



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 497

Date Filmed 5/13/81 Camera No. --- 2

Cameraman BAC

FEDERAL ELECTION COMMISSION

MUR 497 (78): All material relating
to conciliation.

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents | |

Signed

R. Scott Linn

date

April 8, 1981



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 16, 1979

Bruce C. Waltzer, Esq.
Fine and Waltzer
335-337 Decatur Street
Vieux Carre
New Orleans, Louisiana 70130

Re: MUR 497 (78)

Dear Mr. Waltzer:

On April 11, 1979, the Federal Election Commission approved the enclosed conciliation agreement and closed the file in this matter.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure



100

In the Matter of)
) MUR 497 (78)
Edgar Poree, Jr.)

CONCILIATION AGREEMENT

This matter was initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, in the course of which the Commission found reasonable cause to believe that Edgar Poree, Jr. (Respondent) violated 2 U.S.C. §441b.

WHEREFORE, the Commission and Respondent, having duly entered into conciliation as provided for in 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. The Federal Election Commission has jurisdiction over the Respondent and the subject matter of this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The pertinent facts in this matter are as follows:
 - A. The Republic National Bank of Louisiana, prior to its dissolution on July 27, 1977 was a national bank subject to the provisions of 2 U.S.C. §441b.
 - B. Respondent was Chairman of the Board of Directors of the Republic National Bank from February 1976 through July 1977.
 - C. On May 7, 1976, Robert P. Aulston, officer and director of the Republic National Bank wrote a check to the Kelly Nix Testimonial Dinner for \$12,500. Kelly Nix was a candidate for the State Board of Education.

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- D. On September 2, 1976, Robert P. Aulston wrote a check in the amount of \$500 reimbursing himself for a contribution he had made to A. L. Davis, a candidate for New Orleans City Council.
 - E. The payments described in paragraphs C and D created overdrafts in Aulston's accounts for the entire amounts of the checks.
 - F. In or around October 1976, Robert P. Aulston covered the overdrafts described in paragraphs C and D with the proceeds from a loan from the Republic National Bank. Thereafter, the loan was repaid.
 - G. On August 6, 1976, Robert P. Aulston was reimbursed \$100 by the Republic National Bank for a contribution he had made to A. L. Davis.
- IV. The payments described in paragraphs C, D, and G constituted contributions from the Republic National Bank to candidates for state and local office and therefore were in violation of 2 U.S.C. §441b.
- V. Respondent, as an officer and director of the Republic National Bank, violated 2 U.S.C. §441b by consenting to the above-described contributions.

VI. Respondent will pay a civil penalty in the amount of \$200 to the U.S. Treasury.

VII. This conciliation agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matters set forth in this agreement.

VIII. General Conditions

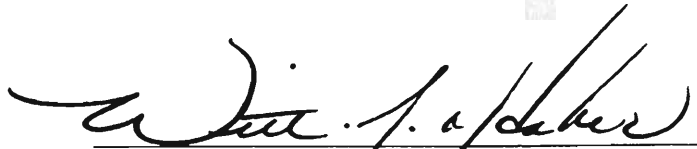
A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court.

B. It is mutually agreed that this agreement shall become effective on the date that all parties hereto have executed same and the Commission has approved the entire agreement.

FEDERAL ELECTION COMMISSION

4/13/79

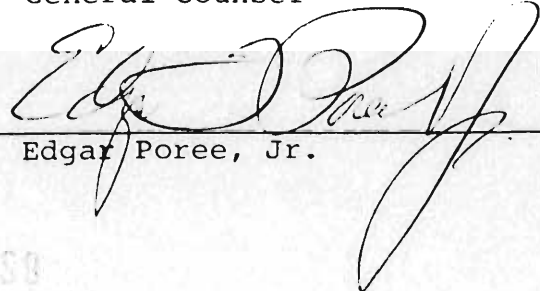
Date



William C. Oldaker
General Counsel

3-28-79

Date



Edgar Poree, Jr.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Edgar Poree, Jr.)

MUR 497 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 11, 1979, the Commission approved by a vote of 6-0 the following recommendations, as set forth in the General Counsel's Memorandum dated April 9, 1979, regarding the above-captioned matter:

1. Accept the conciliation agreement attached to the above-named memorandum.
2. Close the file.

Attest:

4/12/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 4-9-79, 10:42
Circulated on 48 hour vote basis: 4-9-79, 4:30

810304105

April 9, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Memo distributed to the
Commission on a 48 hour tally basis.

Thank you.

81030245253

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Republic National Bank, et al.)

MJR 497 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, certify that on March 14, 1979, at an executive session at which a quorum was present, the Commission determined by a vote of 5-0 to adopt the recommendation of the General Counsel to take the following actions in the above-captioned matter:

2. Find probable cause to believe that Robert P. Aulston and Elray Venice have violated 2 U.S.C. §441b and authorize the filing of a civil action for relief.

Commissioners Aikens, Friedlander, Harris, McGarry, and Thomson voted affirmatively for the above actions. Commissioner Tiernan was not present at the time of the vote.

Attest:

3/14/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

2/ Since then Aulston has been convicted on five felony counts including 1 count 18 U.S.C. §1007; 18 U.S.C. §1014; 18 U.S.C. §371; and 2 counts 18 U.S.C. §657. Venice has been convicted on 3 felony counts including 1 count 18 U.S.C. §371 and 2 counts 18 U.S.C. §656. Poree was not charged with the violation of any criminal laws. These convictions include general conspiracy charges, misapplication of Small Business Administration funds and misapplication of national bank funds. Sentencing has been set for March 7, 1979.

It is therefore recommended that the Commission find probable cause to believe that Aulston and Venice have violated 2 U.S.C. §441b and authorize the filing of a civil action for relief.

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RECOMMENDATION

2. Find probable cause to believe that Robert P. Aulston and Elray Venice have violated 2 U.S.C. §441b and authorize the filing of a civil action for relief.

8 March 1979
Date

William C. Oldaker
General Counsel

WCO

Attachment

Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Republic National) MUR 497 (78)
Bank, et. al.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 2, 1978, the Commission determined by a vote of 4-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated October 30, 1978, regarding the above-captioned matter:

1. Find reasonable cause to believe that Robert P. Aulston, Elray Venice and Edgar Poree, Jr. violated 2 U.S.C. §441b.
2. Take no further action against the Republic National Bank.
3. Take no further action against James R. Bobo, Wilfred Dialett, A. L. Davis (now deceased), Joseph Epps, Leon R. Fulton, Nolan A. Marshall, Sr., Lewis C. Mason, Jr., John W. Pitts, Charles Teamer, E. W. Bashful, Milton Bechnel, Dennis Cross, Mortimer D. Evans, Robert L. Redfearn, Lloyd Villiavaso, Rebecca Marshall, Jacob Emmer, and Ernest Cadro.
4. Approve the conciliation agreements attached to the above-named report.

Voting for this determination were Commissioners Springer, Tiernan, Thomson, and Harris.

11/2/78
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 10-30-78, 1:22
Circulated on 48 hour vote basis: 10-31-78, 4:00

October 30, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached General Counsel's Report on MUR 497 distributed to the Commission on a 48 hour tally basis.

Thank you.

81030245259

RECEIVED
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

The Republic National Bank, et. al.)

78 OCT 30 P 1: 22
MUR 497 (78)

GENERAL COUNSEL'S REPORT

Background

This matter was referred to the Commission by the Comptroller of the Currency on January 18, 1978. The Commission on February 13, 1978 found reason to believe that the Republic National Bank of Louisiana and its directors and officers may have violated 2 U.S.C. §441b by reimbursing one of its directors, Robert P. Aulston, \$100. for a contribution he made to the campaign of A. L. Davis, a candidate for New Orleans city council and a member of the bank's board of directors.

Depositions of Ms. Rebecca Marshall, assistant cashier of the bank, and Mr. Robert P. Aulston have been taken. In addition, subpoenaed documents have been received from Ms. Marcia Carrigan, of the Federal Deposit Insurance Corporation. 1/

Evidence

Information ascertained shows that the Republic National Bank reimbursed Aulston \$100 for the contribution to A. L. Davis and also made a contribution of \$25. to the campaign for state representative of Ms. Diana Bajoie.2/ Additionally, the bank appears to have made a \$12,500. contribution to the campaign of Kelly Nix, a candidate for the Louisiana State Board of Education and a \$500. contribution to the campaign of A. L. Davis.

1/ The Republic National Bank was declared insolvent by the Comptroller of the Currency and the F.D.I.C. was appointed as receiver and liquidator. The assets of the bank were sold to the First City Bank (state chartered bank) on July 27, 1977.

2/ Checks attached for reference. (Attachment #1)

In May 1976, Robert Aulston drew a check in the amount of \$12,500 on his and his wife's joint account with the Republic National Bank. The bank records show that the check created an overdraft on that account for the entire amount of the check.^{3/} The overdraft status of that account continued until August 1976, at which time Aulston opened a "special account" at the Republic National Bank in his own name. He then drew a check to himself on that account for \$12,400, creating an overdraft equal to that amount. That check was then deposited in his joint account thereby eliminating the overdraft in that account.^{4/} The overdraft in the special account was covered by proceeds from a loan from the bank to Aulston in October, 1976.

In his deposition, Aulston acknowledged that the \$12,400 August check corresponded to the May 1976 \$12,500 political contribution and that the transaction simply shifted the overdraft from one account to the other.

The \$12,400 August check was inscribed as follows:

"Testimonial Contribution on Behalf of RNB Directors."

Mr. Aulston states in his deposition,

I was extending myself on behalf of the directors of the bank so that they would have been recognized as making a contribution as a body and whatever benefits that would inure to us as a result of helping a friend, would help the institution. This is what we were trying to accomplish.

Moreover, Aulston stated (in response to a question concerning the approval of the overdrafts) that since the officers who would be

^{3/} At that time Aulston was a member of the bank's board of directors.

^{4/} On July 7, 1976, Aulston resigned from the board and became the bank's Chief Legal Counsel.

approving the overdrafts were familiar with the purpose of the funds, he had reason to believe the checks "would be cleared until such time as I received funds from the persons who were to reimburse me."

A September 7, 1976 Memorandum ^{5/} from Elray Venice (president of the bank) to Edgar Poree (chairman of the board) demonstrates Mr. Venice's belief that the bank should approve and pay the \$12,400. check. It states, "However, the \$12,400 expense incurred on behalf of Republic National Bank directors should be presented to the Board of Directors for payment."

On September 2, 1976, Aulston drew a check on his special account in the amount of \$500. payable to himself. That check was inscribed as follows:

" A. L. Davis Campaign for RNB"

At the time the check was drawn, the special account was already overdrawn. This created an additional overdraft in the amount of \$500.

Analysis

2 U.S.C. §441b prohibits national banks from making contributions or expenditures in connection with any election.

Under the Act, contributions or expenditures for purposes of Section 441b "shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money... to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section."

^{5/} Attached for reference. (Attachment #2)

There is direct evidence that on August 6, 1976 the Republic National Bank reimbursed Robert Aulston \$100 for a contribution he had made to A. L. Davis, at that time a candidate for New Orleans City Council. It is also clear that the Republic National Bank itself made a \$25 contribution to the Diana Bajoie Testimonial Committee on August 3, 1976.

The question of whether the overdrafts on Aulston's accounts of \$12,500 and \$500 constitute contributions from the bank and its directors requires a more complex analysis.

On May 7, 1976, Robert Aulston drew a check for \$12,500 to a Kelly Nix Testimonial. At that time Nix was a candidate for the Louisiana State Board of Education. As discussed above, Aulston had a negative balance in the account on which he drew the check; the officers of the bank approving the payment of the check had knowledge of its purposes; and it remained an overdraft until October 1976, four (4) months after it had been paid by the bank.

Although Mr. Aulston contends that the contribution was made on behalf of individuals who happened to be members of the bank's board of directors, it is apparent that the contribution was made on behalf of the board of directors as a body. Moreover, the contribution was achieved with the bank's funds and with the bank officers' knowledge of the use to which the funds would be put.

The above analysis applies as well to the \$500 contribution to the campaign of A. L. Davis.

In October 1976, the overdraft status of Aulston's account was eliminated, through a loan from the bank to Aulston. Ultimately, Aulston repaid this loan. Aulston contends that this reimbursement proves that the \$12,400 and \$500 contributions were personal and not the bank's; that the liability from the beginning was his alone.

Nevertheless, this reimbursement by Aulston to the bank does not negate the fact of the bank's contribution. As in the case of other unlawful contributions, although reimbursement, after the fact, can be considered a mitigating factor, it does not erase the act which constituted the violation. For a period in excess of four (4) months the recipient candidates had the use of the bank's assets. Both the \$12,500 contribution to Kelly Nix and the \$500 contribution to A. L. Davis should be considered indirect payments and, therefore contributions from the Republic National Bank, through Aulston, to the respective candidates.

Republic National Bank

As noted above, the Republic National Bank was declared insolvent by the Comptroller of the Currency and its assets sold to a state chartered bank on July 27, 1977. Under the contract of sale, the new bank would be liable only for those liabilities expressly assumed. In this case, the new bank has not expressly assumed the liability for unlawful acts committed by its predecessor.

It is, therefore, recommended that no further action taken against the Republic National Bank, or its successor.

Directors and officers of the RNB

Under 2 U.S.C. §441b it is unlawful "for any officer or any director of any corporation or any national bank... to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section."

According to the F.D.I.C. there are no records of official bank action approving the overdrafts, the direct contribution to Diana Bajoie, or the reimbursement to Aulston for the \$100 A. L. Davis contribution.

The responses to the RTB notification letters deny knowledge and consent of the possible contributions and generally state that the contributions were not discussed at board meetings. The minutes of the meetings bear this out, as there is no mention in the minutes of these issues.^{6/}

The FDIC has divided the directors into two categories: inside directors and outside directors. The inside directors are those individuals concerned with the day to day operations of the bank; those that had offices in the bank. The outside directors are those individuals who simply sat on the board, but had little, if anything, to do with the day to day operations.

The Office of General Counsel has adopted a similar analysis.

As there is no evidence showing knowledge or consent on the part of the individuals considered to be outside directors, it is recommended that no further action be taken by the Commission concerning them. Included in this category are: James R. Bobo, Wilfred Dialett, A. L. Davis (now deceased), Joseph Epps, Leon R. Fulton, Nolan A. Marshall, Sr., Lewis C. Mason, Jr., John W. Pitts, and Charles Teamer.

E. W. Bashful, Milton Bechnel, Dennis Cross, Mortiner D. Evans, and Robert L. Redfearn although named as respondents were not members of the board of directors at the time the contributions were made and therefore no further action should be taken concerning them.

Ms. Rebecca Marshall as the assistant cashier of the bank had no authority to approve or disapprove overdrafts or other disbursements. Her position was a ministerial one and therefore no further action should be taken against her.

^{6/} According to FDIC.

Those directors that are considered inside directors are Edgar Poree, Jr. (Chairman of the Board), Elray Venice (President of the bank), and Robert P. Aulston (Chief Legal Counsel of the bank).^{7/} Although there is no direct evidence showing approval of the overdraft by these individuals, we do know that it was standard procedure for such overdrafts to be reviewed by the officers.^{8/}

Ms. Marshall also indicated that overdrafts as large as \$15,000 would merit special concern.

The attached September 7, 1976 memo from Venice to Poree indicates that both Venice and Poree knew of the overdrafts. In addition, it is clear that such overdrafts would not be paid without some approval by one or more of the officers of the bank.

Although there is no evidence indicating which officer or director approved the overdrafts, the above-named persons all had the power and knowledge to do so.

Also, according to Ms. Marshall, Jacob Emmer and Ernest Cadro, officers of the bank, had the authority to approve such overdrafts. The approval process involved the review by the President or Vice President of the daily sheet listing the overdrafts.

Although Emmer and Cadro would be in the position to approve or disapprove the overdrafts, the daily listing detailed the name of the drawer and the amount. It did not detail the payee or purpose of the check. Therefore Emmer and Cadro would be consenting to the overdraft, without necessarily having the knowledge that they were contributing to a political campaign.

^{7/} Although Lloyd Villavaso is considered an inside director by the FDIC, there is no other evidence indicating that he had anything to do with matters with which we are concerned.

^{8/} Deposition of Rebecca Marshall, assistant cashier p.9.

It appears that Aulston, Venice, and Poree were the individuals in charge of the operations of the bank. Through the depositions and the Venice memo, (Attachment 2) it is clear that all three knew of the overdrafts and their purpose and consented to their being carried by the bank. The Office of General Counsel is recommending that the Commission find RCTB that they violated 2 U.S.C. §441b by consenting to the overdrafts, thereby contributing bank assets to the campaigns of the respective candidates. Mr. Aulston states, in his deposition, "by approving it [the overdraft] there was acknowledgment that this was an attempt to use the bank assets to do this."

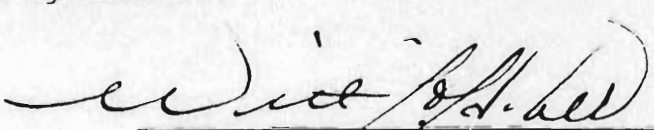
Conciliation Agreements

Of the \$13,125 in contributions, \$13,000 was returned to the bank by Aulston. It is therefore recommended that civil penalties of [REDACTED] be assessed.

Recommendations

1. Find reasonable cause to believe that Robert P. Aulston, Elray Venice and Edgar Poree, Jr. violated 2 U.S.C. §441b.
2. Take no further action against the Republic National Bank.
3. Take no further action against James R. Bobo, Wilfred Dialett, A. L. Davis (now deceased), Joseph Epps, Leon R. Fulton, Nolan A. Marshall, Sr., Lewis C. Mason, Jr., John W. Pitts, Charles Teamer, E. W. Bashful, Milton Bechnel, Dennis Cross, Mortimer D. Evans, Robert L. Redfearn, Lloyd Villiavaso, Rebecca Marshall, Jacob Emmer, and Ernest Cadro.
4. Approve attached conciliation agreements.

10/30/78
Date


William C. Oldaker
General Counsel

Attachments

1. Conciliation agreement and letters
2. Attachment I-A
3. Attachment I-B



REPUBLIC NATIONAL BANK OF LOUISIANA

1566

14

New Orleans, Louisiana

August 3,

1976

721 20616

REMITTER

Republic National Bank of La.
5300583100

PAY TO THE

ORDER OF Diana Bajole Testimonial Committee

REPUBLIC NATIONAL BANK OF LA. \$25.00 AND 00 CTS

\$ 25.00

EXPENSE CHECK

Donnell
AUTHORIZED SIGNATURE

⑆0650⑉0228⑆

2002230100⑈ 3693 ⑈0000002500

⑆0650⑉0228⑆



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

New Orleans, Louisiana

August 6,

1976

REMITTER

Republic National Bank of La.
5300583100

PAY TO THE

ORDER OF Robert P. Aulston, III

REPUBLIC NATIONAL BANK OF LA. \$100.00 AND 00 CTS

\$ 100.00

EXPENSE CHECK

Donnell
AUTHORIZED SIGNATURE

2 tickets \$550.00

exception A.L. Davis

⑆0650⑉0228⑆

2002230100⑈ 3693 ⑈00000010000⑈

ATTACHMENT #1A



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

101

30 August 1976

14,278
00

Pay to the
order of

ROBERT P. AULSTON, III

012,400.00

Twelve Thousand, Four Hundred

0/100 THOUS



REPUBLIC NATIONAL BANK

The REPUBLIC NATIONAL BANK

1:0650-02281: 08-0202-5

[Signature]

000012400000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

104

2 September 1976

14,278
00

Pay to the
order of

ROBERT P. AULSTON, III

0500.00

FIVE HUNDRED

05/100 THOUS



REPUBLIC NATIONAL BANK

The REPUBLIC NATIONAL BANK

1:0650-02281: 08-0202-5

[Signature]

000000500000

ROBERT P. OR SYLVIA AULSTON, III
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

309

PAY TO THE
ORDER OF

Kelly Nix Testimonial Dinner 012,500.00

Twelve Thousand and Five Hundred 0/100 THOUS



REPUBLIC NATIONAL BANK

NEW ORLEANS, LA 70112

FOR Purchase of 10 tickets

1:0650-02281: 05-0401-31

[Signature]

000012500000

ATTACHMENT #1B

In Office Memorandum

Mr. Edgar F. Poree

Date: September 7, 1976

From: Elray Venice

Copies: Mr. Robert P. Aulston, III

Subject: Robert P. Aulston's Expenses

The attached expenses statements were submitted by Mr. Aulston in the month of June. It was agreed at that time to hold back the payment until such time Republic National Bank could afford to make the payment. However, I have also enclosed a photostat of the items processed for credit to Mr. Aulston's personal account of which includes the following:

1. Check # 102 in the amount of \$2,929.99 for reimbursement of expenses incurred on behalf of Republic National Bank from April 3, 1974 thru February 1, 1976.
2. Check # 101 in the amount of \$12,400.00 for reimbursement of expenses incurred on behalf of Republic National Bank directors.

The account the above items are drawn on is presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400.00 expense incurred on behalf of Republic National Bank directors should be presented to the Board of Directors for payment. May I suggest to you to speak to Mr. Aulston before pursuing collection of the total amount.

The total amount due Mr. Aulston is \$15,429.99 of which includes of \$100.00 deposit made to open the special account.

EV/rmm

Attachments

ATTACHMENT #2



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE
FROM: MARJORIE W. EMMONS *MWE*
DATE: AUGUST 15, 1978
SUBJECT: MUR 497 (77) -- Interim Report dated
8-10-78, Signed: 8-11-78
Received in Office of
Commission Secretary:
8-11-78, 3:31

The above-named document was circulated on a 24
hour no-objection basis at 9:00 a.m., August 14, 1978.

The Commission Secretary's Office has received
no objections to the Interim Report as of 10:00 a.m.
this date.

01010041071

August 11, 1978

MEMORANDUM TO: Marge Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 497

Please have the attached Interim Report on MUR 497 distributed to the Commission.

Thank you.

81030245272

BEFORE THE FEDERAL ELECTION COMMISSION
August 10, 1978

In the Matter of)
)
The Republic National Bank) MUR 497(77)
of Louisiana, et al.)

