is interposed to another part of the request.

This order for written answers and subpoena for the production of documents is continuing in nature and you are required to file supplementary responses or amendments if you obtain further or different information or documents during the pendency of this matter. Include in any supplemental response the date upon which such further or different information came to your possession and attention

DEFINITIONS

For the purpose of this subpoena and order, including the instructions thereto, the terms listed below are defined as follows:

“Committee” shall mean Dear for Congress, Inc.

“Person” shall be deemed to include both singular and plural, and shall mean an individual, partnership, committee, association, corporation, including any subsidiary or other related business venture, labor organization, or any other type of organization, entity or group of persons as defined in 2 U.S.C. § 431(11).

“Document” shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term “document” includes data or information compiled or maintained in electronic or digital form, such as computer files, tables, spreadsheets or databases. The term “document” also includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, check ledgers, money orders or other commercial paper, invoices, receipts, wire transfers, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, electronic records, and electronic mail messages. Each draft or non-identical paper or electronic copy is a separate document within the meaning of this term.

“Identify” with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, and the present occupation or position of such person. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

“And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these discovery requests all responses that otherwise might be construed to be out of their scope.

DOCUMENT REQUEST

Produce the following documents:

1. Any and all letters that the Committee sent to contributors to confirm their contributions.
2. Any and all letters sent to the Committee from contributors confirming that their contributions were made with personal funds

3. Any and all documents concerning the Committee's business relationship with any consulting firms, including, but not limited to, contracts, correspondence, memoranda, electronic mail and invoices.

INTERROGATORIES

1. Identify the persons from the Committee who raised funds for the Committee and describe each person's duties, responsibilities and activities.
2. Identify the persons who handled the contributions after they were received by the Committee.
3. How were contributions drawn on checking accounts handled once they were received by the Committee?
4. How were cash contributions handled once they were received by the Committee?
5. Identify the persons who deposited the contributions into the Committee's bank accounts.
6. Did the Committee utilize a consulting firm or firms to conduct fundraising for the Committee or to provide advice to the Committee in fundraising?
7. If the answer to question 6 is yes, identify the consulting firm or firms.
8. If the answer to question 6 is yes, identify the persons from the Committee who worked with the consulting firm or firms.
9. If the answer to question 6 is yes, describe the duties of the consulting firm.
10. If the answer to question 6 is yes, identify the persons from the consulting firm who worked with the Committee.
11. Was James Cunningham the Finance Director of the Committee during 1998?
12. If the answer to question 11 is yes, describe his duties and responsibilities.
13. Did any other persons serve as Finance Director for the Committee during 1998?
14. If the answer to question 13 is yes, describe their duties and responsibilities.
15. Identify any other persons who worked along with the Finance Director and describe their duties and responsibilities.

16. Did the Committee hold events where funds were raised? If the answer is yes, please list the date and location of each event, identify the persons who coordinated each event on behalf of the Committee and identify the persons who collected the contributions on behalf of the Committee.

17. Did any individuals host events in which funds were raised on behalf of the Committee? -If the answer is yes, please identify the host(s) of each event, list the date and location of each event, identify the persons from the Committee who were liaisons between the Committee and the host(s) at each event, and the persons from the Committee who collected the contributions at each event.

18. Identify Andrew Hahn and describe his activities, paid or volunteer, for the Committee.

19. Identify Alex Lutz and describe his activities, paid or volunteer, for the Committee.

20. Identify Suzan Stakofsky and describe her activities, paid or volunteer, for the Committee.

21. Identify Heshy Katz and describe his activities, paid or volunteer, for the Committee.

22. Identify Bella Vais and describe her activities, paid or volunteer, for the Committee.

23. Identify Charna Weiss and describe her activities, paid or volunteer, for the Committee.