

MAY 14 2003

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Dear for Congress, Dear 2000, Inc.,)
Friends of Noach Dear '93 and Abraham Roth)

MURs 4935 and 5057

SENSITIVE

MAY 20 2003

GENERAL COUNSEL'S REPORT #23

EXECUTIVE SESSION

I. ACTIONS RECOMMENDED: Grant the Office of the General Counsel contingent authority to file an action in federal district court against Dear for Congress, Dear 2000, Inc., Friends of Noach Dear '93 and Abraham Roth.

II. BACKGROUND

On May 1, 2003, the Commission found probable cause to believe that Dear for Congress and Abraham Roth, treasurer, violated 2 U.S.C. § 441f; 2 U.S.C. § 441a(f) and 11 C.F.R. § 110.9(a); 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(d); 11 C.F.R. § 104.5(a); 2 U.S.C. § 434(b)(4)(F) and 2 U.S.C. § 434(b)(8); and 2 U.S.C. § 434(a)(6)(A). Additionally, the Commission found probable cause to believe that Dear 2000, Inc. and Abraham Roth, treasurer, violated 2 U.S.C. § 441a(f), 11 C.F.R. § 110.9(a), 2 U.S.C. § 434(b)(2) and 2 U.S.C. § 434(b)(4). Finally, the Commission found probable cause to believe that Friends of Noach Dear '93 violated 2 U.S.C. § 441a(a)(1)(A) and 11 C.F.R. § 110.1(b)(1). On May 1, 2003, the Office of General Counsel notified Dear for Congress, Dear 2000, Inc., Friends of Noach Dear and Abraham Roth (collectively, "Respondents") of the Commission's findings and the probable cause conciliation period commenced.

At the same time, the Commission approved a conciliation agreement

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Peter G. Blumberg
Acting Assistant General Counsel



Delbert K. Rigsby
Attorney

Danita C. Lee
Attorney

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