Interim Report

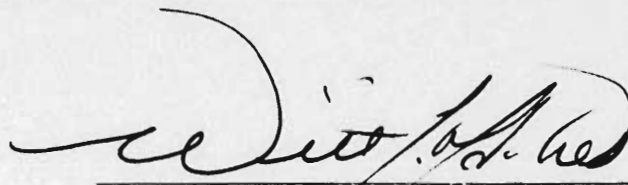
This matter concerns possible illegal political campaign contributions by the Republic National Bank during 1976.

On August 8, 1978, the deposition of Robert P. Aulston, ex-officer of the bank was taken in Commission offices.

We are awaiting the transcript of that deposition to determine what additional information, if any, is needed prior to our making a recommendation to the Commission.

Date

8/11/78



William C. Oldaker
General Counsel

FEDERAL COURT REPORTERS SERVICE
REGISTERED PROFESSIONAL REPORTERS
P. O. BOX 2023
DALLAS, TEXAS 75221

OKC 4395

AUG 7 PM 12:44

August 3, 1978

Ms. Rebecca Marshall
Lakewood Bank & Trust
P. O. Box 14000
Dallas, Texas 75214

805129

Re: Federal Election Commission
In The Matter of Republic National Bank
No. MUR 497(77)

Dear Ms. Marshall:

We sent you a letter on June 6, 1978 requesting
that you sign your deposition and then return
it to us for filing.

As of this date we have not received it. Please
give this matter your prompt attention.

Very truly yours,

Patricia Rodenberger, RPR

PR/mjr
cc: Hal Ponder

81030245274

FEDERAL COURT REPORTERS

REGISTERED PROFESSIONAL REPORTERS

P. O. BOX 2023

DALLAS, TEXAS 75221

FEDERAL ELECTION
COMMISSION

'73 AUG 7 PM 12:44

Mr. Hal Ponder
General Counsel
Federal Election Commission
1325 K Street, N.W., 4th Floor
Washington, D.C. 20463

JOHN R. MARTZELL
WILSON M. MONTERO, JR.
FRANK E. LAMOTHE, III
CHARLES W. DITTMER, JR.
CHARLES F. GAY, JR.
ROBERT GLASS
JOHN WILSON REED
JANINE SYLL DINGLEMAN

MARTZELL & MONTERO
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION
338 LAFAYETTE STREET
NEW ORLEANS, LOUISIANA 70130

July 31, 1978

78 AUG 3

AM: CCE 504
TELEPHONE 581-9065

Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

005010

ATTN: William C. Oldaker, General Counsel

Re: MUR 497(78)

Dear Mr. Oldaker:

I confirm receipt of yours of July 25, 1978 in the above-referred to matter.

The purpose of this letter is to advise you that this firm has withdrawn from any further representation of Mr. Aulston.

By carbon copy of this letter, along with a copy of your July 25, 1978 letter, we are advising Mr. Aulston of the scheduling of his deposition by your office for August 8, 1978, at 1:30 P.M.

Sincerely yours,

Charles F. Gay, Jr.
Charles F. Gay, Jr.

CFGjr/cg

cc: Mr. Robert P. Aulston

MARTZELL & MONTERO

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

38 LAFAYETTE STREET

NEW ORLEANS, LOUISIANA 70130

73 AUG 3 PM 12:54
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

ATTN: WILLIAM C. OLDAKER



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

August 1, 1978

Ms. Rebecca Marshall
7148 Dalewood
Dallas, TX 75214

RE: MUR 497(78)

Dear Ms. Marshall:

Enclosed is a money order in the amount of \$20 pursuant to 11 CFR §111.14 which states that witnesses whose depositions are taken are entitled to the same fees and mileage that are paid for these services in the courts of the United States.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

⑈105959⑈⑈⑈0540⑈⑈0055⑈⑈21⑈862 94 642⑈

ADDRESS *Federal Election Commission, 1325 L St., N.W.
Washington, D.C. 20543*

SIGNATURE *Michael A. Brown, President*

AMERICAN SECURITY & TRUST CO., N.A.
WASHINGTON, D.C.

NOT GOOD FOR MORE THAN \$300.00

NOT VALID
AFTER 90 DAYS

PAY TO THE ORDER OF *Rebecca Marshall*

July 25, 1978

MAIN OFFICE
1900 M STREET, N.W.
WASHINGTON, D.C. 20036

NORTHWESTERN FEDERAL SAVINGS
AND LOAN ASSOCIATION



No. 105959

15.55
540

PERSONAL MONEY ORDER

PERSONAL MONEY ORDER



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

July 25, 1978

Charles F. Gay, Esquire
Martzell and Montero
Attorneys at Law
338 Lafayette Street
New Orleans, Louisiana 70130

RE: MUR 497(78)

Dear Mr. Gay:

This is to confirm our scheduling of the deposition of your client, Mr. Robert P. Aulston, at 1:30 p.m. on August 8, 1978, at the Commission's office at 1325 K Street, N. W., Washington, D.C. 20463.

Sincerely,

William C. Oldaker
General Counsel

cc: Robert P. Aulston
6941 Lake Willow Drive
New Orleans, La. 70126

497		SENDER Complete items 1, 2 and 3. Add your address in the reverse.		RETURN TO space on reverse	
1 The following service is requested: check one					
Show to whom and date delivered		C		C	
Show to whom, date, and address of delivery		C		C	
RESTRICTED DELIVERY					
Show to whom and date delivered		C		C	
RESTRICTED DELIVERY					
Show to whom, date, and address of delivery \$					
(CONSULT POSTMASTER FOR FEES)					
2 ARTICLE ADDRESSED TO:					
3 ARTICLE DESCRIPTION		REGISTERED NO.		INSURED NO.	
(Always obtain signature of addressee or agent)					
I have received the article described above.					
SIGNATURE		<input type="checkbox"/> Addressee		<input type="checkbox"/> Authorized agent	
4 DATE OF DELIVERY		POSTMARK			
8-26-78					
5 ADDRESS (Complete only if requested)					
6 UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS			



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

July 25, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS

MWE

SUBJECT: MUR 497 - Interim Report dated 7-21-78
Received in Office of Commission
Secretary: 7-21-78, 3:59

The above-mentioned document was circulated on a 24
hour no-objection basis at 10:00 a.m., July 25, 1978.

As of 10:00 a.m. this date, no objections have been
received in the Office of Commission Secretary to the
Interim Report.



July 22, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Interim Report on MUR 497
distributed to the Commission.

Thank you.

81030245282

10 9 8 7 6 5 4 3 2 1

In the Matter of)
) MUR 497 (78)
Republic National Bank)

Interim Report

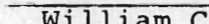
On February 13, 1978, the Commission found reason to believe that the Republic National Bank and its officers and directors may have violated 2 U.S.C. §441b(a) by reimbursing Robert P. Aulston, an officer of the bank, \$100 for a contribution he made to A. L. Davis, another bank officer who was a candidate for New Orleans City Council.

The deposition of Rebecca Marshall, secretary of the bank's board of directors has been taken. In addition, subpoenaed materials have been received from Marcia Carrigan of the F.D.I.C., the liquidator of the bank.

The deposition of Robert P. Aulston will be taken in Washington, D.C. in early August (the precise date has yet to be set).

At that time, the Office of General Counsel will evaluate the matter and make a recommendation to the Commission.

7/21/78
Date



William C. Oldaker
General Counsel



FEDERAL DEPOSIT INSURANCE CORPORATION
P. O. Box 60020 New Orleans, Louisiana 70160
Telephone: (504) 589-3731

78 JUN 26 AM 9:47

803916

June 20, 1978

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

Subject: Republic National Bank of Louisiana
New Orleans, Louisiana AP-261
Your Ref.: MUR 497

Enclosed are productions of documents of items concerning contributions of Robert P. Aulston and Republic National Bank in response to your subpoena of June 7, 1978.

If we can be of further assistance, please do not hesitate to contact our office.

Very truly yours,

FEDERAL DEPOSIT INSURANCE CORPORATION

By Marcia C. Carrigan
Marcia C. Carrigan, Liquidator

MCC/jm

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ACCOUNT NUMBER

05-0401-3

STATEMENT DATE

JUN 04, 1976

PAGE

1

436-73-766

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
	042.26	1	220.82	11	19,218.77	3.00	19,844.21

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
13,422.57	.00	13,422.57	NO. 9	NO. 1	NO.	.00	3.00

CHECKS AND OTHER CHARGES		DEPOSITS & OTHER CREDITS	DATE	BALANCE
47.00			MAY 10 76	890.26
702.33			MAY 11 76	1,592.59
12,000.00			MAY 12 76	14,092.59
12.17	504.67	220.82	MAY 17 76	14,591.61
40.00			MAY 19 76	14,671.61
15.50			MAY 24 76	14,687.51
1,376.46			MAY 25 76	16,567.00
1,736.32			MAY 31 76	19,803.32
17.29			JUN 02 76	19,841.21
3.00			JUN 04 76	19,844.21

58654201010

0103004508

ROBERT P. OR SYLVIA AULSTON, III
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

309

1 May 76

34,778
CSO

Kelly Nix
Twelve Thousand and Five Hundred and no/100 DOLLARS



HELENE NATIONAL BANK
of Louisiana
New Orleans, Louisiana 70112

[Signature]

FOR Payment of 10 tabs

⑆067000281⑆ 050401030

⑈0001250000⑈

FOR DEPOSIT IN
AMERICAN BANK & TRUST CO.
TO THE CREDIT OF
THE KELLY NX COMMITTEE
Account # 12 10238 4

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



BRIDGE PLAZA STEVEN AUGUST 111
821 GRIFFIN ST-SUITE 1100
NEW ORLEANS, LA 70112

ACCOUNT NUMBER

05-0401-3

STATEMENT DATE

SEP 03, 1976

PAGE

1

438-70-1000

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
08-08-76	30,140.3300	1	24,434.01	12	7,140.01	3.00	12,905.3300

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
30,563.9900	75.00	30,038.9900	NO. 9	NO. 1	NO.	.00	3.00

CHECKS AND OTHER CHARGES	DEPOSITS & OTHER CREDITS	DATE	BALANCE
1,000.00		AUG 08 76	31,140.3300
45.00		AUG 11 76	31,185.3300
3,175.16		AUG 13 76	34,358.4900
45.1700		AUG 16 76	34,451.0000
100.00 -		AUG 17 76	34,551.0000
17.48		AUG 18 76	34,629.1400
3.00		AUG 19 76	34,632.1400
100.00		AUG 23 76	34,732.1400
700.00		AUG 30 76	34,932.1400
5.0000		AUG 31 76	34,937.1400
2,300.00		SEP 01 76	37,237.1400
100.0000	24,434.01	SEP 02 76	12,902.3300
3.0000		SEP 03 76	12,905.3300

0 8 0 1 4 0 0 1 0 1 3

22 August

Republic National Bank
One Hundred —



DECEMBER 1997

05-0401-1

'00000'00000' 4932 #5-#2 D2 C=8

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



AUGUST 7, 1976
671 G. RIVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

ACCOUNT NUMBER
08-0202-5

STATEMENT DATE SEP 03, 1976

PAGE 1

438-70-1000

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
08-02-76	.00	1	100.00	4	16,329.99	1.10	16,231.0900

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
5,343.3300	.00	5,343.3300	NO. 4	NO. 1	NO.	.00	.00

CHECKS AND OTHER CHARGES			DEPOSITS & OTHER CREDITS	DATE	BALANCE
OK # 103	500.00	OK # 104	100.00	AUG 23 76	100.00
101	12,400.00	OK # 102	2,929.99	SEP 02 76	16,229.9900
	1.1000			SEP 03 76	16,231.0900

Deposited from Robert P. Anderson
acct No 05-0401-3

0650-02280 00-31-24 0150 000000 800

ROBERT P. OR SYLVIA AULSTON, III
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

(IMPRINT)

17-228 12,40.00

17-228 7,229.00

17-228 8,170.00

17-228 304.87

DATE

2 September 1976

BANK OF LOUISIANA

TELLER NO.

SEP 10 1976

1131 82

ALL ITEMS ARE RECEIVED BY THE BANK FOR THE PURPOSES OF THE FOLLOWING ACCOUNTS AND ARE SUBJECT TO THE DIVISIONS OF THE BANK'S CREDIT AND DEBIT WHERE APPLICABLE AND THE RULES AND REGULATIONS OF THE BANK. ALL CREDITS FOR ITEMS ARE PROVIDED TO THE COLLECTOR.



REPUBLIC NATIONAL BANK
NEW ORLEANS, LA 70112



4228
650

DEPOSIT
TICKET

PLEASE
FOR THE
BANK OF LOUISIANA
NEW ORLEANS, LA
70112

0650-02280 05-0401-3 2647 000243481

HARLAND V10 072

REPUBLIC NATIONAL BANK
NEW ORLEANS, LA 70112

September 2, 1976

05-0401-3

WE ARE TODAY CHARGING YOUR ACCOUNT
WITH THE FOLLOWING UNPAID ITEMS

AMOUNT

14-228
0650

endorsement needed

\$100.00

TO Robert P. or Sylvia Aulston, I.I.
821 Gravier St., Suite 1100
New Orleans, La. 70112

0650-02280

05-0401-3

2671 0000010000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVER ST. SUITE 1100
NEW ORLEANS, LA 70112

102

30 August 1876

14-228
650

July 10th
1882

Le comte P. Bussien, III

52,929.99

The Tenthred, Nine Hundred and Thirty-one — 27/10/1918



FEDERAL NATIONAL BANK

Die Kammern der Niere

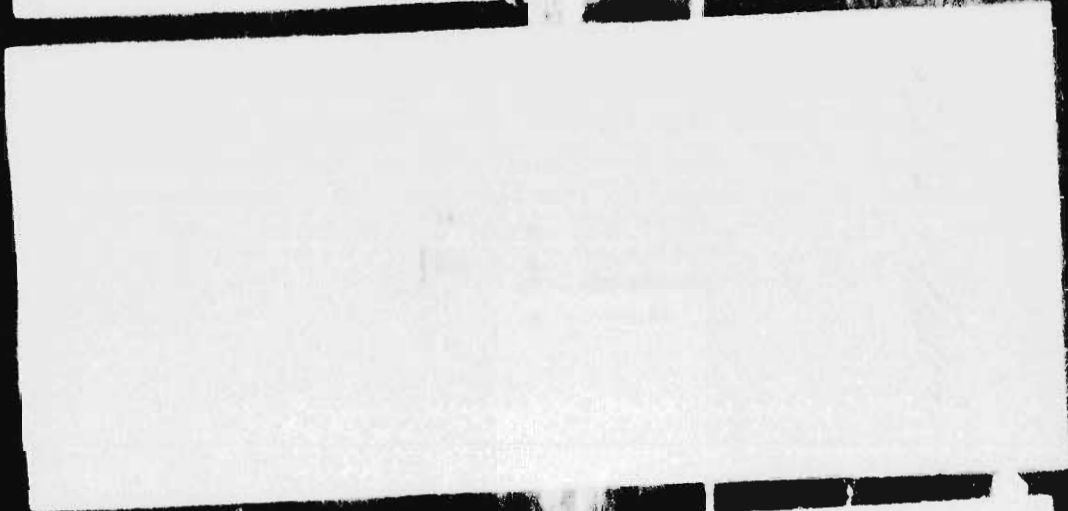
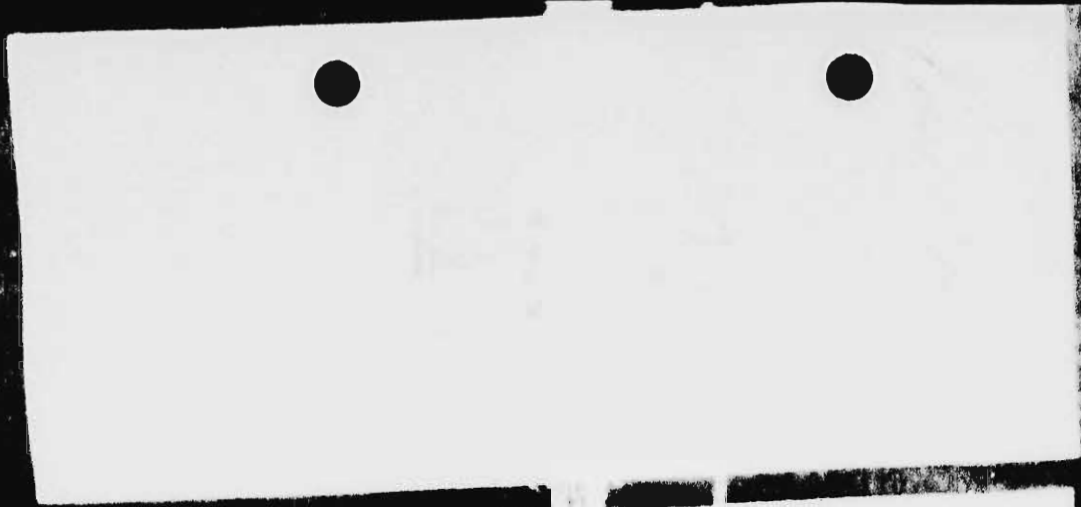
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R. P. Huber

0000292999

Public National Bank
of Louisiana
New Orleans, La.

Robert L. Davis—



IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ROBERT D. ALSTON III
321 PRAIRIE ST SUITE 1100
NEW ORLEANS, LA 70112

ACCOUNT NUMBER
08-0202-5

STATEMENT DATE OCT 05, 1976

PAGE 1

438-70-766

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
09-07-76	16,231.0900			1	3.81	.65	16,235.5500

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
16,234.1100	.00	16,234.1100	NO. 1	NO.	NO.	.00	.00

CHECKS AND OTHER CHARGES	DEPOSITS & OTHER CREDITS	DATE	BALANCE
3.81		SEP 13 76	16,234.9000
.6550		OCT 05 76	16,235.5500

31070413

~~John~~ Robert Johnson III

Trans from (2-CH₃-1-3), entry of 10-26-76, mis is in error to wchl. 216, 28, 55

E
C. Robert P. Lyman, Boston, Mass.

• • • • •

• 0 8 " 9 7 0 2 • • 6 , 1 1 •

0000 16 23655

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ACCOUNT NUMBER
08-0202-5

STATEMENT DATE NOV 05, 1976

PAGE 1

418-70-766

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
10-6-76	16,236.55	1	16,236.55			.50	.50

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
347.2100	475.75	9,823.0000	NO.	NO.	NO.	.00	.00

CHECKS AND OTHER CHARGES	DEPOSITS & OTHER CREDITS	DATE	BALANCE
.50	16,236.55CM	OCT 25 76	1.00
		NOV 05 76	.50

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ACCOUNT NUMBER
00-0202-5

ROBERT F. MULLSTON III
821 GRAVIER ST SUITE 1100
NEW ORLEANS LA 70112

STATEMENT DATE NOV 15, 1976

PAGE 1

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
11-10-70	.50			1	.50		.00

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
			NO.	NO.	NO.		

CHECKS AND OTHER CHARGES	DEPOSITS & OTHER CREDITS	DATE	BALANCE
.50.00		NOV 15 76	.00

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ACCOUNT NUMBER

04-8600-0

STATEMENT DATE

OCT 31, 1976

PAGE

1

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
			7,721.00	20	25,447.05	1.50	3,235.00

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
3,235.00	32.25	320.17	NO. 20	NO. 4	NO.	.00	2.50

CHECKS AND OTHER CHARGES			DEPOSITS & OTHER CREDITS	DATE	BALANCE
12.00	207.85			OCT 01 76	605.83
202.74	57.00		1,332.00	OCT 06 76	1,678.09
6.00	215.72	3,000.00		OCT 07 76	1,543.63
5.00	10.30			OCT 08 76	1,558.43
5.00	52.00	263.99		OCT 11 76	2,374.92
100.00					
7.00	4.00	21.36		OCT 12 76	2,590.28
100.00					
5.00	3.00			OCT 13 76	2,590.28
43.00				OCT 14 76	2,641.28
2.00	385.55	875.00	437.50	OCT 15 76	3,469.31
5.00	3.00	34.02	1,000.00	OCT 18 76	2,936.72
209.07	215.72				
5.00	31.27			OCT 19 76	2,972.99
5.00	11.11	1,959.98	25,000.00	OCT 20 76	3,186.82
16,236.55	18.80	135.00			
473.75			88.00	OCT 21 76	3,274.82
				OCT 26 76	3,237.30
37.50				OCT 29 76	3,235.00
1.50					

*Commercial from #1576
This loan was paid by cash
check from Whitney Bank 10-3-77
for \$25,000 + Int from summary & advice
and first part sent*



FIRST NATIONAL BANK
OF COMMERCE
NEW ORLEANS, LOUISIANA 70112

WHITNEY NATIONAL BANK

14-17 OF NEW ORLEANS 14-17

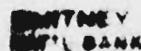
NEW ORLEANS, LA

14-17
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NO 051897

PAY TO THE
ORDER OF

REPUBLIC NATIONAL BANK OF N.A., N.O., LA. \$ 25,000.00



25,000

DOLLARS

CASHIER'S CHECK

James A. Jones

⑈00051897⑈ ⑈00500000⑈

⑈0002500000⑈

THE UNITED STATES
OF AMERICA
DEPARTMENT OF THE ARMY
WASHINGTON, D.C.

REPUBLIC NATIONAL BANK
of Louisiana
NEW ORLEANS, LA.
PAY ANY BANK
1925

00650002281 04-8600-6 2574 00000195440

CREDIT ENTRY
ACCOUNT NUMBER

05-0401-3

1-20-76

YOUR ACCOUNT NUMBER AS FOLLOWS

trans from 04-8600-6, Simmons and Aulston as per instruct ons

\$16,236.11

Robt. Aulston III

REPUBLIC NATIONAL BANK
OF NEW YORK

04-8600-6

00000195440

DEBIT ENTRY
ACCOUNT NUMBER

04-8600-6

1-20-76

OUR ACCOUNT NUMBER AS FOLLOWS

trans to 04-0401-3, R. Aulston III as per instructions

\$16,236.11

Simmons and Aulston

REPUBLIC NATIONAL BANK
OF NEW YORK

00650002281 04-8600-6 2574 00000195440

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1. Description of

2. Amount \$18,000.00-5 10-15-76

3. Date of entry

4. Transfer from 10-15-76, entry of 10-20-76 made in error to acct. \$16,236.55

5.

6.

7. At 10-20-76

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[REDACTED]

15-16

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76-9-26

DIALYSIS & KIDNEY
TRANSPLANT FUND
111 JOLIE ST.
NEW ORLEANS, LA. 70118

PAY TO THE ORDER OF

EIGHT THOUSAND FIVE HUNDRED DOLLARS

THE NATIONAL BANK OF COMMERCE
IN NEW ORLEANS
NEW ORLEANS, LOUISIANA

R.B. Cook
Patricia B. Vaughn

⑆0000850000⑈

⑆0650⑉0002⑆ 3832⑉02⑉060⑈

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10-25-76

Robt. B. Auditor 122

REPUBLIC NATIONAL BANK
OF NEW YORK

40650*0.2281:

• 0 5 4 0 1 5 0 1 4 3 1 •

\$27,500.00 to \$35.95

10-25-76

P. O. Box 60020 New Orleans, Louisiana 70160
Telephone: (504) 589-3731

March 23, 1978

Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

Dear Mr. Athy:

Subject: Republic National Bank of Louisiana
New Orleans, Louisiana AP-261
Contributions

Enclosed are photostatic copies of items concerning contributions by Robert P. Aulston and an expense check of Republic National Bank payable to Diana Bajoie Testimonial Committee.

If we could be of further assistance, please do not hesitate to contact our office.

Very truly yours,

Marcia C. Carrigan,
Liquidator

MCC/sjf
Enclosures



REPUBLIC NATIONAL BANK OF LOUISIANA

1566

New Orleans, Louisiana

August 3,

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721120000

REMITTER

Republic National Bank of La.

5300583100

PAY TO THE

ORDER OF

Liana Bajole Testimonial Committee

\$ 25.00

REPUBLIC NATIONAL BANK OF LOUISIANA
25 AND 00 CTS

EXPENSE CHECK

Mark Hall

AUTHORIZED SIGNATURE

0050000228

2002230100

3693

00000002500

For deposit only

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
BUREAU OF THE MINT
WASHINGTON, D. C. 20540
MAY 1964
3050

Date:

$$\frac{1}{22}$$

The attached paper(s) are referred to:

 Bookkeeping

____ Loans: ____ Comm.

_____ **Consumer**

_____ *Receptionist*

Tellers

For the purpose indicated by the check:

_____ Please review and see me about this.

_____ Please take care of this and follow through.

____ Please examine, comment, and return.

Please make deletions and/or additions and return.

— *For your information and edification.*

_____ *Other*

Other _____
Remarks: *Good in shot*

DIANA BAJOIE TESTIMONIAL
COMMITTEE
and
12th WARD SAVE OUR COMMUNITY
ORGANIZATION

July 7, 1976

Dear Friends of Representative Bajoie:

It has been almost a year since Diana made her bid for State Representative. Through the sincere efforts of Representative Bajoie and her workers the desired goal was reached.

In order to meet campaign expenses and debts incurred in her successful campaign, we are holding a testimonial cocktail party for Diana. The testimonial will be held on Wednesday, August 11, 1976 from 7:00 o'clock p.m. to 9:00 o'clock p.m. in the Pelican Room of Frank's Steak House 4529 Freret Street. Tickets for this event are \$25.00 each.

We are happily looking forward to seeing you at this event.

Sincerely,
DIANA BAJOIE TESTIMONIAL
COMMITTEE

Linda M. Jones Chairman
Frederica Hughes Treasurer

PLEASE CLIP AND MAIL TO:

DIANA BAJOIE TESTIMONIAL COMMITTEE
P.O. Box 15168
New Orleans, La. 70115

☒ Yes, I will attend. Enclosed is \$ 25.00 for one tickets.

☐ No, I cannot attend but enclosed is my check in the amount of \$.

NAME: Elray Venice, President, Republic National Bank of La

ADDRESS: 348 Baronne St

PHONE: 586-8900

July 26, 1976

RECEIVED

REPUBLIC NATIONAL BANK

RECEIVED
JUL 28 1976

REPUBLIC NATIONAL
BANK

Dear Elray,

To be successful in our business it's important to have representatives in State government who will respond to our needs. Diana, as a freshman State Representative, has already proven that she will work extremely hard for our various interests.

To run a successful campaign, as you may know, it cost several thousand dollars. Now we are in the process of trying to liquidate our old debts and you could help us greatly by donating \$25.00 and attending the testimonial for Diana.

Please send your donation to Diana Bajoie Testimonial Committee in care of Vincent L. Brown, 1000 Howard Avenue - Suite 504, New Orleans, Louisiana 70113.

Thank you for your kind consideration of this matter.

Sincerely,

Vince

Vince Brown
Campaign Manager
for State Representative
Diana Bajoie

Enclosure

P. O. Box 60020

New Orleans, Louisiana 70160

Telephone: (504) 589-3731

February 13, 1978

Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

Dear Mr. Athy:

Subject: Republic National Bank of Louisiana
New Orleans, Louisiana AP-261
A. L. Davis Contribution

Enclosed are the items you requested concerning a contribution to A. L. Davis.

If we can be of further assistance, please do not hesitate to contact our office.

Very truly yours,

Marcia C. Carrigan,
Liquidator

MCC/sjf
Enclosure



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

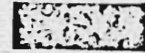
New Orleans, Louisiana

August 6,

19 76

REMITTER Republic National Bank of La.
5300583100

PAY TO THE ORDER OF Robert P. Aulston, III



\$ 100.00

REPUBLIC NATIONAL BANK OF LA. \$100.00 AND 00 CTS

EXPENSE CHECK

2 tickets \$50.00

Reception A.L. Davis

Donnell
AUTHORIZED SIGNATURE

⑆0650⑉0228⑆

2002230100⑈ 3693 ⑈0000010000⑈

Robert P. Aulston

*Your presence is requested at the reception
honoring*

A. L. Davis, City Councilman

District B

on Friday, August 6, 1976 - 7:00 p.m. til 9:00 p.m.

Seafarers International Union Hall

630 Jackson Avenue

New Orleans

MUSIC AND REFRESHMENTS

DONATION \$50.00

PER PERSON



Nº 110

*Your presence is requested at the reception
honoring*

A. L. Davis, City Councilman

District B

on Friday, August 6, 1976 - 7:00 p.m. til 9:00 p.m.

Seafarers International Union Hall

630 Jackson Avenue

New Orleans

MUSIC AND REFRESHMENTS

DONATION \$50.00

PER PERSON



Nº 102

Inter-Office Memorandum

Mr. Edgar F. Poree

Date: September 7, 1976

From: ~~Mr. Edgar F. Poree~~ Elray Venice *EV*

Copies: Mr. Robert P. Aulston, III

Subject: Robert P. Aulston's Expenses

The attached expenses statements were submitted by Mr. Aulston in the month of June. It was agreed at that time to hold back the payment until such time Republic National Bank could afford to make the payment. However, I have also enclosed a photostat of the items processed for credit to Mr. Aulston's personal account of which includes the following:

1. Check # 102 in the amount of \$2,929.99 for reimbursement of expenses incurred on behalf of Republic National Bank from April 3, 1974 thru February 1, 1976.
2. Check # 101 in the amount of \$12,400.00 for reimbursement of expenses incurred on behalf of Republic National Bank directors.

The account the above items are drawn on is presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400.00 expense incurred on behalf of Republic National Bank directors should be presented to the Board of Directors for payment. May I suggest to you to speak to Mr. Aulston before pursuing collection of the total amount.

The total amount due Mr. Aulston is \$15,429.99 of which includes of \$100.00 deposit made to open the special account.

EV/rmm

Attachments

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FEDERAL ELECTION

778 JUN 26 AM 9:47

FEDERAL DEPOSIT INSURANCE CORPORATION

P. O. Box 60020
New Orleans, Louisiana 70160

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300.

POSTAGE AND FEES PAID
FEDERAL DEPOSIT
INSURANCE CORPORATION



Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D. C. 20463

ACC 3735

Jefferson, Bryan & Gray

ATTORNEYS AND COUNSELLORS AT LAW

FEDERAL ELECTION COMMISSION

SUITE 3828
ONE SHELL SQUARE
NEW ORLEANS, LOUISIANA 70139

June 5, 1978 '78 JUN 8 AM 11:57

504-561-8933

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

803402

Dear Mr. Oldaker:

Sometime ago I called your office and explained to an attorney on your staff that Rev. A. L. Davis was unable to be available to be deposed as requested by the annexed, because he was hospitalized at the time for which the deposition was scheduled. I am writing so that this fact will be of record with you in writing. Rev. Davis has no objection to furnishing any information to you that he might have.

Very truly yours,

William J. Jefferson
William J. Jefferson, Esq.

CC:
Rev. A. L. Davis, Jr.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

A. L. Davis, Jr.
Councilman District 8
2319 3rd Street
New Orleans, Louisiana 70113

Re: MUR 497 (77)

Dear Mr. Davis:

In furtherance of its investigation in the above referenced matter, the Commission has issued a subpoena requiring your appearance for a deposition and the production of certain documents. The subpoena is enclosed herewith.

We call your attention to 2 U.S.C. §437g(a)(3)(B) which prohibits any person from making public any notification or investigation of the Commission without the written consent of the person with respect to whom the investigation is made.

If you intend to be represented by counsel in this matter, please so notify us prior to the time of the deposition. If you have any questions concerning this matter, please contact Andrew Athy, Jr. of my staff at (202) 523-4075.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Wm. C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of	)	SUBPOENA
)	
Republic National Bank	)	To Appear for Deposition
	)	Upon Oral Examination
	)	And to Produce Documents
)	
	)	MUR 497 (77)

TO: A. L. Davis, Jr.
Councilman District 8
2319 3rd Street
New Orleans, Louisiana 70113

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Dietrich and Bendix, 333 St. Charles Street, New Orleans, Louisiana, on May 9, 1978 at 1:30 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: A. L. Davis, Jr.

-2 -

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C.

20463, this 25th day of April, 1978.

Thomas E. Harris

Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Jefferson, Bryan & Gray

ATTORNEYS AND COUNSELLORS AT LAW

SUITE 3828 ONE SHELL SQUARE

NEW ORLEANS, LOUISIANA 70139



Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

June 8, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS *mwe*

SUBJECT: MUR 497 - Interim Investigative Report dated 6-6-78
Received in Office of Commission Secretary: 6-6-78, 3:13

The above-mentioned document was circulated on a 24 hour
no-objection basis at 1:00 p.m., June 7, 1978.

As of 2:00 p.m., this date, no objections have been
received in the Office of Commission Secretary to the Interim Investigative
Report.



June 6, 1978

MEMORANDUM TO: Marge Emmons
from: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Interim Investigative
Report on MUR 497 distributed to the Commission.

Thank you.

81030245323


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In the Matter of)
) MUR 497
Republic National Bank)

Interim Investigative Report

This matter involves indirect contributions of bank funds to candidates for local office in Louisiana. In connection with its investigation the Commission issued a subpoena for Robert P. Aulston a bank officer and a principal in the concerned matter, Aulston failed to appear by the U.S. District Court for the Eastern District of Louisiana. In response Aulston agreed to be deposed in Washington within the next two weeks. After receipt of that testimony the staff will make a recommendation for further action.

June 6, 1978
Date


William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

June 7, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marcia C. Carrigan
Liquidator
Federal Deposit Insurance Corporation
P. O. Box 60020
New Orleans, La. 70160

RE: MUR 497

Dear Ms. Carrigan:

Enclosed please find subpoena requesting production
of documents as described therein.

Thank you for your continued cooperation in this
matter.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

PS Form 3811, Apr. 1977

1. The following service is requested (check one):

☐ Show to whom and date delivered

☒ **RESTRICTED DELIVERY**
Show to whom and date delivered

☐ **RESTRICTED DELIVERY**
Show to whom, date, and address of delivery

☐ **RESTRICTED DELIVERY**
Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Marcia C. Carrigan
Liquidator
Federal Deposit Insurance Corp.
P.O. Box 60020
New Orleans, La. 70160

3. ARTICLE DESCRIPTION:
Subpoena

REGISTERED NO. 157609 **CERTIFIED NO.** **INSURED NO.**

4. DATE OF DELIVERY 6-12-78 **POSTMARK**

5. ADDRESS (Complete only if requested)
P.O. Box 60020
New Orleans, La. 70160

6. UNABLE TO DELIVER BECAUSE:

7. SIGNATURE ☐ Addressed ☐ Authorized agent
I have received the article described above.

8. CLERK'S INITIALS

☆ GPO : 1977-O-234-337

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of) SUBPOENA
)
Republic National Bank) To Produce Documents and Records

TO: Marcia C. Carrigan
Liquidator
Federal Deposit Insurance Corporation
P.O. Box 60020
New Orleans, Louisiana 70160

At the instance of the Federal Election Commission,
pursuant to §437d of Title 2 of the United States Code, you
are hereby subpoenaed to produce at the Office of General Counsel,
Federal Election Commission, 1325 K Street, N.W., Washington, D.C.
20463 on or before June 23, 1978:

(a) All correspondence, memoranda, records, or other relevant documents pertaining to any political contributions or reimbursement for any political contributions made by or reimbursed by the Republic National Bank or any of its officers or directors;

(b) All correspondence, memoranda, records, or other relevant documents pertaining to the making of political contributions by any officers, directors or individuals by means of the overdrawing of any account held at the Republic National Bank.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, this 1st day of June 1978.

Joan D. Aikens

Joan D. Aikens, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

June 1, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS
SUBJECT: ISSUANCE OF SUBPOENA IN RELATION TO MUR 497

The attached subpoena, approved May 31, 1978, has been signed and sealed this date.

81001-1-72

BEFORE THE FEDERAL ELECTION COMMISSION


In the Matter of)
)
Republic National Bank)

MUR 497

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on May 31, 1978, the Commission approved by a vote of 6-0 the recommendation in the memorandum from the General Counsel, dated May 26, 1978, authorizing issuance of a subpoena for the production of documents by Marcia C. Carrigan liquidator for the F.D.I.C.

Date: 5/31/78


Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary : 5-26-78
Circulated on a 48 hour vote basis : 5-30-78, 1:30

May 26, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Memo and request for subpoena on MUR 497 distributed to the Commission on a 48 hour tally basis.

Thank you.

81030245330



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

May 26, 1978

MEMORANDUM TO: The Commission

FROM: William C. Oldaker *WCO*

SUBJECT: MUR 497 - Request for Issuance of Subpoena

On February 13, 1978, the Commission found reason to believe that the Republic National Bank violated 2 U.S.C. §441b(a) by reimbursing Robert P. Aulston, an officer of the bank, for a \$100 contribution which he made to A. L. Davis, a candidate for New Orleans City Council and also a bank officer. This finding was based on information supplied by the Federal Deposit Insurance Corporation.

In addition together with a letter dated March 23, 1978 the Federal Deposit Insurance Corporation forwarded copies of records which showed that Aulston made contributions to other candidates by overdrawing his account at the respondent bank. These checks included a \$12,400 contribution to a candidate for state office. Documentation pertaining to these contributions is necessary to further establish the facts in this matter. Marcia C. Carrigan, liquidator for the F.D.I.C., states that she would prefer that if further information is supplied that it be done so in compliance with a subpoena. Accordingly, the issuance of the attached subpoena is requested.

RECOMMENDATION

The Commission should authorize the attached subpoena for the production of documents by Marcia C. Carrigan liquidator for the F.D.I.C.

Before the Federal Election Commission

May 18, 1978

In the Matter of)
) MUR 497 (78)
Republic National Bank)

Approval of Subpoenas

The Commission hereby approves the subpoenas for deposition which are to be sent to Marcia C. Carrigan, Liquidator, Federal Deposit Insurance Corporation, who is custodian of the described documents.

Thomas E. Harris
Chairman

William L. Springer
Commissioner

Joan D. Aikens
Vice Chairman

Neil O. Staebler
Commissioner

Robert O. Tiernan
Commissioner

Vernon W. Thomson
Commissioner

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of) SUBPOENA
Republic National Bank) To Appear for Deposition
) Upon Oral Examination
) And to Produce Documents
)
) MUR 497 (77)

TO: Elray Venice
4815 Mithra Street
New Orleans, Louisiana 70126

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Dietrich and Bendix, 333 St. Charles Street, New Orleans, Louisiana, on May 9, 1978 at 4:30 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: Elray Venice
MUR 497 (77)

- 2 -

also any contemporaneous memoranda, including telephone logs,
and any other records under your control regarding phone calls
or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commis-
sion has hereunto set his hand at the office of the Federal
Election Commission, 1325 K Street, N.W., Washington, D.C.
20463, this *10th* day of *May*, 1978.

Thomas E. Harris

Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of }
Republic National Bank)

MUR 497 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal
Election Commission, do hereby certify that on May 10, 1978
the Commission approved the recommendation in the Memorandum
from the General Counsel, dated May 4, 1978, to authorize the
subpoena for deposition to be sent to Elray Venice.

Commissioners Harris, Aikens, Tiernan, Thomson, Staebler
and Springer voted for approval.

Date:

5/10/78

Marjorie W. Emmons
Marjorie W. Emmons

Received in Office of Commission Secretary: 5-8-78, 11:10
Circulated on 48 hour vote basis: 5-8-78, 3:00



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

May 10, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS *made by me*

SUBJECT: Subpoena in Relation to MUR 497 (77)

The attached subpoena was approved, signed and sealed this date.

ATTACHMENT:
Subpoena



61007011336

May 8, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Request for Subpoena distributed to the Commission for approval on a 48 hour tally basis.

Thank you.

81030245337



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM

TO: The Commission
FROM: William C. Oldaker *WCO*
RE: MUR 497 (76) - Request for Issuance of Subpoena
DATE: May 4, 1978

On February 13, 1978, the Commission found reason to believe that the Republic National Bank of New Orleans and its officer and directors may have violated 2 U.S.C. §441b(a) by reimbursing Robert P. Aulston, an officer of the bank for a \$100 contribution which he made to A. L. Davis, a candidate for New Orleans City Council and also a bank officer. In connection with its investigation of these matters the Commission approved the issuance of subpoenas for Ms. Rebecca Marsh, Mr. Robert P. Aulston, and Mr. A. L. Davis for May 9, 1978. In addition, we are seeking authorization to subpoena Mr. Elray Venice, President of Republic National Bank, who should have knowledge of the facts alleged.

Recommendation

The Commission should authorize the attached deposition subpoena duces tecum for Elray Venice.

Before the Federal Election Commission

May 4, 1978

In the Matter of)
) MUR 497 (78)
Republic National Bank)

Approval of Subpoena

The Commission hereby approves the subpoena for deposition
which is to be sent to Elray Venice.

Thomas E. Harris
Chairman

William L. Springer
Commissioner

Joan D. Aikens
Vice Chairman

Neil Staebler
Commissioner

Robert O. Tiernan
Commissioner

Vernon W. Thomson
Commissioner



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

May 9, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS

SUBJECT: MUR 497 (78) - Interim Investigative Report
Dated: 4-13-78
Signed by General Counsel: 5-5-78
Received in Office of Commission
Secretary: 5-8-78, 11:10

MWE

The above-mentioned document was circulated on a 24 hour
No-objection basis at 3:00 p.m., May 8, 1978.

As of 4:00 p.m., this date, no objections have been
received in the Office of Commission Secretary to the Interim
Investigative Report.

May 8, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Interim Investigative
Report on MUR 497 distributed to the Commission on a
24 hour no-objection basis.

Thank you.

81030045341

Before the Federal Election Commission

April 13, 1978

In the Matter of)
) MUR 497 (78)
Republic National Bank of)
Louisiana, et al.)

Interim Investigative Report

This matter originated by referral from the Comptroller of the Currency, Administrator of National Banks, who submitted records showing reimbursement by respondent bank to bank officer Robert P. Aulston for a \$100 contribution to A. L. Davis another bank officer who was a candidate for local office. Reason to believe as to §441b(a) was found with regard to all of the officers and directors. Rebecca Marshall, who signed the reimbursement check, has not been located. Aulston, through his attorney, has offered to conciliate.

By letter of March 23, 1978, the Federal Deposit Insurance Corporation, liquidator of respondent bank, has supplied additional records indicating that Aulston was permitted to overdraw his account with checks to other candidates for local office, including a \$12,400 contribution to a candidate for the Louisiana State Board of Education and an overdraft of \$12,400 payable to himself marked "testimonial contribution on behalf of RNB directors." These additional apparent violations of §441b(a) warrant further investigation. Accordingly, the staff is scheduling a deposition of Aulston, as

In addition, the FDIC has forwarded a copy of the Purchase and Assumption Agreement executed by and between FDIC as receiver of respondent bank at First City Bank, a newly chartered state bank in which the succeeding bank accepts no liability in the nature of our action.

William C. Oldaker

William C. Oldaker
General Counsel

JOHN R. MARTZELL
WILSON M. MONTERO, JR.
FRANK E. LAMOTHE, III
CHARLES W. DITTMER, JR.
CHARLES F. GAY, JR.
ROBERT GLASS
JOHN WILSON REED
JANINE SYLL DINGLEMAN

MARTZELL & MONTERO
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

338 LAFAYETTE STREET

NEW ORLEANS, LOUISIANA 70130

RECEIVED
FEDERAL ELECTION
COMMISSION
FEDERAL ELECTION
COMMISSION

802336

AREA CODE 504
TELEPHONE 581-9065

78 MAY 1 P 5:00

78 MAY 1 P 5:00

April 22, 1978

Mr. Andrew Athy
Federal Elections Commission
1325 K Street, N.W.
Washington, DC 200463

RE: MUR 497 (78)

Dear Mr. Athy:

I have received authorization from my client to indicate that he would be prepared to accept a \$100.00 civil penalty regarding the alleged contribution. I would appreciate your advising me the manner in which that can be handled if it is acceptable.

Sincerely,

John R. Martzell
John R. Martzell *un*

JRM/rem
cc: Mr. Robert P. Aulston

MARTZELL & MONTERO

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

138 LAZARUS STREET

NEW ORLEANS, LOUISIANA 70130

Mr. Andrew Athy

Federal Elections Commission

1325 K Street, N.W.

Washington, DC 200463

00:54 1 MAY 87

FEDERAL ELECTIONS
COMMISSION
RECEIVED



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

A. L. Davis, Jr.
Councilman District 8
2319 3rd Street
New Orleans, Louisiana 70113

Re: MUR 497 (77)

Dear Mr. Davis:

In furtherance of its investigation in the above referenced matter, the Commission has issued a subpoena requiring your appearance for a deposition and the production of certain documents. The subpoena is enclosed herewith.

We call your attention to 2 U.S.C. §437g(a)(3)(B) which prohibits any person from making public any notification or investigation of the Commission without the written consent of the person with respect to whom the investigation is made.

If you intend to be represented by counsel in this matter, please so notify us prior to the time of the deposition. If you have any questions concerning this matter, please contact Andrew Athy, Jr. of my staff at (202) 523-4075.

Sincerely yours,

C. Oldaker
C. Oldaker
Counsel

PS Form 3811, Apr. 1977

1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)		2. ARTICLE ADDRESSED TO: <i>A. L. Davis, Jr. Councilman District 8 2319 3rd St. New Orleans, Louisiana 70113</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>943879</i>	CERTIFIED NO.	INSURED NO.	
(Always obtain signature of addressee or agent) I have received the article described above: SIGNATURE <i>A. L. Davis</i> <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent DATE OF DELIVERY <i>MAY 15, 78</i>			
5. ADDRESS (Complete only if requested)			
6. UNABLE TO DELIVER BECAUSE:			
CLERK'S INITIALS <i>[Signature]</i>			

☆ GPO : 1977-O-234-337

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of	)	SUBPOENA
)	
Republic National Bank	)	To Appear for Deposition
	)	Upon Oral Examination
	)	And to Produce Documents
)	
	)	MUR 497 (77)

TO: A. L. Davis, Jr.
Councilman District 8
2319 3rd Street
New Orleans, Louisiana 70113

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Dietrich and Bendix, 333 St. Charles Street, New Orleans, Louisiana, on May 9, 1978 at 1:30 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: A. L. Davis, Jr.

- 2 -

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C.

20463, this 25th day of April, 1978.

Thomas E. Harris
Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 28, 1978

RETURN RECEIPT REQUESTED
CERTIFIED MAIL

Mr. Charles F. Gay, Jr.
Attorney at Law
338 Lafayette Street
New Orleans, Louisiana 70130

Re: MUR 497 (77)

Dear Mr. Gay:

Per your conversation with Andrew Athy, Jr. of this office, in which you indicated that you will be serving as counsel for Mr. Robert P. Aulston, we are sending you the letter and subpoena for deposition for Mr. Aulston. If you have any questions, please contact Mr. Athy at 202-523-4075.

Sincerely,

William C. Oldaker
General Counsel

Enclosures

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 4. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☒ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
Show to whom and date delivered.
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery, \$_____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Charles F. Gay, Jr.
Attorney at Law
338 Lafayette Street
New Orleans, Louisiana 70130

3. ARTICLE DESCRIPTION:
REGISTERED NO. 945880 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)
I have received the article described above:
SIGNATURE ADDRESS ☐ Authorized agent

4. DATE OF DELIVERY
MAY 1 1978

5. ADDRESS (Complete only if different from above)
1325 K STREET N.W.
WASHINGTON, D.C. 20463

6. UNABLE TO DELIVER BECAUSE: _____
CLERK'S INITIALS

★ GPO : 1977-O-234-337



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert P. Aulston
6941 Lake Willow Drive
New Orleans, Louisiana 70126

Re: MUR 497 (77)

Dear Mr. Aulston:

In furtherance of its investigation in the above referenced matter, the Commission has issued a subpoena requiring your appearance for a deposition and the production of certain documents. The subpoena is enclosed herewith.

We call your attention to 2 U.S.C. §437g(a)(3)(B) which prohibits any person from making public any notification or investigation of the Commission without the written consent of the person with respect to whom the investigation is made.

If you intend to be represented by counsel in this matter, please so notify us prior to the time of the deposition. If you have any questions concerning this matter, please contact Andrew Athy, Jr. of my staff at (202) 523-4075.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Wm. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of	)	SUBPOENA
)	
Republic National Bank	)	To Appear for Deposition
	)	Upon Oral Examination
	)	And to Produce Documents
)	
	)	MUR 497 (77)

TO: Robert P. Aulston
6941 Lake Willow Drive
New Orleans, Louisiana 70126

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Dietrich and Bendix, 333 St. Charles Street, New Orleans, Louisiana, on May 9, 1978 at 3:30 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: Robert P. Aulston

- 2 -

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C.

20463, this 23rd day of April, 1978.

Thomas E. Harris

Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 28, 1978

RETURN RECEIPT REQUESTED
CERTIFIED MAIL

Mickey Waldie Court Reporting Service
P. O. Box 2023
Dallas, Texas 75221

Re: MUR 497 (77)

Dear Sir or Madam:

Attached is the letter and subpoena for deposition which are to be served on Rebecca Marshall per the telephone conversation between a person in your office and Andrew Athy, Jr. of this office. Please note that the date of the deposition has been changed from May 2, 1978, to May 8, 1978 as indicated by Mr. Athy. If you are unable to serve the subpoena, please contact Mr. Athy at 202-523-4075.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

PS Form 3811, Apr. 1977

● SENDER: Complete items 1., 2., and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mickey Waldie Court Reporting Service P.O. Box 2023 Dallas, Texas 75221	
3. ARTICLE DESCRIPTION: REGISTERED NO. 94378	CERTIFIED NO. INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY MAY 3 1978 POSTMARK	
5. ADDRESS (Complete only if it differs from that on the article) MAY 3 1978 TX USPO	
6. UNABLE TO DELIVER BECAUSE OF: REASON INITIALS	

TX USPO
MAY 3 1978
USPO
7-110
1977-0-234-337



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Rebecca Marshall
7148 Dalewood
Dallas, Texas 75214

Re: MUR 497 (77)

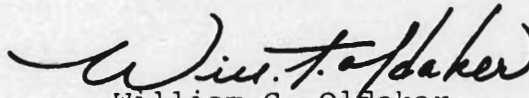
Dear Ms. Marshall:

In furtherance of its investigation in the above referenced matter, the Commission has issued a subpoena requiring your appearance for a deposition and the production of certain documents. The subpoena is enclosed herewith.

We call your attention to 2 U.S.C. §437g(a)(3)(B) which prohibits any person from making public any notification or investigation of the Commission without the written consent of the person with respect to whom the investigation is made.

If you intend to be represented by counsel in this matter, please so notify us prior to the time of the deposition. If you have any questions concerning this matter, please contact Andrew Athy, Jr. of my staff at (202) 523-4075.

Sincerely yours,


William C. Oldaker
General Counsel

Enclosure

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

In the Matter of	)	SUBPOENA
)	
Republic National Bank	)	To Appear for Deposition
	)	Upon Oral Examination
	)	And to Produce Documents
)	
	)	MUR 497 (77)

TO: Rebecca Marshall
7148 Dalewood
Dallas, Texas 75214

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Mickey Waldie Court Reporting Service, 1226 Commerce, Suite 411, Dallas, Texas 75202, on May 8, 1978 at 2 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: Rebecca Marshall

- 2 -

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C.

20463, this *25th* day of *April*, 1978.

Thomas E. Harris

Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Republic National Bank)

MUR 497 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 25, 1978, the Commission approved by a vote of 5-0 the issuance of subpoenas in the above-captioned matter to Rebecca Marshall, Robert P. Aulston and A. L. Davis.

Date: 4-25-78

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

April 25, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *MWE*
SUBJECT: MUR 497 (77) - Issuance of Subpoenas

The attached subpoenas, approved by Commissioners Harris, Aikens, Staebler, Thomson and Springer, have been signed and sealed this date.

ATTACHMENTS:
Subpoenas
Certification

April 21, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Request for Subpoenas
distributed to the Commission for approval.

Thank you.

81030245359



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker *W.C. Oldaker*

RE: MUR 497 (76) - Request for Issuance of Subpoenas

On February 13, 1978, the Commission found reason to believe that the Republic National Bank of New Orleans and its officers and directors may have violated 2 U.S.C. §441b(a) by reimbursing Robert P. Aulston, an officer of the bank, for a \$100 contribution which he made to A. L. Davis, a candidate for New Orleans City Council and also a bank officer. Letters were sent to all of the officers and directors of the bank, however, only Mr. Aulston admitted knowledge of the reimbursement. We recently obtained a new address for Ms. Rebecca Marshall, the person who signed the check; a letter was re-sent to her, however, we have not received a response as yet.

Included with a letter dated March 23, 1978 sent by the Federal Deposit Insurance Corporation were copies of records which show that Mr. Aulston had overdrawn his account by writing checks to other local candidates. These checks included a \$12,400 contribution to a Louisiana

state Board of Education candidate and an overdraft of \$12,400 made out to himself. The purpose for which this check was written is indicated as "testimonial contribution on behalf of RNB (Republic National Bank) directors."

In order to resolve this matter it is necessary to determine who authorized the reimbursement and the contribution on behalf of the RNB and why Mr. Aulston was allowed to overdraw his account.

Recommendation

The Commission should authorize the attached deposition subpoenas duces tecum for Rebecca Marshall, Robert P. Aulston and A. L. Davis.

In the Matter of
Republic National Bank

)
)
)

MUR 497 (78)

Approval of Subpoenas

The Commission hereby approves the subpoenas for deposition which are to be sent to Rebecca Marshall, Robert P. Aulston, and A. L. Davis, Jr.

Thomas E. Harris
Chairman

William L. Springer
Commissioner

Joan D. Aikens
Vice Chairman

Neil Staebler
Commissioner

Robert O. Tiernan
Commissioner

Vernon W. Thomson
Commissioner

802218

Doc 3325

JOHN R. MARTZELL
WILSON M. MONTERO, JR.
FRANK E. LAMOTHE, III
CHARLES W. DITTMER, JR.
CHARLES F. GAY, JR.
ROBERT GLASS
JOHN WILSON REED
JANINE SYLL DINGLEMAN

MARTZELL & MONTERO
ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION
338 LAFAYETTE STREET
NEW ORLEANS, LOUISIANA 70130

AREA CODE 504

TELEPHONE 581-9065

April 25, 1978

Mr. Andrew Athy
1325 K Street, N.W.
Washington, D. C. 20463

Dear Mr. Athy:

This will confirm our telephone conversation of April 24, 1978, wherein we arranged a meeting to be held at Dietrich & Bendix, 333 St. Charles Avenue, Suite 1221, New Orleans, Louisiana at 10:00 A.M., with our client, Mr. Robert P. Aulston. We understand that Dietrich & Bendix is a court reporting service here in New Orleans. In that connection, would you have any opposition to having the court reporter come to our office on the above date and time in order to conduct this meeting. Please let me know your responses.

With kind regards, I am

Sincerely yours,

Charles F. Gay, Jr.
Charles F. Gay, Jr.

CFGjr/cg

MARTZELL & MONTERO

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

309 LAZARETTE STREET

NEW ORLEANS, LOUISIANA 70130

Mr. Andrew Athy
1325 K St., N.W.
Washington, DC 20463

ACC 3086

FEDERAL DEPOSIT INSURANCE CORPORATION
P. O. Box 60020 New Orleans, Louisiana 70160
Telephone: (504) 589-3731

10 MAR 29 AM 10 33

801301

March 23, 1978

Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

Dear Mr. Athy:

Subject: Republic National Bank of Louisiana
New Orleans, Louisiana AP-261
Contributions

Enclosed are photostatic copies of items concerning contributions by Robert P. Aulston and an expense check of Republic National Bank payable to Diana Bajoie Testimonial Committee.

If we could be of further assistance, please do not hesitate to contact our office.

Very truly yours,

Marcia C. Carrigan
Marcia C. Carrigan,
Liquidator

MCC/sjf
Enclosures



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GHAVER ST. SUITE 1100
NEW ORLEANS, LA 70112

103

2 September 1976

14-278
650

Pay to the
order of

Robert P. Aulston, III

\$500.00

Five Hundred

00/100 Dollars



REPUBLIC NATIONAL BANK
NEW ORLEANS, LA 70112

THE CONTROLLER TO S.O. S.C. AF ON
BANK OF NEW ORLEANS, LA 70112
- 00650001281 08002025P

[Signature]

000000500000

Robert P. Aulston

REPUBLIC NATIONAL BANK
NEW ORLEANS, LA 70112



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

101

30 August 1976

14-228
650

Pay to the
order of

Robert P. Aulston, III

\$12,400.00

Twelve Thousand, Four Hundred

00/100 Dollars



REPUBLIC NATIONAL BANK

The First National City Bank
of New Orleans

14-228-02281 08-0202-51

R. P. Aulston

000012400000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

104

2 September 1976

14-228
650

Pay to the
order of

Robert P. Aulston, III

\$500.00

Five Hundred

00/100 Dollars



REPUBLIC NATIONAL BANK

The A. L. Davis Company, Inc.

14-228-02281 08-0202-51

R. P. Aulston

0000050000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

102

30 August 1976

14-228
650

Pay to the
order of

Robert P. Aulston, III

\$2,929.99

Two Thousand, Nine Hundred and Twenty-nine

99/100 Dollars



REPUBLIC NATIONAL BANK

The First National City Bank

14-228-02281 08-0202-51

R. P. Aulston

000002929999

10-10-10
PAT. ANY BANK, FEE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert F. Smith

10-10-10
PAT. ANY BANK, FEE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert F. Smith

10-10-10
PAT. ANY BANK, FEE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert F. Smith

44-38861-4773-6

REMISSIO - SULLIVAN, III
SULLIVAN, III
NOV 1976

309

7 May 76

14 70
6.0

Kelly Aid Memorial Dinner \$12,500.00
Fidelio Memorial at the Washington Monument



1977

R. P. Huber

Purchase of 10-1-76

006 000280 050401-30

0000250000

FOR DEPOSIT IN
AMERICAN BANK & TRUST CO.
TO THE ORDER OF
THE KELLY HILL COMMITTEE
Account # 12-10288

PAY TO THE ORDER OF



REPUBLIC NATIONAL BANK

New Orleans, Louisiana 70112

FOR

⑆0650⑉0228⑆ ⑆05⑉003⑆⑉7⑆

0000007000⑆

1014, 76 147

\$ 70.00

70.00 PER AMT

ROBERT P. OR SYLVIA AULSTON, III

621 GRAVIER ST. SUITE 1100

NEW ORLEANS, LA 70112

342

PAY TO THE ORDER OF

Robert Tucker Corporation Fund
For Insurance

\$ 500.00

500.00 PER AMT



REPUBLIC NATIONAL BANK

New Orleans, Louisiana

FOR AFS AND CORPATION CORPORATION

⑆0650⑉0228⑆ 05⑉040⑆⑉3⑆

00005000⑆

[Handwritten signature]

Wm. H. Burleigh

[illegible]

Det. The En. 7-1

李

0164E

1. Liberty



REPUBLIC NATIONAL BANK OF LOUISIANA

1566

1 4

New Orleans, Louisiana

August 3,

19 76

7 2 1 2 0 6 1 0

REMITTER

Republic National Bank of La.

5300583100

PAY TO THE

ORDER OF

Liana Bajeie Testimonial Committee

REPUBLIC NATIONAL BANK OF LA. \$25.00 AND 00 CTS

\$ 25.00

EXPENSE CHECK

B Marshall

AUTHORIZED SIGNATURE

⑆06 50 ⑆0 2 28⑆

200 2 230 100⑆

3693

⑆000000 2 500⑆

August

Date: 7/22

From: Elray Venice

The attached paper(s) are referred to:

- | | |
|---|--|
| <input type="checkbox"/> E. J. Cadro | <input type="checkbox"/> Bookkeeping |
| <input type="checkbox"/> J. Emmer | <input type="checkbox"/> Loans: <input type="checkbox"/> Comm. |
| <input checked="" type="checkbox"/> B. Marshall | <input type="checkbox"/> Consumer |
| <input type="checkbox"/> K. Collins | <input type="checkbox"/> Receptionist |
| <input type="checkbox"/> _____ | <input type="checkbox"/> Tellers |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

For the purpose indicated by the check:

- ☐ Please review and see me about this.
- ☐ Please take care of this and follow through.
- ☐ Please examine, comment, and return.
- ☐ Please make deletions and/or additions and return.
- ☐ For your information and edification.
- ☐ Other

Remarks: *See the check*

010004137

DIANA BAJOE TESTIMONIAL
COMMITTEE
and
12th WARD SAVE OUR COMMUNITY
ORGANIZATION

July 7, 1976

Dear Friends of Representative Bajeie:

It has been almost a year since Diana made her bid for State Representative. Through the sincere efforts of Representative Bajeie and her workers the desired goal was reached.

In order to meet campaign expenses and debts incurred in her successful campaign, we are holding a testimonial cocktail party for Diana. The testimonial will be held on Wednesday, August 11, 1976 from 7:00 o'clock p.m. to 9:00 o'clock p.m. in the Pelican Room of Frank's Steak House 4529 Freret Street. Tickets for this event are \$25.00 each.

We are happily looking forward to seeing you at this event.

Sincerely,
DIANA BAJOE TESTIMONIAL
COMMITTEE

Lynnda M. Taylor Chairman
Frederica Hughes Treasurer

PLEASE CLIP AND MAIL TO:

DIANA BAJOE TESTIMONIAL COMMITTEE
P.O. Box 15168
New Orleans, La. 70115

☒ Yes, I will attend. Enclosed is \$ 25.00 for one tickets.

☐ No, I cannot attend but enclosed is my check in the amount of \$.

NAME: Elray Venice, President, Republic National Bank of La/

ADDRESS: 348 Baronne St.

PHONE: 586-8900

July 26, 1976

RECEIVED

REPUBLIC NATIONAL BANK

RECEIVED
JUL 28 1976

REPUBLIC NATIONAL
BANK

Dear Elray,

To be successful in our business it's important to have representatives in State government who will respond to our needs.

Diana, as a freshman State Representative, has already proven that she will work extremely hard for our various interests.

To run a successful campaign, as you may know, it cost several thousand dollars. Now we are in the process of trying to liquidate our old debts and you could help us greatly by donating \$25.00 and attending the testimonial for Diana.

Please send your donation to Diana Bajoie Testimonial Committee in care of Vincent L. Brown, 1000 Howard Avenue - Suite 504, New Orleans, Louisiana 70113.

Thank you for your kind consideration of this matter.

Sincerely,

Vince

Vince Brown
Campaign Manager
for State Representative
Diana Bajoie

Enclosure

7
FEDERAL DEPOSIT INSURANCE CORPORATION
P. O. Box 60020 New Orleans, LA 70160

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID
FEDERAL DEPOSIT INSURANCE CORPORATION



Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

JOHN R. MARTZELL
WILSON M. MONTERO, JR.
FRANK E. LAMOTHE, III
CHARLES W. DITTMER, JR.
CHARLES F. GAY, JR.
ROBERT GLASS
JOHN WILSON REED
JANINE SYLL DINGLEMAN

MARTZELL & MONTERO
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION
338 LAFAYETTE STREET

NEW ORLEANS, LOUISIANA 70130

801042

DOCC 2995

10 MAR 17 AM 11:43

AREA CODE 504
TELEPHONE 581-9065

March 14, 1978

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, DC 20463

RE: MUR 497 (78)

Dear Mr. Athy:

This will confirm our conversation of March 13, 1978 in the captioned matter. I advised you that I had conferred with Mr. Robert Aulston and reviewed his records with reference to the question of whether or not he had received reimbursement for a state election campaign contribution from the Republic National Bank. I am advised by Mr. Aulston that he has no personal recollection of receiving such a payment from the bank nor am I able to find any record thereof. I asked if you would kindly review your file and send me whatever evidence of payment has been provided to you by the Comptroller's Office. You advised that the file was not immediately available to you but would be within the next two days and that you would provide me what information you had in that regard.

I will await your further advices on the evidence of the payment referred to in Mr. William C. Oldaker's letter of February 15, 1978 to Mr. Aulston.

Sincerely yours,

John R. Martzell
John R. Martzell

JRM/rem

MARTZELL & MONTERO

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

238 PULLEY STREET

NEW ORLEANS, LOUISIANA 70110

3
Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, DC 20463



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

March 15, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *more type*
SUBJECT: MUR 497 (78) - Interim Report dated 3-10-78
Signed by General Counsel 3-10-78
Received in Office of Commission
Secretary - 3-13-78, 10:15

The above-mentioned document was circulated to the
Commissioners on a 24 hour no-objection basis at 12:30,
March 13, 1978.

No objections were received in this office to the Interim
Report on MUP 497 (78).



March 13, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached Interim Report on MUR 497 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

81030245382

Before the Federal Election Commission

March 10, 1978

In the Matter of)	
	)	MUR 497
The Republic National Bank)	
of Louisiana, et al.)	

Interim Report

This matter which originated by means of a referral from the Comptroller of the Currency (see General Counsel's Report, February 13, 1978) concerns the reimbursement by the Republic National Bank of a \$100 contribution made by bank director Robert P. Aulston to director A. L. Davis another bank officer who was a candidate for New Orleans City Council.

The bank and its officers and directors were named as respondents. The staff is awaiting information which was requested from these individuals.

3/10/78

Date

William C. Oldaker

William C. Oldaker
General Counsel

1002935



178 MAR 13 AM 10:04

The Council
City of New Orleans

A. L. DAVIS, JR.
COUNCILMAN DISTRICT B

800908

February 28, 1978

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Oldaker:

I am writing in answer to your letter to me dated February 16, 1978, which states that I consented to the reimbursement of a political contribution to Robert P. Aulston by Republic National Bank in violation of Federal campaign laws.

I did not consent to this reimbursement and have no personal knowledge of it. Your letter to me brought the matter to my attention for the first time. I have not participated in any board meeting at which this reimbursement to Mr. Aulston was approved.

Please contact me if there are further questions.

Very truly yours,

A handwritten signature in dark ink, appearing to be "A. L. Davis, Jr.", written over a horizontal line.
A. L. Davis, Jr.

ALD:jd

A. L. DAVIS, JR.

COUNCILMAN DISTRICT B

MAY 13 AM 10:04

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

ACC 2915

HARRIS, STAMPLEY, MCKEE, BERNARD & BROUSSARD

A PROFESSIONAL LAW CORPORATION
1440 CANAL STREET SUITE 1714
NEW ORLEANS, LOUISIANA 70112

ARTHUR L. HARRIS, SR.
GILBERT E. STAMPLEY
WILFRET R. MCKEE
DONALD J. BERNARD
TERREL J. BROUSSARD

PAUL S. ADAMS
SIDNEY H. CATES, IV

(504) 561 5831

March 6, 1978

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 497 (78)

Our office has been requested to respond to your inquiry of February 15, 1978 directed to Mr. Louis C. Mason, Jr. in regard to a campaign contribution and reimbursement from Robert P. Aulston to A.L. Davis. In connection therewith, the following is offered and believed to be sufficient to suggest that violation of 2 U.S.C. §441b(a) should not be pursued against Louis C. Mason, Jr.

The \$100 campaign contribution made by Robert P. Aulston to A.L. Davis was an individual contribution not sanctioned by the Board of Republic National Bank of New Orleans. Further our client has advised that he does not recall his presence at the meeting of August 6, 1976, and furthermore had he been present, he specifically knows that he did not vote to have The Board of Directors make a contribution or reimburse Robert P. Aulston for any contribution made by him to A.L. Davis.

Therefore, for the foregoing reasons, it is respectfully urged that no further investigation should lie against Louis C. Mason.

Should you need additional information of Louis C. Mason, kindly advise and I shall reply immediately.

Very truly yours,

Gilbert E. Stampley
GILBERT E. STAMPLEY

vgn
cc: Louis C. Mason

731

1440 CANAL STREET · SUITE 1714
NEW ORLEANS, LOUISIANA 70112

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463



ACC 2890
668892

FEDERAL ELECTION COMMISSION

5734 Chatham Drive
New Orleans, Louisiana 70122

78 MAR 7 AM 11:52

February 24, 1978

MUR 497

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Mr. Andrew Athy, Jr.
Attorney
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Gentlemen:

The following is given in response to your letter of February 15, 1978, in which you claim reason to believe that I and other officers and directors of Republic National Bank "consented to a reimbursement of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council."

First, I did not know that Robert P. Aulston had given A. L. Davis a campaign contribution at any time, until I received your letter.

Second, the contribution and reimbursement at issue here was never either discussed or implied by me with anyone at any time, nor was it discussed by anyone else or with any other person(s) prior to receipt of your letter.

Third, the alleged contribution and reimbursement was never discussed formally or informally at a Board of Directors meeting that I attended. Political campaign contributions and elections were never discussed either formally or informally at Board meetings.

Fourth, Mr. William Stout, Liquidator-at-Large, F.D.I.C., presently liquidating Republic National Bank, has refused me access to the Minutes of the Board. However, Mr. Stout did agree to search the Minutes for me. He has authorized me to quote him as follows: "The Minutes contain nothing relating to a contribution or reimbursement between Aulston and Davis."

Therefore, I wish to attest that I had no knowledge either formally or informally, nor did I consent to it formally, or either by inference or implication (not possible since I lacked the requisite knowledge). Moreover, if I had known about it, it would not have transpired, because I am not a fool. Given the intense application of Federal election laws, only a very foolish person would have consented to what

Mr. William C. Oldaker
Mr. Andrew Athy, Jr.

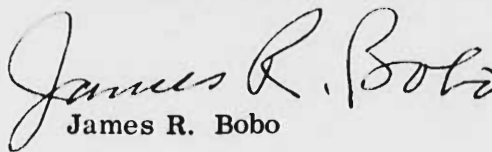
Page 2

February 24, 1978

you have alleged. And given the stringent financial condition of the Bank, a paltry \$100 could not be afforded.


Gentlemen, I have tried to fully respond to your letter. Please notify me if my compliance or response has been satisfactory.

Sincerely yours,


James R. Bobo

JRB:ww

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sworn to and subscribed before me
this 24th day of FEB 1978

Notary Public

James R. Bobo
5734 Chatham Drive
New Orleans, Louisiana 70122



CERTIFIED MAIL - Return Receipt Requested

RETURN RECEIPT
RECEIVED

CERTIFIED

No.

MAIL

Mr. William C. Oldaker, General Counsel
Mr. Andrew Athy, Jr., Attorney
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

James R. Bobo
5734 Chatham Dr.
New Orleans, LA 70122



**RETURN RECEIPT
REQUESTED**

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Andrew Athy, Jr.
Attorney
Federal Election Commission
1325K Street, N. W.
Washington, D. C. 20463

CERTIFIED



MAIL

5002872

FEDERAL ELECTION COMMISSION

952 Elmeer Place
Metairie, Louisiana 70005
February 28, 1978
78 MAR 6 PM 1:33

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Attention: Mr. William C. Oldaker

Re: MUR 497 (78)

Dear Mr. Oldaker:

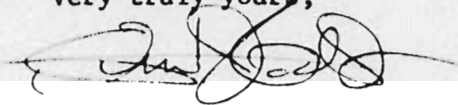
This is in reply to your letter of February 15, 1978 wherein you advised that "on August 6, 1976 I consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A.L. Davis, a candidate for the New Orleans City Council".

Please be advised that, not only have I not consented to any such reimbursement, but I have no knowledge of this incident whatsoever. I was employed by the bank from July 1975 to July 1977 as a vice-president-cashier. My immediate superior was Elray Venice who was the president and my position with the bank did not put me in a position of power to even consent to such a reimbursement. My duties were such that I was in charge of the "day to day" operation of the bank, but I did not engage in policy matters, etc.

I do know that Robert P. Aulston was Chairman of the Board of Directors of the bank and that A.L. Davis, in addition to being a candidate for the City Council, was also a member of that Board.

Let me reiterate that I have no knowledge of the matter you refer to in your letter and if you require any further clarification of my duties, etc. with the bank, please advise.

Very truly yours,



Ernest J. Cadro, Jr.

EJC:ph



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ernest J. Cadro
952 Elmeer Place
Metairie, Louisiana 70001

Re: MUR 497 (78)

Dear Mr. Cadro:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel



Mr. Ernest J. Cadro
952 Elmeer Place
Metairie, Louisiana

70005



72
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Attention: Mr. William C. Oldaker

CERTIFIED

No. 159667

MAIL

JOHN R. MARTZELL
WILSON M. MONTERO, JR.
FRANK E. LAMOTHE, III
CHARLES W. DITTMER, JR.
CHARLES F. GAY, JR.
ROBERT GLASS
JOHN WILSON REED
JANINE SYLL DINGLEMAN

MARTZELL & MONTERO
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION
338 LAFAYETTE STREET
NEW ORLEANS, LOUISIANA 70130

18 MAR 6 AM 9:12 AREA CODE 504
TELEPHONE 581-9065

March 2, 1978

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, DC 20463

RE: MUR 497 (78)

Dear Mr. Athy:

This will confirm our conversation of March 1, 1978 in the captioned matter. I confirmed my representation of Mr. Robert P. Aulston and advised you that due to Mr. Aulston's business affairs in Chicago the letter was late in reaching my office. I further advised that I would promptly be in contact with Mr. Aulston to determine the facts of the matter and that I would promptly respond to you and discuss further procedures under the Act.

Respectfully yours,


John R. Martzell

JRM/rem

MARTZELL & MONTERO
ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

238 LAFAYETTE STREET

NEW ORLEANS, LOUISIANA 70130

713 NOV 6 AM 9:12

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, DC 20463

ACC 2864

FEDERAL ELECTION

13

'78 MAR 6 AM 9:10

909 One Shell Square
New Orleans, Louisiana 70139
March 1, 1978

Attorney Andrew Athy, Jr.
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Athy:

In answer to your letter pursuant to U. S. C. - 437 g (a) (4) in reference to my violating the above law by consenting to a reimbursement by Republic National Bank to Robert P. Aulston for a campaign contribution to A. L. Davis, I have not consented to such reimbursement nor have any knowledge what so ever of any such transaction. I personally did not participate in any board meeting in which this authorization was given.

If further information is desired, feel free to call upon me.

Sincerely,



Leon R. Fulton

Leon R. Fulton
909 One Shell Square
New Orleans, La. 70139

Attorney Andrew Athy, Jr.
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

73 10 - Mi 8:10

ACC
2853

FEDERAL ELECTION COMMISSION

78 MAR 3 PM 12:48

February 27, 1978

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street, N. W.
Washington, D. C. 20463

Re: MUR. 497 (78)

Dear Mr. Oldaker:

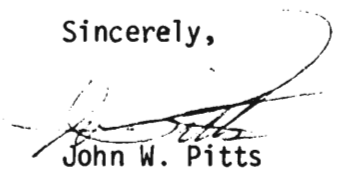
This is given in response to your letter of February 15, 1978 wherein you express belief that I, along with other officers and directors of Republic National Bank of New Orleans (should be of Louisiana - not New Orleans) violated 2 U. S. C. § 441b(a) in consenting to a reimbursement by Republic to Robert P. Aulston for a contribution he made to A. L. Davis, a candidate for the New Orleans City Council.

I have been aware of restrictions against such contributions for several years and I am certain that I did not knowingly approve one to A. L. Davis, and not solely for reason that it would violate the law. The fact that the Bank had not established a profit trend or made progress toward doing so would have been another reason not to approve a contribution.

Your letter concerned me with the possibility of such an expense being buried in a monthly report, so I attempted to research the Minutes which are now in possession of the FDIC under liquidation proceedings. Mr. Willard Stout Chief Liquidator of the FDIC had already made this search however, and assures me that this expenditure is not disclosed in the minutes nor reports supporting same and further, that I can quote him to this effect.

For the reasons cited herein I deny any and all knowledge and responsibility for the alleged violation and would certainly hope that I will be spared the time and expense of defending and proving my innocence which I will do, of course, if necessary.

Sincerely,



John W. Pitts

JWP/be
CC: Mr. Andrew Athy, Jr



FIRST
MONEY, INC.

Q

1105 Commerce Bldg.
821 Gravier Street
New Orleans, La. 70112

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K. Street, N. W.
Washington, D. C. 20463



13
70 MAR 3 PM 12:49



**FIRST
MONEY, INC.**

1105 Commerce Bldg.
821 Gravier Street
New Orleans, La. 70112

Mr. Andrew Athy, Jr.
General Counsel
Federal Election Commission
1325 K. Street, N. W.
Washington, D. C. 20463



RECEIVED
FEDERAL ELECTION COMMISSION

2500
2847

78 FEB 5 PM 12:54

February 24, 1978

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Dear Mr. Athy:

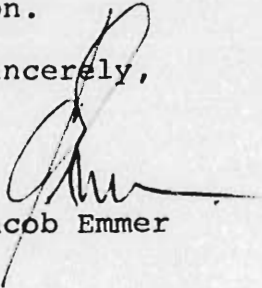
RE: MUR 497 (78)

Such a contribution, if made, would have had to have been made or approved by either the executive committee or the President of the bank.

On August 6, 1976, I was neither the Chief Executive Officer, or a member of the executive committee of the bank.

Further, to my knowledge, this is the first I have heard of such a contribution.

Sincerely,



Jacob Emmer

J. Emmer
516 Beverly Garden Drive
Metairie, LA 70003

Mr. Andrew Athy, Jr.
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463



6 PM 12 24

400
2854

MURRAY, MURRAY, ELLIS, BRADEN & LANDRY

A PROFESSIONAL LAW CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

612 GRAVIER STREET

NEW ORLEANS, LOUISIANA 70130

February 28, 1978

STEPHEN B. MURRAY
JULIAN R. MURRAY, JR.
MICHAEL H. ELLIS
HENRY F. BRADEN, IV
ROBERT J. LANDRY
ROMUALDO GONZALEZ

W. GLENN BURNS
CHIEF OF STAFF
STEVEN E. GRIFFITH

78 MAR 3 PM 12:47

TELEPHONE
(504) 581-3141

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Re: Milton Becnel
11200 Chef Menteur Highway
New Orleans, Louisiana 70128

Re: MUR 497 (78)

Dear Mr. Oldaker:

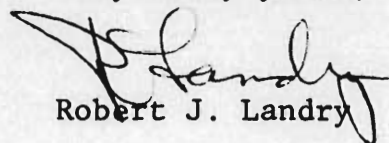
This will confirm my telephone conversation of last week with Andrew Athy, Jr., wherein I advised that the undersigned represented Milton J. Becnel and had so represented him for the past 15 years.

Mr. Becnel resigned from the Board of Republic National Bank as per letter submitted on April 12, 1976. Mr. Becnel resigned on the same date as Dr. E. Bashful.

I was advised by Mr. Athy that at the present time he merely needed a letter from me so stating that Mr. Becnel had resigned. In the event your office has any other requirements, please advise and we will comply with same.

In closing, it would suffice to say that Mr. Becnel was not a Member of the Board on August 6, 1976 and at the time the alleged violation took place.

Very truly yours,


Robert J. Landry

RJL/ec

MURRAY, MURRAY, ELLIS, BRADEN & LANDRY
A PROFESSIONAL LAW CORPORATION
612 GRAVIER STREET
NEW ORLEANS, LOUISIANA 70130



Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

11 12:47

ACC 2855

RECEIVED
FEDERAL ELECTION COMMISSION

70 MAR 5 PM 12:46

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

February 28, 1978

Dear Mr. Oldaker:

I am writing in answer to your letter to me dated February 16, 1978, which states that I consented to the reimbursement of a political contribution to Robert P. Aulston by Republic National Bank in violation of federal campaign laws.

I did not consent to this reimbursement and have no personal knowledge of it. Your letter to me brought the matter to my attention for the first time. I have not participated in any board meeting at which this reimbursement to Mr. Aulston was approved.

Please contact me if there are further questions.

Very truly yours,

A. L. Davis

Jefferson, Bryan & Gray

ATTORNEYS AND COUNSELLORS AT LAW
SUITE 1020 ONE SHELL SQUARE
NEW ORLEANS, LOUISIANA 70119



'76 M 13 PM 12:45

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

LCC 2849

Jefferson, Bryan & Gray

ATTORNEYS AND COUNSELLORS AT LAW

SUITE 3828

ONE SHELL SQUARE

NEW ORLEANS, LOUISIANA 70139

February 28, 1978 78 MAR 3 PM 12:51 504-561-8933

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

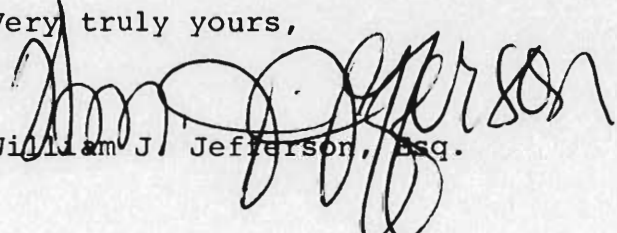
Dear Mr. Oldaker:

I represent Mr. Wilfred Daliat as his personal legal counsel. I am writing, at Mr. Daliat's request, to respond to your letter of February 19, 1978, to him in which you state, among other things, that the Federal Election Commission has cause to believe that Mr. Daliat has violated certain federal election laws by consenting to the reimbursement to Robert P. Aulston by Republic National Bank, of a one hundred dollar (\$100.00) contribution to Reverend A. L. Davis, a New Orleans City Councilman. Mr. Daliat received your letter, as I understand it, on Tuesday, February 21, 1978.

Mr. Daliat has asked me to report to you that he unequivocally did not consent to this reimbursement by the Republic National Bank to Mr. Aulston and, in fact, has no knowledge whatsoever concerning the reimbursement. He is not aware of any action by the board of directors of the bank on the question of reimbursing Mr. Aulston, nor was the matter even considered by the board of directors to his knowledge.

I trust that this response will be deemed a good and sufficient one on behalf of Mr. Daliat. If there is any further question whatsoever regarding this matter, please do not hesitate to contact me.

Very truly yours,


William J. Jefferson, Esq.

cc:
Mr. Wilfred Daliat
1817 Delery St.
New Orleans, La.

APR 4 1978

Jefferson, Bryan & Gray

ATTORNEYS AND COUNSELLORS AT LAW

SUITE 1020 ONE SHELL SQUARE

NEW ORLEANS, LOUISIANA 70119

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



10 21 PM '91



600 2804
FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, D.C. 20429

OFFICE OF THE GENERAL COUNSEL

70 FEB 27 AM 8:58
February 24, 1978

Andrew Atby, Esquire
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Dear Mr. Atby:

Subject: Republic National Bank
New Orleans, Louisiana - In Liquidation
Purchase and Assumption Transaction

I am enclosing per your request a copy of the Purchase and Assumption Agreement executed by and between FDIC as Receiver of subject bank and First City Bank, a newly chartered state bank which purchased certain assets and assumed certain liabilities of subject bank upon its closing in July, 1977.

You will note from the enclosed Agreement that, apart from the liabilities specified in Section 2 thereof, First City Bank assumed no liabilities whatsoever regarding actions of subject bank of the type currently being investigated by your agency.

If I can provide any additional information regarding this matter, please do not hesitate to contact me again.

Sincerely,

Michael B. Burgee
Attorney

Enclosure

cc:
Marcia C. Carrigan, Liquidator

(6 1 7 1 0 2 2 4 1 3 4 1 1)

PURCHASE AND ASSUMPTION AGREEMENT

This Agreement, made and entered into this 29th day of July, 1977, by and between the FEDERAL DEPOSIT INSURANCE CORPORATION, Receiver of Republic National Bank of Louisiana, New Orleans, Louisiana, formerly a national banking association (hereinafter the "Receiver") and FIRST CITY BANK, New Orleans, Louisiana, duly organized and existing under and by virtue of the laws of LOUISIANA and having its principal place of business in New Orleans, Louisiana (hereinafter the "Assuming Bank").

W I T N E S S E T H:

WHEREAS, Republic National Bank of Louisiana, New Orleans, Louisiana (hereinafter the "Bank") has been found to be insolvent and the Federal Deposit Insurance Corporation (hereinafter the "Corporation") appointed Receiver of the Bank by the Comptroller of the Currency pursuant to 12 U.S.C. §1821(c) and 12 U.S.C. §191; and

WHEREAS, it is in the best interest of the public and the depositors and other creditors of the Bank that certain assets and deposit and certain other liabilities of the Bank be immediately transferred to and assumed by another insured bank as herein provided; and

WHEREAS, Assuming Bank has proposed to enter into an agreement whereby it will purchase certain assets and assume the deposit and certain other liabilities of the Bank as hereinafter set forth;

NOW, THEREFORE, in consideration of the mutual promises herein set forth and other valuable consideration, each of the parties hereto, intending to be legally bound hereby, do severally undertake, promise, covenant, and agree with each other as follows:

Exhibit B

SECTION 1. DEFINITION OF TERMS

For the purpose of this Agreement, the terms defined in this Section shall have the meanings assigned to them herein, and, except as so defined, such terms shall have no independent meaning.

1.1 Bank Closing. The term "Bank Closing" shall mean the close of business on July 29, 1977.

1.2 Book Value. The term "book value" shall mean the dollar amount stated on the books and records of the Bank at the Bank Closing, after adjustment for differences in accounts, suspense items, unposted debits and credits, and other similar corrections.

1.3 Deposits. The term "deposit" shall include, but not be limited to, all uncollected items included in the depositor's balances and credited on the books of the Bank, provided however that the term "deposit" shall not include all or any portion of those deposit balances which may be required, in the opinion of the Corporation as per Section 10.3 hereof, to satisfy the Corporation for (1) any loan or loans which have been classified as loss or doubtful or are past due or (2) any liquidated or contingent liability to the Corporation by virtue of an unauthorized or unlawful transaction.

1.4 Payment Date. The term "Payment-Date" shall mean the date on which Assuming Bank receives funds from the Corporation as contemplated under Section 3 hereof and specifically referred to thereunder as "Cash from FDIC" but in no event to be later than Assuming Bank's first day of business after the date of execution of this Agreement.

1.5 Settlement Date. The term "Settlement Date" shall mean the first business day (not a Saturday) following the expiration of ninety (90) calendar days after the Bank Closing, subject to extension at the sole discretion of the Receiver.

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SECTION 2. ASSUMPTION OF LIABILITIES

2.1 Assuming Bank hereby expressly assumes and agrees to pay, perform, and discharge the following liabilities of the Bank as and to the extent shown on the books of the Bank as of the Bank Closing (except as provided in Section 1.3 and as provided in Section 10 hereof) and none other, at book value unless otherwise stated:

- (a) All demand deposits, including outstanding cashier's checks and other official checks;
- (b) Time and savings deposits, including accrued and unpaid interest thereon computed to Payment Date;
- (c) All accrued real estate, sales and use, social security and unemployment taxes, taxes withheld or collected from customers and all accounts payable and accrued operating expenses, including, but not limited to salaries, attorneys' fees, telephone, utility, advertising, and public relations expenses, all of which are subject to prior review and certification by the Corporation; and
- (d) Such other liabilities as shall have been certified by the Corporation to have constituted valid non-contingent balance sheet liabilities of the Bank as of the date of Bank Closing. Such liabilities shall be limited to those which have accrued and become unconditionally fixed as of such date.

2.2 All liabilities assumed under this Agreement by the Assuming Bank are assumed as of the Bank Closing, and the Assuming Bank agrees that interest accruals on the obligations assumed shall thereafter be accrued and paid by the Assuming Bank in accordance with the terms of such obligations, except as otherwise provided herein.

2.3 The Schedule of Liabilities annexed hereto and made a part hereof sets forth the liabilities assumed by the Assuming Bank under Section 2.1 hereof. Said Schedule is based upon the best information available and shall be used and adjusted as provided in Section 10 hereof.

2.4 Subject to the provisions of adjustment set forth in Section 10 hereof, the Receiver retains liabilities not expressly assumed by Assuming Bank.

SECTION 3. SALE OF ASSETS

3.1 Receiver agrees to and does hereby sell, assign, transfer, convey and deliver to Assuming Bank the right, title and interest of the Receiver in and to the following assets in an amount equal to the liabilities assumed under 2.1 hereof less the premium set forth in Section 9 hereof:

ASSETS

(a) Cash and Due from Banks.	\$ 478,795.90
(b) State, Municipal, Federal and other Securities at Book Value Plus Accrued Interest as of Bank Closing.	\$ 2,737,422.23
(c) Furniture, Fixtures, Equipment and Office Supplies at Book Value.	\$ 10,501.51 ***
(d) Cash from FDIC.	\$ <u>1,739,673.28</u>

* Estimated - to be adjusted following completion of audit of accounts by the Corporation.

** To be adjusted to market value as of the date preceding the Assuming Bank's first day of business.

*** To be adjusted within forty-five (45) calendar days to appraised value, said appraisal to be made by an appraiser mutually acceptable to the Corporation and the Assuming Bank.

3.2 The valuation to be given to United States Government Securities, securities of Federal Agencies, and other securities shall be determined by using the closing quotation as reported in The Wall Street Journal, New York edition, on the date preceding the Assuming Bank's first day of business. If no quotation shall have been reported on the date hereof, the last preceding quotation shall be used to determine the value thereof. In the event certain securities are not reported in The Wall Street Journal, New York edition, the value of such securities shall be determined by using a figure supplied by a broker mutually acceptable to the Corporation and the Assuming Bank.

3.3 Receiver agrees that the Assuming Bank shall have the option to purchase any and all loans belonging to the Receiver, such option to be exercised not later than sixty (60) calendar days from the date hereof.

3.4 All securities, notes and other evidences of debt or property and all other property to be transferred to the Assuming Bank hereunder shall be transferred without recourse and without any warranties whatever as to genuineness, collectibility, in whole or in part, or otherwise.

3.5 [omit]

3.6 All sales, use and transfer taxes which may be imposed on the transfer of any personal property to the Assuming Bank pursuant to this Agreement shall be the obligation of the Assuming Bank.

3.7 With respect to any contract providing for the rendering of services to the Bank outstanding as of the Bank Closing, the Receiver shall, to the extent and for the period requested by the Assuming Bank, use its reasonable best efforts to make available to the Assuming Bank the continuing benefit of such contract. Within thirty (30) calendar days after the Bank Closing, the Assuming Bank shall notify the Receiver of such contracts which it elects to assume and such contracts that it elects not to assume. The Assuming Bank shall pay, at the contract rate, for any services rendered to it pursuant to any such contract. At the request of the Assuming Bank and by notice to the Receiver, the Receiver shall make and deliver original or duplicate copies of records (including but not limited to, magnetic tape, disc storage, card forms, and printed copy) of application files, machine operating and applications software, full documentation of all application and processing routines and any other backup material which would facilitate the continued orderly operation

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of the Bank's electronic data processing operations, provided such material is owned by or is in the possession of the Receiver. Assuming Bank shall bear the cost (based on standard accepted industry charges to the extent applicable) or providing such duplicate records and documentation. By receiving benefits under contracts referred to in this section, the Assuming Bank shall not be deemed to have assumed any such contract or any liability or obligation in respect to its termination unless the Assuming Bank shall have specifically designated such contract for assumption within the time period provided. In the event the Assuming Bank shall assume any contract, the Receiver shall assign all the Bank's and the Receiver's right, title and interest in such contract so assumed to the Assuming Bank.

3.8 Assuming Bank hereby agrees to conduct normal banking operations at the Bank's main office located at 348 Baronne Street, New Orleans, Orleans Parish, Louisiana for a period of not less than thirty (30) calendar days following the Bank Closing.

3.9 Receiver hereby grants to the Assuming Bank an exclusive thirty (30) calendar day option to receive an assignment or sublease of the Bank's April 6, 1973 Lease Agreement for the Bank's main office located at 348 Baronne Street, New Orleans, Orleans Parish, Louisiana. Assuming Bank agrees that in the event it receives an assignment or sublease of the Bank's main office it shall purchase the leasehold improvements located in such premises, the valuation for the same to be made pursuant to the terms set forth in Sections 3.10 and 3.11 hereof. Such assignment or sublease shall be on the same terms, including the duration (less, in the case of a sublease, any such period of time as is necessary for the sublease to be a sublease and not an assignment) and the amount of rent, provided in such lease, to the extent consistent with the provisions of such lease and the rights of the

parties thereto. This option is subject to the right of approval by the lessor under the Lease Agreement as provided therein.

3.10 The purchase price of leasehold improvements purchased by the Assuming Bank pursuant to 3.9 hereof shall be fair market value as of the Bank Closing, determined in accordance with Section 3.11, less the amount of any outstanding indebtedness for borrowed or purchase money secured by mortgages, chattel mortgages, security interests or other liens effecting such leasehold improvements. As of the Bank Closing, leasehold improvements have a book value of approximately \$400,000.00. In no event shall leasehold improvements have a purchase price of less than zero. Conveyance of real and personal property interests shall be made, as appropriate, by Receiver's Deed or Receiver's Bill of Sale without warranty of title. Assuming Bank shall pay all closing costs and expenses with respect to closing, except for counsel fees of Receiver.

3.11 In the event Assuming Bank exercises its option set forth in Section 3.9 hereof, then within forty-five (45) calendar days after the Bank Closing, leasehold improvements shall be appraised by a property appraiser mutually acceptable to the Corporation and the Assuming Bank to determine the fair market value as of the Bank Closing, provided that the balance of the term of the lease and the right of renewal, if any, shall be taken into account. Appraisal costs shall be shared equally by the Corporation and Assuming Bank in such event.

3.12 Risk of loss with respect to all parcels of real estate, leased premises and leasehold improvements occupied or used by the Assuming Bank pursuant to this Section 3 shall rest with the Assuming Bank after the Bank Closing until such leased premises and leasehold improvements are returned to the possession of the Receiver or purchased or assumed pursuant to the options granted herein. The Assuming

4.2 Assuming Bank agrees to preserve and safely keep all of the files, books of accounts, and records referred to above for the joint benefit of itself, the Receiver and the Corporation, and that it will permit the Receiver or the Corporation to inspect, and make extracts from, or copies of, any of such files, books of account, or records, at any reasonable time.

SECTION 5. DUTIES WITH RESPECT TO DEPOSITORS

5.1 Assuming Bank agrees to pay all properly drawn checks, drafts, and withdrawal orders presented to it by mail, over its counters or through the clearings by depositors of the Bank, whether drawn on the check or draft forms provided by the Bank or by the Assuming Bank, to the extent that the assumed balances to the credit of the respective makers or drawers shall be sufficient to permit the payment thereof, and in all other respects to discharge, in the usual course of the banking business, the duties and obligations of the Bank with respect to the balances now due and owing to the depositors of the Bank assumed by it, provided, that the Assuming Bank does not assume any special or unusual duties of the Bank to its depositors unless the terms thereof shall be disclosed by the Receiver.

5.2 Assuming Bank agrees to pay interest on all time deposits assumed by it in accordance with the terms thereof and on all savings deposits assumed by it at the declared rate established by the Bank, subject to the provisions of law and the individual contracts relating to such deposits.

SECTION 6. NOTICE TO DEPOSITORS

6.1 Assuming Bank agrees and is hereby authorized, for and on behalf of the Receiver, to give notice to depositors of its assumption of the deposit balances of the Bank assumed by it. Such notice shall be given within thirty (30) calendar days after the date of acquisition pursuant to the provisions

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Bank shall carry insurance coverage, including public liability and fire and extended coverage insurance, on all real estate, leased premises and leasehold improvements occupied and used by the Assuming Bank hereunder and amounts reasonably required by the Receiver and by any applicable lease. All such insurance policies shall, where appropriate, name the Receiver as an additional insured. The Assuming Bank agrees to give the Receiver sufficient notice of its intention to return possession of such premises and leasehold improvements and personalty for the Receiver to obtain satisfactory insurance coverage for such property. Such notice shall be received not less than five (5) days prior to vacating the premises.

SECTION 4. RECORDS

4.1 Receiver hereby assigns, transfers, and delivers to the Assuming Bank the following records pertaining to the deposit liabilities to be assumed by Assuming Bank:

- (a) Signature cards, orders and contracts between the Bank and its depositors, and records of similar character;
- (b) Depositors' passbooks held by the Bank, deposit slips and cancelled checks or withdrawal orders representing charges to depositors' accounts;

and the following records pertaining to assets to be transferred to Assuming Bank:

- (c) Records of deposit balances carried with other banks, bankers and trust companies;
- (d) Loan and collateral records and credit files; and
- (e) Deeds, mortgages, abstracts, surveys and other instruments or records of title, pertaining to real estate or real estate mortgages.

C O R P O R A T I O N 4 5 4 2 1

of Section 8(q) of the Federal Deposit Insurance Act, 12 U.S.C. §1818(q) and Section 307.3 of the Corporation's Rules and Regulations.

6.2 Receiver agrees that the Assuming Bank may give notice to depositors of its assumption of the deposit balances of the Bank in the form of an open letter or similar form in addition to the form of notice required hereby. The Assuming Bank agrees that in the event it should desire to send, publish, or give such additional notice it shall submit the same for approval to counsel for the Corporation or the Liquidator. Such additional notice shall not be sent, published or given until it shall have been so approved.

SECTION 7. SAFE DEPOSIT BOXES

7.1 Receiver agrees to sell, assign and transfer to the Assuming Bank its safety deposit box business including removable safety deposit boxes and safety deposit box stocks in its vault, and all right and benefit heretofore accrued or hereafter accruing to it under rental agreements with any persons to whom any of such boxes are rented, and all of the keys, combinations, signature cards, agreements and records pertaining to the operation of such lock boxes by the Bank, the method of valuation of such safety deposit boxes and stacks and for such safety deposit business being shown in Section 3.1 hereof.

7.2 Assuming Bank agrees to assume and to discharge, in the usual course of the banking business, the duties and obligations of the Bank with respect to all of such boxes and to maintain all necessary facilities for the use of such boxes by the renters thereof during the period for which such persons have paid rent therefor in advance to the Bank, subject to the provisions of the rental agreements between the Bank and the respective renters of such boxes. The serial numbers of such boxes, the name of the renters, the rental rate, and

the date to which rent is paid are set forth in the Schedule of Safety Deposit Boxes.

SECTION 8. SAFEKEEPING ITEMS

8.1 Receiver agrees to transfer and deliver to the Assuming Bank all securities and papers held by the Bank in safekeeping for its customers together with all the records relating thereto.

8.2 Assuming Bank agrees to assume, honor, and discharge the duties and obligations of the Bank with respect to such safekeeping items and shall be entitled to any right or benefit heretofore accrued or hereafter accruing therefrom. The safekeeping articles herein referred to, the names of the persons entitled to delivery thereof, and the charges due for the service, if any, are set forth in the Schedule of Safekeeping Articles.

SECTION 9. PAYMENT OF PREMIUM

9.1 Assuming Bank agrees to pay a premium of \$ 35,000.00 for the assets purchased and liabilities assumed hereunder, such premium to be paid as set forth in Section 3.1 hereof.

SECTION 10. ADJUSTMENTS

10.1 All computations necessary for Payment Date, including the amount of cash conveyed by the Receiver under Section 3.1 hereof, shall be based upon the assets and liabilities respectively set forth in Schedule A and the Schedule of Liabilities. It is understood, however, that these Schedules are as of dates other than the Bank Closing and that certain of the figures set forth in such Schedules may be as of different dates. It is further understood that the descriptions and schedules of assets and liabilities transferred to and assumed by the Assuming Bank may not be complete because of lack of full information concerning the Bank's operations, and that certain assets and liabilities of a nature similar

to those set forth in the Schedules have not been included therein because they are carried in the Bank's suspense accounts at the Bank Closing. The Receiver, after the Bank Closing, shall prepare as of the Bank Closing new Schedules of Liabilities actually assumed under Section 2.1 and assets actually purchased under Section 3.1 hereof. Such new Schedules shall include such additional assets and liabilities of a nature similar to those set forth in the Schedules which at the Bank Closing were carried in the Bank's suspense accounts, and shall also include accruals as of the Bank Closing for all income related to assets and operations of the Bank purchased or acquired by the Assuming Bank hereunder, whether or not the Bank reflected such accruals on its books in the normal course of its operations. Such new Schedules shall be prepared on the basis of the best information then available to the Receiver. The parties agree to make on the Settlement Date any payments or transfers required to adjust other assets and liabilities.

10.2 In the event any omissions or errors in the attached Schedules shall be discovered in compiling the new schedules required by this Section or in completing the transfers and assumption contemplated hereby, the parties severally agree to adjust therefor in cash on the Settlement Date, or promptly upon the discovery thereof if after the Settlement Date, it being the intention of the parties that the assets transferred pursuant to Section 3 hereof shall equal the liabilities assumed pursuant to Section 2 hereof, valued as set forth therein less the premium. If it is discovered subsequent to the date hereof that any claim exists against the Bank which is of such a nature that it would have been included in any Schedule compiled under Section 2 hereof had the existence of such claim or the facts giving rise thereto been known at the Bank Closing, the Receiver may in its discretion require such claim to be assumed by the Assuming Bank in a manner consistent with the intent of the Agreement.

10.3 If it is discovered subsequent to the date hereof that all or any portion of the deposit liabilities assumed by the Assuming Bank constitute funds the depositor obtained from the Bank as the result of an unauthorized or unlawful transaction as determined by the Corporation, the Assuming Bank shall pay to the Corporation, upon its demand, all or any portion of such funds then on deposit and the Assuming Bank shall be discharged from further liability to such depositor and shall be indemnified and held harmless by the Corporation to the extent of the payment so made to the Corporation. Likewise, if it is determined subsequent to the date hereof that all or any portion of the deposit liabilities assumed by the Assuming Bank constitute funds of a party obligated on a loan which shall have been transferred to the Corporation by the Receiver and such loan has been classified as loss or doubtful or is past due, the Assuming Bank shall pay to the Corporation, upon its demand, all or any portion of such funds then on deposit; the Assuming Bank shall be discharged from further liability to such depositor and shall be indemnified and held harmless by the Corporation to the extent of the payment so made to the Corporation.

10.3 In the event that the amount due to any depositor of the Bank is less than book value, the Assuming Bank agrees to pay the amount of such excess to the Receiver at the Settlement Date.

SECTION 11. PAYMENT DATE

11.1 The payments pursuant to Section 3.1 hereof and delivery of possession of books, records, documents and real and personal property contemplated hereby shall take place as soon as possible after this Agreement becomes effective and in no event later than the Payment Date.

SECTION 12. CONTINUING COOPERATION

12.1 Receiver agrees at any time and from time to time upon request of the Assuming Bank to execute and deliver such further instruments and documents of conveyance as shall be necessary or proper to vest in the Assuming Bank the full legal or equitable title of the Receiver to the property transferred to the Assuming Bank hereunder.

12.2 It is hereby agreed that the Receiver shall have the right, at its option, to defend or settle any claim or suit against the Assuming Bank as to which the Corporation had indemnified and held Assuming Bank harmless, which may result in a loss to the Receiver arising out of this Agreement or which may have existed against the Bank on or before the Bank Closing. The Assuming Bank shall have no duty to defend or take any action with respect to any such claim or suit, but the Assuming Bank shall cooperate in the defense of such claim or suit to the extent reasonably required by the Receiver.

12.3 If any of the depositors, instead of accepting the obligation of the Assuming Bank to pay the deposit liabilities of the Bank, shall assert a claim against the Receiver for any part of any such assumed deposit liabilities, the Assuming Bank agrees on demand to provide the Receiver with money sufficient to enable it to pay the claims of such depositors, not exceeding the amount set forth opposite their respective names as they appear on the records of the Assuming Bank as of the time of making such demand; upon the payment thereof to the Receiver, the Assuming Bank shall be discharged from any further liability to such depositors under this Agreement.

SECTION 13. MISCELLANEOUS

13.1 Counterparts. All Schedules herein referred to shall constitute a part of this Agreement. This Agreement

may be executed in any number of counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same instrument, and any party hereto may execute this Agreement by signing any such counterpart.

13.2 Severability. If any provision of this Agreement is invalid or unenforceable, then to the extent possible all the remaining other provisions of this Agreement remain in full force and effect and shall be binding upon the parties hereof.

13.3 Successors; No Third Party Rights. All covenants, representations, warranties and conditions of this Agreement shall be binding on the successors and assigns of the Assuming Bank and the Receiver. Nothing expressed or referred to herein is intended or shall be construed to give any person other than the Assuming Bank, the Receiver and the Corporation any legal or equitable right, remedy or claim under or in respect of this Agreement, or any provision herein contained, it being the intention of the parties hereto that this Agreement, the assumption of obligations and statements of responsibilities hereunder and all other conditions and provisions hereof are for the sole benefit of the Assuming Bank, the Receiver and the Corporation and for the benefit of no other person.

13.4 Headings. The headings of the sections and subsections contained in this Agreement are inserted for convenience only and shall not affect the meaning or interpretation of this Agreement or any provisions hereof.

13.5 Notices. Any notices, request, demand or other communication to either of the parties hereto or to the Corporation shall be deemed given when received and shall be given in writing, and deliver or sent by certified mail in a prepaid envelope, to such party at its address set forth

below or at such other address as such party shall hereafter
furnish in writing.

Assuming Bank

FIRST CITY BANK

348 BARONNE ST

NEW ORLEANS, LOUISIANA

Attention: ELTON ARCENEUX,
PRESIDENT

Receiver

Federal Deposit Insurance Corporation
550 Seventeenth Street

Washington, D.C. 20429

Attention: Chief, Division of
Liquidation

IN TESTIMONY WHEREOF, Federal Deposit Insurance
Corporation, Receiver of Republic National Bank of Louisiana,
New Orleans, Louisiana, and FIRST CITY BANK,
New Orleans, Louisiana, have executed these presents by their
duly authorized officers on the day and year first above written.

FEDERAL DEPOSIT INSURANCE CORPORATION
Receiver of Republic National
Bank of Louisiana, New Orleans,
Louisiana

By:

Sherwin R. Koopmans

Attest:

Michael B. Burgee
Michael B. Burgee

FIRST CITY BANK

By:

ELTON A. ARCEANEUX, JR.

Attest:

[Signature]

SCHEDULE A

ASSETS PURCHASED BY ASSUMING BANK

1. Cash and Due from Banks \$ 478,795.90
2. State, Municipal, Federal
and other Securities at
Book Value Plus Accrued
Interest as of Bank Closing \$ 2,737,422.23
3. Furniture, Fixtures,
Equipment and Office
Supplies at Book Value \$ 10,501.57

SCHEDULE OF LIABILITIES

- | | | | |
|----|-----|-----------------------|-----------------|
| 1. | (a) | Total Time Deposits | \$ 3,293,630.17 |
| | (b) | Total Demand Deposits | \$ 1,707,762.75 |

Total deposit Liabilities Plus Interest as of Bank Closing

\$ 5,001,392.92*

- | | | |
|----|---|--|
| 2. | Other Liabilities to be Determined During Settlement Period | |
|----|---|--|

* Estimated - to be adjusted following completion of audit of accounts by the Corporation.

105 FEB 27 AM 8:58

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D. C. 20429

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300.

POSTAGE AND FEES PAID
FEDERAL DEPOSIT
INSURANCE CORPORATION



Atty. Gen.
of the
U.S. Cour
misdic

EBERHARD P. DEUTSCH
BRUNSWICK G. DEUTSCH
RALPH L. KASKELL, JR.
H. PAUL SIMON
A. MORGAN BRIAN, JR.
GUY W. SMITH
CORNELIUS G. VAN DALEN
ROBERT L. REDFEARN
WILLIAM W. MESSERSMITH, III
CHARLES F. SEEMANN, JR.
ROBERT G. STASSI
BERTRAND M. CASS, JR.
JAMES A. BURTON
RAYMON G. JONES

FRANCIS J. BARRY, JR.

CHRISTOPHER M. GUIDROZ
ALLEN F. CAMPBELL
THOMAS J. FISCHER
PETER L. KOERBER
JOHN K. FORD

PHILIP D. LORIO, III

R. EMMETT KERRIGAN
MARIAN MAYER BERKETT
MALCOLM W. MONROE
BERNARD MARCUS
FRANK J. PERAGINE
CHRISTOPHER TOMPKINS
FRANCIS G. WELLER
FREDERICK R. BOTT
CHARLES K. REASONOVER
RALPH E. SMITH
ROBERT E. KERRIGAN, JR.
THOMAS R. BLUM
HARRY S. ANDERSON
H. BRUCE SHREVES

MARCEL J. GUENOT
NANCY P. MCCARTHY
VICTOR E. STILWELL, JR.
MATT J. FARLEY
WALTER C. PARLANGE, III

HARRY F. STILES (1902-1953)

OF COUNSEL

RENÉ H. HIMEL, JR.

TELEPHONE

(504) 581-5141

CABLE ADDRESS

"DEKEST"

TELEX

584358

DEUTSCH, KERRIGAN & STILES

COUNSELLORS AT LAW

FORTY-SEVENTH FLOOR

ONE SHELL SQUARE

NEW ORLEANS 70139

February 23, 1978

Federal Election Commission
1325 K Street N.W.
Washington, DC 20463

Attention: Andrew Athy, Jr., Esq.

Re: MUR 497 (78)

Gentlemen:

This is to confirm our telephone conversation of yesterday that the writer, Dennis A. Cross and Mortimer D. Evans, Jr. ceased to be directors of the Republic National Bank of New Orleans long prior to August 6, 1976 and, accordingly, have no knowledge of, or responsibility for, any reimbursement of a campaign contribution made by Robert P. Aulston to A. L. Davis.

It is my understanding that this letter will clear up this matter for the three of us, and that you will confirm same by return mail.

Awaiting your confirmation, I am

Sincerely,

Robert L. Redfearn

Robert L. Redfearn

RLR:lk1

cc: Dennis A. Cross
Mortimer D. Evans, Jr.

DEUTSCH, KERRIGAN & STILES

COUNSELLORS AT LAW

ONE SHELL SQUARE

NEW ORLEANS 70139

SEP 17 1968

Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

Attention: Andrew Athy, Jr., Esq.

900 2802
CHARLES C. TEAMER, SR.
2601 GENTILLY BOULEVARD
NEW ORLEANS, LOUISIANA 70122

73 FEB 27 AM 8:54
February 23, 1978

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

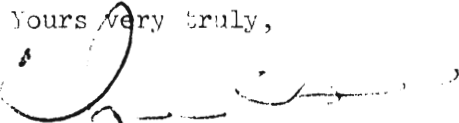
Dear Mr. Oldaker:

This will acknowledge receipt of your letter of February 15, 1978.

Please be advised that I was not present nor do I have any knowledge of any action taken by the Directors of Republic National Bank as stipulated in your letter.

I was out of the City of New Orleans beginning on July 28, 1976 and did not return until August 16, 1976. On Friday, August 6, 1976 I was in Africa. I will forward an affidavit to you certifying this as soon as possible.

Yours very truly,


Charles C. Teamer

cc:abj

cc: Atty. Andrew Atay, Jr.



Mr. William C. Coker
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

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100-101111-2 911 01



18 FEB 27 AM 10 53

Attorney Andrew Abby, Jr.
General Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

NOT

ACC 5810

SOUTHERN UNIVERSITY IN NEW ORLEANS

6400 PRESS DRIVE
NEW ORLEANS, LOUISIANA 70126

FEDERAL ELECTION

OFFICE OF THE CHANCELLOR

February 22, 1978

'78 FEB 27 PM 12:54

RE: MUR 497 (78)

Mr. William C. Oldaker, General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463


Dear Mr. Oldaker:

This acknowledges receipt of your letter of February 15, 1978, in which you cite action taken by the Board of Directors of Republic National Bank of New Orleans on August 6, 1976, which you feel violated federal law.

Please be advised that I resigned from the Board of Directors of the Republic National Bank on February 12, 1976 (see enclosed). Moreover, at the next annual meeting of stockholders in March or April, 1976, a new Board of Directors was elected. My name was not even on the slate. Therefore, I fail to see why I am being contacted for some action taken by the Board in August, 1976.

I respectfully request that these facts be added to your record.

Very sincerely yours,


Emmett W. Bashful
Chancellor

/fdw

Enclosure

*Republic's
nat'l bank*

6400 Press Drive
New Orleans, LA 70126
February 12, 1976

010300137
Mr. Robert Aulston, Chairman
Board of Directors
Republic National Bank
348 Baronne Street
New Orleans, LA 70112

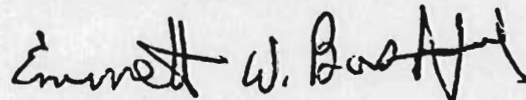
Dear Mr. Aulston:

I wish to respectfully submit my resignation as a Member of the Board of Directors of the Republic National Bank as of this date. I will also place all stocks which I purchased for myself and my family on sale at the ten dollar (\$10) per share sale price.

It is my sincere hope that Republic National Bank will become the strong financial institution that all of us desire.

Please send a copy of this letter to the proper regulatory office.

Very sincerely yours,



Emmett W. Bashful

/fdw

cc: Mr. Elray Venice

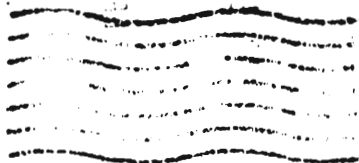
OFFICE OF THE CHANCELLOR

SSOUTHERN UNIVERSITY IN NEW ORLEANS
6100 PRESS DRIVE
NEW ORLEANS, LOUISIANA 70126



REGISTERED RETURN RECEIPT REQUESTED

Mr. William C. Oldaker, General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463





Mud 497

FEDERAL DEPOSIT INSURANCE CORPORATION
P. O. Box 60020 New Orleans, Louisiana 70160
Telephone: (504) 589-3731

78 FEB 16 PM 12:30

February 13, 1978

Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

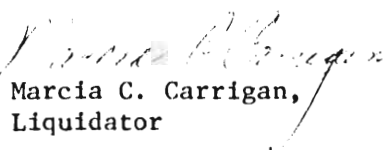
Dear Mr. Athy:

Subject: Republic National Bank of Louisiana
New Orleans, Louisiana AP-261
A. L. Davis Contribution

Enclosed are the items you requested concerning a contribution to A. L. Davis.

If we can be of further assistance, please do not hesitate to contact our office.

Very truly yours,


Marcia C. Carrigan,
Liquidator

MCC/sjf
Enclosure



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

New Orleans, Louisiana

August 6,

19 76

REMITTER

Republic National Bank of La.

5300583100

PAY TO THE

ORDER OF Robert P. Aulston, III

\$ 100.00

REPUBLIC NATIONAL BANK OF LA. \$100 AND 00 CTS

EXPENSE CHECK

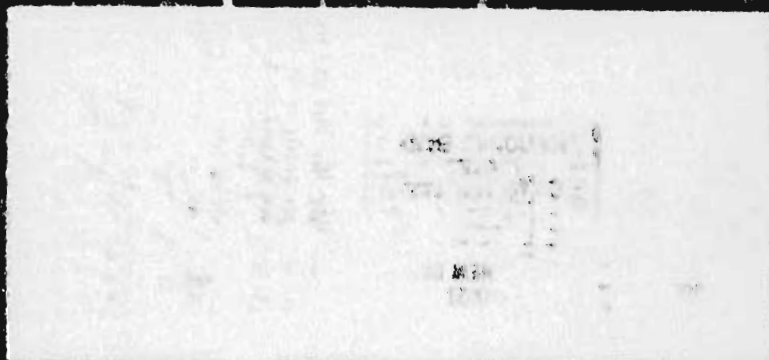
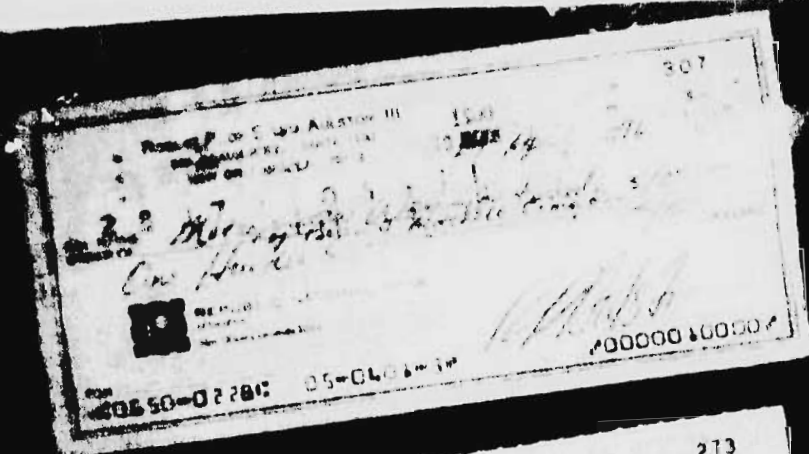
2 tickets @ \$50.00

Reception A.L. Davis

Bonahall
AUTHORIZED SIGNATURE

⑆0650⑉0228⑆ 2002230100⑈ 3693 ⑈0000010000⑈

Robert P. Aulston



FEDERAL DEPOSIT INSURANCE CORPORATION

P. O. Box 60020

New Orleans, LA 70160

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



Mr. Andrew Athy
Federal Election Commission
1325 K. Street N.W.
Washington, D. C. 20463

FEDERAL ELECTION COMMISSION

1325 K STREET, N.W.

WASHINGTON, D.C. 20463

POSTAGE AND FEES PAID



REASON CHECKED
Undelivered ☒ Refused
Addressee unknown
Insufficient Address
No such street
No such office or state
Do not remain in office

Mr. Edgar F. Poretsky
6219 Providence Place
New Orleans, Louisiana 70126

FEB 25 1978

4138133

7 1978

MUR 497 AA

PS Form 3811, Apr. 1977

<p>● SENDER (Complete items 1-4) Add your address in the "RETURN TO" space on reverse.</p>	
<p>1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)</p>	
<p>2. ARTICLE ADDRESSED TO: Mr. Edgar F. Poree, Jr. 6219 Providence Place New Orleans, Louisiana 70116</p>	
<p>3. ARTICLE DESCRIPTION: REGISTERED NO. <u>95433</u> CERTIFIED NO. <u>95433</u> INSURED NO. <u>95433</u> (Always indicate nature of service or agent) I have received this article and its contents. I am authorized agent SIGNATURE <u>[Signature]</u> ADDRESS <u>[Address]</u></p>	
<p>4. DATE OF DELIVERY <u>6/1</u></p>	<p>POSTMARK</p>
<p>5. ADDRESS (Complete only if requested)</p>	
<p>6. UNABLE TO DELIVER BECAUSE:</p>	<p>CLERK'S INITIALS</p>

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Edgar F. Poree, Jr.
6219 Providence Place
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Poree:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

REASON
Unclaimed
Refused
Lost

MAR 7

Mr. Mortimore D. Evans
823 Marigny
New Orleans, Louisiana 70117

MAR 7 1978

POSTAGE AND FEES PAID



FEB 21 1978

~~FEB 25 1978~~

MAR 7 1978

438118

Athy MR 497

2. Complete items in this space on reverse.
3. Add your address in the RETURN TO space on reverse.

4. The following service is requested (check one)

Show to whom and date delivered _____

Show to whom, date, and address of delivery _____

☒ RESTRICTED DELIVERY

Show to whom and date delivered _____

☐ RESTRICTED DELIVERY

Show to whom, date, and address of delivery \$ _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Mr. Mortimore D. Evans
823 Marigny
New Orleans, Louisiana 70117

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

438118

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS

823 Marigny

New Orleans, Louisiana 70117

REASON

Returned to writer

Unclaimed

Refused

No Address

Water damaged

6. UNABLE TO DELIVER BECAUSE

Returned to writer

Unclaimed

Refused

No Address

Water damaged

Returned to writer

Unclaimed

Refused

No Address

Water damaged

Returned to writer

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

GPO : 1977-O-234-337



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mortimore D. Evans
823 Marigny
New Orleans, Louisiana 70117

Re: MUR 497 (78)

Dear Mr. Evans:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

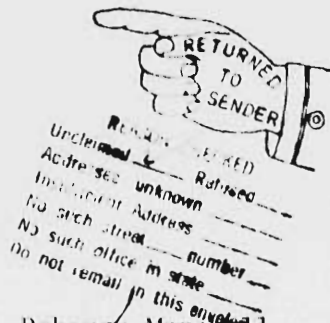
Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463



Ms. Rebecca Marshall
7148 Dalewood
Dallas, Texas 75214

POSTAGE AND FEES PAID



CLAIM CHECK NO.

293088

☐ HOLD

DATE

5-25-78
1ST NOTICE

2ND NOTICE

7-10-78
RETURN

CERTIFIED
943116

Detached from
PS Form 3840-A
July 1977



AA-497(78)

● SENDER Complete items in this section. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered _____ <input checked="" type="checkbox"/> Show to whom, date, and address of delivery _____ <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered _____ <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery. \$ _____ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Rebecca Marshall 7148 Dalewood Dallas, TX 75214	
3. ARTICLE DESCRIPTION: REGISTERED NO. <u>943116</u>	CERTIFIED NO. _____ INSURED NO. _____ (Always obtain signature of addressee or agent)
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY _____	POSTMARK _____
5. ADDRESS (Complete only if requested) _____	
6. UNABLE TO DELIVER BECAUSE: _____	
CLERK'S INITIALS _____	

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO : 1977-O-234-337

 APR 11 1978
 TX LAKEVIEW



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

March 17, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rebecca Marshall
7148 Dalewood
Dallas, Texas 75214

Re: MUR 497 (78)

Dear Ms. Marshall:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. Section 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution for the New Orleans City Council.

Pursuant to 2 U.S.C. Section 437g(a)(4) you have an opportunity to demonstrate that no further action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rebecca Marshall
7148 Dalaewood
Dallas, Texas 75214

Dalewood

Re: MUR 497 (78)

Dear Ms. Marshall:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

POSTAGE AND FEES PAID



RETURNED
TO
SENDER
Unclassified
Address
Postage
No. 100-100000
Do not remove this label

Ms. Rebecca Marshall
7148 Dalaebook
Dallas, Texas 75214

438121

15/8
5

Athy MYR 497

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered _____ \$ <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. _____ \$ <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered _____ \$ <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ _____ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Ms. Rebecca Marshall 7148 Dalaewood Dallas, Texas 75214	
3. ARTICLE DESCRIPTION: REGISTERED NO. <u>438121</u> CERTIFIED NO. _____ INSURED NO. _____ (Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY 3	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

☆ GPO 1977-O-234-337



RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Abraham L. Davis
2319 3rd Street
New Orleans, Louisiana 70113

Re: MUR 497 (78)

Dear Mr. Davis:

This is to notify you that the Federal Election Commission has found reason to believe that you violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented as a bank director to a reimbursement by the Republic National Bank to Robert P. Aulston, III for a \$100 contribution which he made to support your candidacy for City Council in New Orleans.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr., (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel



Athy

MUR 497

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: Mr. Abraham L Davie 2319 3rd Street New Orleans, La. 70113		
3. ARTICLE DESCRIPTION: REGISTERED NO. CERTIFIED NO. INSURED NO. 438110		
(Always obtain signature of addressee or agent)		
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Abraham L Davie</i>		
4. DATE OF DELIVERY FEB 21 1978		
5. ADDRESS (Complete only if requested) FEB 21 1978		
6. UNABLE TO DELIVER BECAUSE: O. CARRIE CLERK'S INITIALS		



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lloyd Villavaso
7121 Retgate
New Orleans, Louisiana 70127

Re: MUR 497 (78)

Dear Mr. Villavaso:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" box on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of (CONSULT POSTMASTER FOR)	
2. ARTICLE ADDRESSED TO: Mr. Lloyd Villavaso 7121 Retgate New Orleans, Louisiana 70127	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438135	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Lloyd Villavaso</i>	
4. DATE OF DELIVERY FEB 22 1978	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

ly,

C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Charles C. Teamer
2601 Gentilly Road
New Orleans, Louisiana 70122

Re: MUR 497 (78)

Dear Mr. Teamer:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Charles C. Teamer 2601 Gentilly Road New Orleans, La. 70122	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438102	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <i>[Signature]</i> AUTHORIZED agent	
4. DATE OF DELIVERY	POSTMARK 1978
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE	
CLERK'S INITIALS	

☆ GPO : 1977-O-294-337

ely,

C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert L. Redfern
3713 Carondelet
New Orleans, Louisiana 70115

Re: MUR 497 (78)

Dear Mr. Redfern:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John W. Pitts
4913 Cleveland Place
Metairie, Louisiana 70003

Re: MUR 497 (78)

Dear Mr. Pitts:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3, and add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date, and address of delivery. <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. John W. Pitts 4913 Cleveland Place Metairie, La. 70003	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438105	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE: <i>Mr. John W. Pitts</i> <input type="checkbox"/> Addressed <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY: FEB 15 1978 PM 12:21 METAIRIE	
5. ADDRESS (Complete only if required)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

ely,

C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lewis C. Mason, Jr.
8931 South Claiborne Avenue
New Orleans, Louisiana 70118

Re: MUR 497 (78)

Dear Mr. Mason:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery: \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Lewis C. Mason, Jr. 8931 South Claiborne Avenue New Orleans, La 70118	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438104	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. ADDRESS (Complete only if requested) 1978 8931 South Claiborne Avenue New Orleans, La 70118	
5. ADDRESS (Complete only if requested) 1978 8931 South Claiborne Avenue New Orleans, La 70118	
6. UNABLE TO DELIVER BECAUSE: CARRIER'S INITIALS	

ely,

C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Nolan A. Marshall, Sr.
1604 Mirabeau Avenue
New Orleans, Louisiana 70122

Re: MUR 497 (78)

Dear Mr. Marshall:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

MUR 497 8A

● SENDER: Complete items 1, 2, and 3, and add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery: \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Nolan A. Marshall, Sr. 1604 Mirabeau Avenue New Orleans, La. 70122	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438116	CERTIFIED NO. 438116 INSURED NO.
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>[Signature]</i> DATE OF DELIVERY FEB 21 1978	
5. ADDRESS (Complete only if requested): 1604 Mirabeau Ave New Orleans, La. 70122	
6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS	

★ GPO : 1977 O-234-337

ely,

[Signature]
m C. Oldaker
1 Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Leon R. Fulton
5700 Campass Boulevard
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Fulton:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Leon R. Fulton 5700 Campass Boulevard New Orleans, La. 70126	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438117	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY	POSTMARK FEB 15 1978 FEDERAL ELECTION COMMISSION
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	

★ 800: 197-O-234-237

Sincerely,

Sam C. Oldaker
Legal Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mortimore D. Evans
823 Marigny
New Orleans, Louisiana 70117

Re: MUR 497 (78)

Dear Mr. Evans:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Wilfred Dailet
1817 Delery
New Orleans, Louisiana 70117

Re: MUR 497 (78)

Dear Mr. Dailet:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Wilfred Dailet 1817 Delery New Orleans, La. 70117	
REGISTERED NO. 438115	CERTIFIED NO. INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent DATE OF DELIVERY 2-22-78	
5. ADDRESS (Complete only if requested)	POSTMARK
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

ely,

W. C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis A. Cross
4819 Carondelet
New Orleans, Louisiana 70115

Re: MUR 497 (78)

Dear Mr. Cross:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered <input checked="" type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Dennis A. Cross 4819 Carondelet New Orleans, La. 70115	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438126	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Dennis A. Cross</i>	
4. DATE OF DELIVERY FEB 22 1978	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	

☆ 670-1187-O-234-337

ely,
[Signature]
m C. Oldaker
1 Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James R. Bobo
5734 Chatham Drive
New Orleans, Louisiana 70122

Re: MUR 497 (78)

Dear Mr. Bobo:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Athy MUR 497

● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. James R. Bobo 5734 Chatham Drive New Orleans, La. 70122	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438124	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above: SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY FEB 22 1978	5. ADDRESS (complete only if registered)
6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS	

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Milton Becknel
11200 Chef Menteur Highway
New Orleans, Louisiana 70128

Re: MUR 497 (78)

Dear Mr. Becknel:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Milton Becknel 11200 Chef Menteur Highway New Orleans, La. 70128	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438123	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
DATE OF DELIVERY 21 FEB 1978	
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

ely,
[Signature]
C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Emmett W. Bashful
6400 Press Drive
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Bashful:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1., 2., and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered <input checked="" type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery: \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Emmett W. Bashful 6400 Press Drive New Orleans, La. 70126	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438122 CERTIFIED NO. 438122 INSURED NO. 1	(Always obtain signature of addressee or agent) I have received the article described above: SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Emmett W. Bashful</i>
4. DATE OF DELIVERY 8/2	POSTMARK FEB 15 1978
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

★ EFO : 1977-O-234-337

ly,
C. Oldaker
C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rebecca Marshall
7148 Dalaewook
Dallas, Texas 75214

Re: MUR 497 (78)

Dear Ms. Marshall:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ernest J. Cadro
952 Elmeer Place
Metairie, Louisiana 70001

Re: MUR 497 (78)

Dear Mr. Cadro:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a) (4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Ernest J. Cadro 952 Elmeer Place Metairie, Louisiana 70001	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438129 CERTIFIED NO. INSURED NO.	4. I have received the article described above. SIGNATURE <i>[Signature]</i> DATE OF DELIVERY <i>[Date]</i> POSTMARK FEB 22 1978 AUTHORIZED AGENT <input type="checkbox"/>
5. ADDRESS (Complete only if requested):	
6. UNABLE TO DELIVER BECAUSE:	

y,
[Signature]
C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jacob Emmer
516 Beverly Garden Drive
Metairie, Louisiana 70003

Re: MUR 497 (78)

Dear Mr. Emmer:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

MUR 497 AA

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Jacob Emmer 516 Beverly Garden Dr. Metairie, Louisiana 70003	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438128 CERTIFIED NO. 0 INSURED NO. 0	(Always obtain signature of addressee above.) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Jacob Emmer</i> DATE OF DELIVERY 2/16/78
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	

POSTMARK: **8161 1978**
CLERK'S OFFICE

C. Oldaker
C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Elray Venice
4815 Mithra Street
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Venice:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

MUR 497 AA

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one): <input type="checkbox"/> Show to whom and date delivered <input checked="" type="checkbox"/> Show to whom, date, and address of delivery <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date, and address of delivery. (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Elray Venice 4815 Mithra Street New Orleans, Louisiana 70126	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438127	INSURED NO.
(Always obtain signature of addressee of article) I have received the article described above: SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY 2/21/78	POSTMARK FEB 15 1978
5. ADDRESS (Complete only if requested) 4815 Mithra St. New Orleans, La. 70126	
6. UNABLE TO DELIVER BECAUSE:	

☆ 690 : 1977-O-234-337

ly.
C. Oldaker
C. Oldaker
Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert P. Aulston
6941 Lake Willow Drive
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Aulston:

This is to notify you that the Federal Election Commission has found reason to believe that you violated 2 U.S.C. 441b(a) when on August 6, 1976, you received reimbursement by the Republic National Bank of New Orleans for a \$100 contribution made by you to A. L. Davis, a bank officer and candidate for City Council in New Orleans.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered. <input checked="" type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Robert P. Aulston 6941 Lake Willow Drive New Orleans, Louisiana 70126	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438136	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above: SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent	
4. DATE OF DELIVERY	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

★ 690 : W77-O-234-337

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Republic National Bank
348 Baronne Street
New Orleans, Louisiana 70112

Re: MUR 497 (78)

Dear Sir:

This is to notify you that the Federal Election Commission has found reason to believe that the Republic National Bank violated 2 U.S.C. § 441b(a) when on August 6, 1976 it reimbursed a \$100 contribution made by its officer, Robert P. Aulston, to A. L. Davis a candidate for New Orleans City Council.

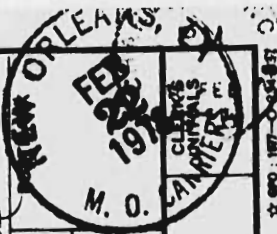
Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr., (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered <input checked="" type="checkbox"/> Show to whom, date, and address of delivery <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: President, Republic Nat'l Bank 348 Baronne Street New Orleans, Louisiana 70112	
3. ARTICLE DESCRIPTION: REGISTERED NO. 438131	INSURED NO.
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>W. C. Oldaker</i>	
4. DATE OF DELIVERY FEB 22 1978	
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Edgar F. Poree, Jr.
6219 Providence Place
New Orleans, Louisiana 70126

Re: MUR 497 (78)

Dear Mr. Poree:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel



BEFORE THE FEDERAL ELECTION COMMISSION

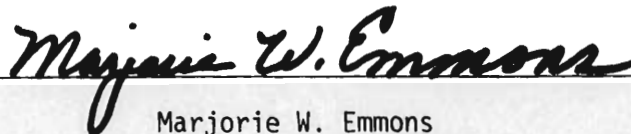
In the Matter of)

MUR 497 (78)

The Republic National Bank of)
New Orleans and its Officers)
and Directors, namely:)
Edgar F. Poree, Jr.,)
Elray Venice, Jacob Emmer,)
Ernest J. Cadro, Rebecca Marshall,)
Robert P. Aulston, E.W. Bashful,)
Milton Becknel, James R. Bobo,)
Dennis A. C ross, Wilfred Dialett,)
A. L. Davis, Joseph Epps, Mortimore)
D. Evans, Leon R. Fulton, Nolan)
A. Marshall, Sr., Lewis C. Mason, Jr.,)
John W. Pitts, Robert L. Redfern,)
Charles C. Teamer, Lloyd Villavaso)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 13, 1978, the Commission adopted the recommendation of the General Counsel to find reason to believe that a violation of 2 U.S.C. §441b(a) was committed by the above named respondents and that the letters attached to the General Counsel's Report be sent upon establishment of appropriate addresses.



Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 13, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwc*
SUBJECT: MUR 497 (78) - First General Counsel's Report

The above-mentioned document was circulated to the Commissioners on February 9, 1978 at 12:30.

As of 2:00, February 13, 1978, no objections have been received in the Office of Commission Secretary to the recommendations that reason to believe be found and the letters attached to the report sent.

ATTACHMENT:
Certification



February 9, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 497

Please have the attached 7 day report on MUR 497 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

81030245481

FEDERAL ELECTION COMMISSION
1325 K Street, N. W.
Washington, D. C. 20463

FIRST GENERAL COUNSEL'S REPORT

MUR NO. 497

DATE COMPLAINT RECEIVED
BY OGC January 24, 1978

STAFF MEMBER: Athy

COMPLAINANT'S NAME: Referral from the Comptroller of the Currency,
Administrator of National Banks

RESPONDENTS' NAMES: The Republic National Bank of New Orleans and its
Officers and Directors, namely: Edgar F. Poree, Jr.,
Elray Venice, Jacob Emmer, Ernest J. Cadro, Rebecca
Marshall, Robert P. Aulston, E. W. Bashful, Milton
Becknel, James R. Bobo, Dennis A. Cross, Wilfred
Dialett, A. L. Davis, Joseph Epps, Mortimore D. Evans,
Leon R. Fulton, Nolan A. Marshall, Sr., Lewis C.
Mason, Jr., John W. Pitts, Robert L. Redfern,
Charles C. Teamer, Lloyd Villavaso.

RELEVANT STATUTE: 2 U.S.C. 441b(a)

INTERNAL REPORTS CHECKED:

FEDERAL AGENCIES CHECKED:

SUMMARY OF ALLEGATIONS

That the Republic National Bank and consenting officers and directors
violated 2 U.S.C. § 441b(a) when on August 6, 1976 Robert P. Aulston an
officer of the bank was reimbursed by the bank for a \$100 contribution
which he made to A. L. Davis, another bank officer who was a candidate
for New Orleans City Council.

The reimbursement was discovered in an examination of respondent
bank by the Comptroller of the Currency. This bank was declared insolvent
on July 29, 1977 and sold to a group which formed a state bank.

The staff of the Enforcement Section of the Comptroller of the
Currency's Office advises that the successor bank represents a separate

and distinct entity and is not liable for the actions of the Republic National Bank. We are naming the Republic National Bank as a respondent until it is established that it or the successor bank is beyond reach of this action. The directors and officers remain liable for their actions and investigation should determine the extent of their respective knowledge of the matters alleged.

RECOMMENDATION

Find reason to believe that a violation of 2 U.S.C. § 441b(a) was committed by the above named respondents. Send attached letters upon establishment of appropriate addresses.*

* Addresses of the individual officers which were not supplied are being developed by the staff.



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Republic National Bank
348 Baronne Street
New Orleans, Louisiana 70112

Re: MUR 497 (78)

Dear Sir:

This is to notify you that the Federal Election Commission has found reason to believe that you the Republic National Bank violated 2 U.S.C. § 441b(a) when on August 6, 1976 it reimbursed a \$100 contribution made by its officer Robert P. Aulston to A. L. Davis a candidate for New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr., (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

Dear Mr. Aulston:

This is to notify you that the Federal Election Commission has found reason to believe that you violated 2 U.S.C. 441b(a) when on August 6, 1976, you received reimbursement by the Republic National Bank of New Orleans for a \$100 contribution made by you to A. L. Davis, a bank officer and candidate for City Council in New Orleans.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

Dear Mr. Davis:

This is to notify you that the Federal Election Commission has found reason to believe that you violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented as a bank director to a reimbursement by the Republic National Bank to Robert P. Aulston, for a \$100 contribution which he made to support your candidacy for City Council in New Orleans.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr., (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

j

Re: MUR 497 (78)

Dear j:

This is to notify you that the Federal Election Commission has found reason to believe that you, as well as other officers and directors, violated 2 U.S.C. § 441b(a) when on August 6, 1976 you consented to a reimbursement by the Republic National Bank of New Orleans of a \$100 contribution made by Robert P. Aulston to A. L. Davis, a candidate for the New Orleans City Council.

Pursuant to 2 U.S.C. § 437g(a)(4) you have an opportunity to demonstrate that no action should be taken against you. Accordingly, please submit within ten (10) days of receipt of this letter any legal or factual evidence pertinent to this matter.

If you have any questions, please contact us. The attorney assigned to this matter is Andrew Athy, Jr. (202-523-4074).

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

February 7, 1978

MEMORANDUM

TO: Hal Pounder, Assistant General Counsel

FROM: Keith A. Vance, Senior Investigator *KAV*

SUBJECT: MUR 497 - LOCATION OF INDIVIDUALS

As per your request of February 3, 1978, please find below the addresses, determined through investigative inquiry, of the individuals listed in MUR 497 as being officers and directors of the Republic National Bank of New Orleans.

- | | |
|---|---|
| 1) POREE, Edgar F. Jr.
6219 Providence Place
New Orleans, La. 70126 | 2) VENICE, Elray
4815 Mithra Street
New Orleans, La. 70126 |
| 3) EMMER, Jacob
516 Beverly Garden Drive
Metairie, La. 70003 | 4) CADRO, Ernest J.
952 Elmeer Place
Metairie, La. 70001 |
| 5) MARSHALL, Rebecca
7148 Dalaewood
Dallas, Texas 75214 | 6) AULSTON, Robert P.
6941 Lake Willow Drive
New Orleans, La. 70126 |
| 7) BASHFUL, Emmett W. (E. W.)
6400 Press Drive
New Orleans, La. 70126 | 8) BECKNEL (BECNEL), Milton
11200 Chef Menteur Highway
New Orleans, La. 70128 |
| 9) BOBO, James R.
5734 Chatham Drive
New Orleans, La. 70122 | 10) CROSS, Dennis A.
4819 Carondelet
New Orleans, La. 70115 |
| 11) DAILET (DIALET), Wilfred
1817 Delery
New Orleans, La. 70117 | 12) DAVIS, Abraham L. (Councilmember)
2319 3rd Street
New Orleans, La. 70113 |



Memo To: Hal Pounder
February 7, 1978
Page 2

Subject: MUR 497

- | | |
|---|---|
| 13) EVANS, Mortimore D.
823 Marigny
New Orleans, La. 70117 | 14) FULTON, Leon R.
5700 Campass Boulevard
New Orleans, La. 70126 |
| 15) MARSHALL, Nolan A., Sr.
1604 Mirabeau Avenue
New Orleans, La. 70122 | 16) MASON, Lewis C., Jr.
8931 South Claiborne Avenue
New Orleans, La. 70118 |
| 17) PITTS, John W.
4913 Cleveland Place
Metairie, La. 70003 | 18) REDFERN, Robert L.
3713 Carondelet
New Orleans, La. 70115 |
| 19) TEAMER, Charles C.
2601 Gentilly Road
New Orleans, La. 70122 | 20) VILLAVASO, Lloyd
7121 Retgate
New Orleans, La. 70127 |

Our inquiry was unable to determine any information pertaining to Mr. Josep M. Epps of New Orleans.

cc: Lester Scall

Doc 2484
MUR 497(78)

Comptroller of the Currency
Administrator of National Banks

Washington, D. C. 20219

January 18, 1978

Mr. William C. Oldaker
General Counsel
Federal Election Commission
General Counsel's Office
1325 K Street NW
Washington, D. C. 20469

Re: Republic Nation Bank of Louisiana, New Orleans, Louisiana
(RNB)
RNB director Robert P. Aulston

Dear Mr. Oldaker:

During a recent examination of the subject bank (which was declared insolvent and sold on July 29, 1977), it was discovered that the bank may have violated the provisions of 2 U.S.C. §441b(a) by reimbursing its director, Robert P. Aulston, for a \$100 political contribution he made on behalf of the bank.

Specifically, on August 4, 1976, Aulston purchased twenty tickets, at \$50 each, for a fund raising reception for the campaign of A. L. Davis, who was running for the office of City Councilman in New Orleans, and who was also a director of the subject bank. On August 6, 1976, the bank apparently reimbursed Aulston for two of these tickets and attributed the expense to "Public Relations". This \$100 reimbursement, therefore, appears to have been in violation of 2 U.S.C. §441b(a), which prohibits any national bank from making "a contribution or expenditure in connection with any election to any political office".

Related Background Information

Aulston purchased the twenty tickets for the A. L. Davis reception mentioned above with a check drawn on his account that he shares with his wife. On August 23, 1976, he opened a special account with a \$100 deposit (which may represent the \$100 reimbursement he received from the bank), and, on September 2, 1976, wrote the following four checks, overdrawing (apparently intentionally) the account by \$16,229.99:

1. Check 101, made out to himself, in the amount of \$12,400, with the notation "Testimonial Contribution on behalf of RNB Directors".

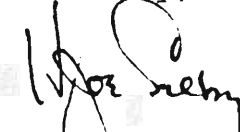
2. Check 102, made out to himself, in the amount of \$2,929.99, with the notation "Reimbursement Due From RNB".
3. Check 103, made out to himself, in the amount of \$500, with the notation "Contribution to N.O.S.C.A.F. (New Orleans Sickle Cell Anemia Fund) on behalf of RNB Directors and RNB".
4. Check 104, made out to himself, in the amount of \$500, with the notation "A. L. Davis Campaign for RNB".

(All four checks were deposited into the joint account he shared with his wife. The overdraft status was corrected on October 20, 1976 with the proceeds of a loan to his law firm from RNB.)

The first and the fourth checks appear to be political contributions made on behalf of the bank, which, if reimbursed by the bank, might constitute a violation of 2 U.S.C. §441b(a). Although the bank refused to reimburse Aulston for these expenditures, his request for reimbursement may be construed as an attempt to violate the statute.

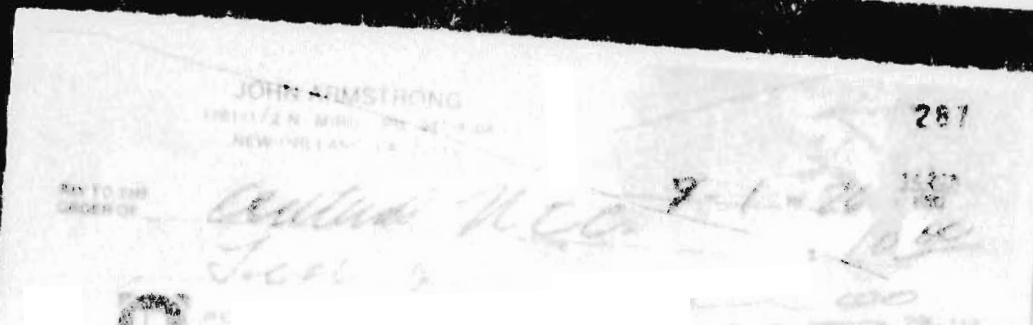
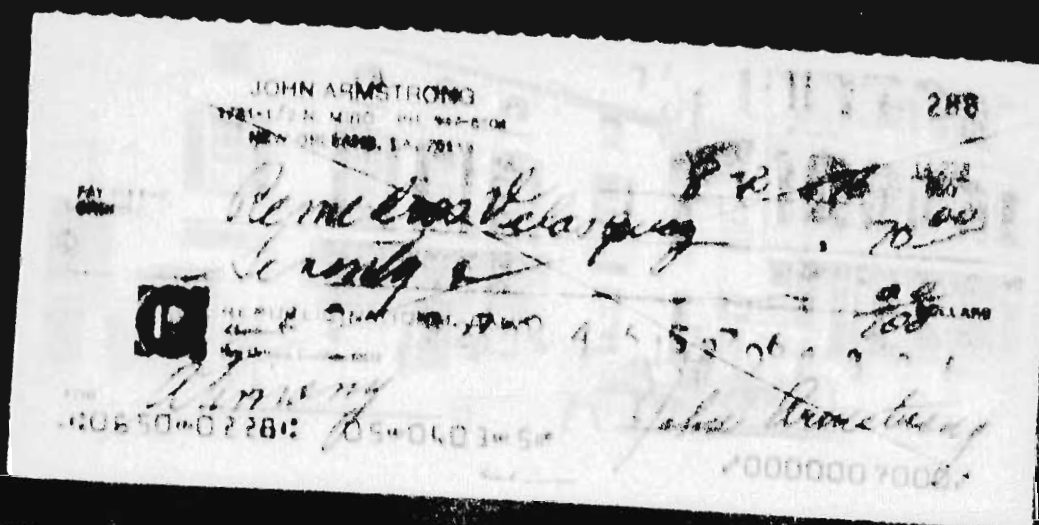
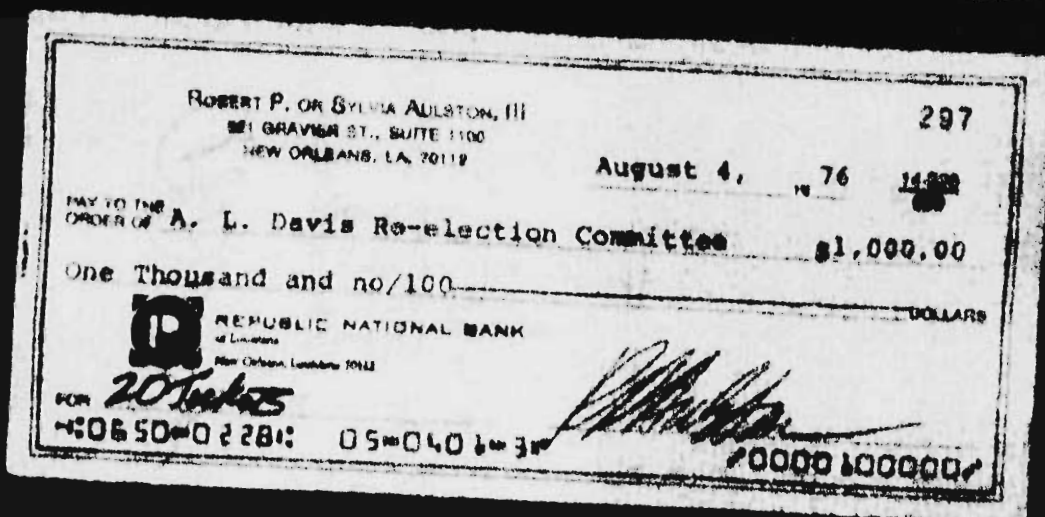
If you have any questions concerning this letter, please contact Robert S. Pasley in our Enforcement and Compliance Division at 447-1989.

Sincerely,



H. Joe Selby
First Deputy Comptroller for Operations

Enclosures



10-278 01 14-225
PAY ANY BANK, P.E.G.
Republic National Bank
of Louisiana
NEW ORLEANS, LA.
14-225 14-225

13032

FOR DEPOSIT
CENTRAL SAVINGS AND LOAN ASSN.
CASHIER

FOR DEPOSIT
CENTRAL SAVINGS AND LOAN ASSN.

583100 Public Relations 8/6/76 Amount 34-0-1
100.00 Rfy

1570 to Robert Aulston III
2 tickets @ \$50.00 for donation to
Reception for A.L. Davis, City Councilman
District B

CEASED
PROCESSED
PROCESSED
PUBLIC MAIL
OFFICE
228 - 142-142



REPUBLIC NATIONAL BANK OF LOUISIANA

New Orleans, Louisiana

August 6,

1570
76

PURCHASER

Republic National Bank of La.
5300563100

DRAWN TO

THE ORDER OF Robert P. Aulston, III

FEE PAID

\$ 100.00

1570 100.00

EXPENSE CHECK

2 tickets @ \$50.00

Reception A.L. Davis

19 THRU
FOR MEMO * NOT NEGOTIABLE

Your presence is requested at the reception
honoring

A. L. Davis, City Councilman
District B

on Friday, August 6, 1976 - 7:00 p.m. til 9:00 p.m.

Seafarers International Union Hall

630 Jackson Avenue

New Orleans



MUSIC AND REFRESHMENTS
DONATION \$50.00
PER PERSON

Nº 110

Your presence is requested at the reception
honoring

A. L. Davis, City Councilman
District B

on Friday, August 6, 1976 - 7:00 p.m. til 9:00 p.m.

Seafarers International Union Hall

630 Jackson Avenue

New Orleans



MUSIC AND REFRESHMENTS
DONATION \$50.00
PER PERSON

Nº 102



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

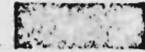
New Orleans, Louisiana

August 6,

19 76

REMITTER Republic National Bank of La.
5300583100

PAY TO THE ORDER OF Robert P. Aulston, III



\$ 100.00

REPUBLIC NATIONAL BANK OF LOUISIANA \$100.00

EXPENSE CHECK

Marshall
AUTHORIZED SIGNATURE

2 tickets (\$50.00)
Reception A.I. Davis

⑆0650⑉0228⑆ 2002230100⑈ 3693 ⑈000000100000⑈



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

New Orleans, Louisiana

August 6,

76

REMITTER Republic National Bank of La.
5300583100

DRAWN TO THE ORDER OF Robert P. Aulston, III

FEE PAID

\$ 100.00

REPUBLIC NATIONAL BANK OF LOUISIANA \$100.00

GENERAL LEDGER CREDIT
BANK'S REGISTER COPY

EXPENSE CHECK

FOR BANK USE ONLY
NOT NEGOTIABLE ★ RETURN IF FOUND

2 tickets (\$50.00)
Reception A.I. Davis

⑆0650⑉0228⑆ 2002230100⑈ 3643 ⑈000000100000⑈

OUT
CUT OFF
WHEN PAID

Robert D. Nathan

NOV 19 1964
LIBRARY
OF THE
CONGRESS

81010043496

NOV 19 1964
LIBRARY
OF THE
CONGRESS



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

103

2 September 1976

14 228
650

Pay to the
order of

ROBERT P. AULSTON, III

\$500.00

Five Hundred

5/100 Dollars



REPUBLIC NATIONAL BANK

For Contribution to No S.C. of
Adopted by the Committee on
1:0650 0228 08 020 2 51

R.P. Aulston

0000050000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

101

30 August 1976

14 228
650

Pay to the
order of

ROBERT P. AULSTON, III

\$12,400.00

Twelve Thousand, Four Hundred

4/100 Dollars



REPUBLIC NATIONAL BANK

For Remaining Contribution to
Adopted by the Committee on
1:0650 0228 08 020 2 51

R.P. Aulston

0000124000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

104

2 September 1976

14 228
650

Pay to the
order of

ROBERT P. AULSTON, III

\$500.00

Five Hundred

5/100 Dollars



REPUBLIC NATIONAL BANK

For A.C. Davis Committee for RAB
1:0650 0228 08 020 2 51

R.P. Aulston

0000050000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

102

30 August 1976

14 228
650

Pay to the
order of

ROBERT P. AULSTON, III

\$2,922.77

Two Thousand, Nine Hundred and Twenty-two

77/100 Dollars



REPUBLIC NATIONAL BANK

For Contribution to the RAB
1:0650 0228 08 020 2 51

R.P. Aulston

0000292277

14
PAY ANY BANK
| Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Handwritten signature

14
PAY ANY BANK
| Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Handwritten signature

14
PAY ANY BANK
| Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Handwritten signature

14
PAY ANY BANK
| Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Handwritten signature

ROBERT P. OR SYLVIA ALABSON, III
691 GRAVER ST., SUITE 1100
NEW ORLEANS, LA. 70112

REPUBLIC NATIONAL BANK OF LOUISIANA

DATE

2 SEPTEMBER 1971

12,400.00

14,228.650

SEPT 10 1971



REPUBLIC NATIONAL BANK
of Louisiana
New Orleans, Louisiana 70112

14,228.650

DEPOSIT
TICKET

PLEASE
ITEM IF
ADDITIONAL
NEEDS ON
REVERSE
SLIP

40650-0286 05-0601-3 3647-000244348 17

SHOULD USE THIS

REPUBLIC NATIONAL BANK
NEW ORLEANS

NEW ORLEANS, LOUISIANA, LA. 70112

05-0601-3

ROBERT P. OR SYLVIA ALABSON, III
691 GRAVER ST., SUITE 1100
NEW ORLEANS, LA. 70112

40650-0286

05-0601-3

3647-000244348 17

14,228.650

Amount needed

0286.00

0100043500

Please List Each Check Separately by Bank Number

DOLLARS CENTS

CURRENCY

COIN

Checks by Bank No.

14-228	1	85	00
14-72	2	120	00
14-203	3	388	00
14-228	4	220	82
14-228	5	251	00
14-2	6	20	00
14-2	7	20	00
14-228	8	500	00
14-228	9	500	00
14-228	10	100	00
14-228	11	100	00
14-228	12	500	00
14-228	13		

TOTAL

Enter on front side.

CURRENCY COUNT — FOR BANK'S USE ONLY

x	1's
x	2's
x	5's
x	10's
x	20's
x	50's
x	100's
TOTAL \$	

730482

ROBERT P. OR SYLVIA AULSTON, III
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

2 SEPTEMBER 1976

DATE

ALL ITEMS ARE RECEIVED BY THIS BANK FOR THE PURPOSES OF DEPOSIT AND ARE SUBJECT TO PROVISIONS OF THE UNIFORM COMMERCIAL CODE WHERE APPLICABLE AND THE RULES AND REGULATIONS OF THIS BANK. ALL CREDITS FOR ITEMS ARE PROVISIONAL UNTIL COLLECTED BY BANK.



REPUBLIC NATIONAL BANK
of Louisiana
New Orleans, Louisiana 70112

REPUBLIC NATIONAL BANK OF LOUISIANA
TELLER NO. 1976

SEP 2 1976

14-228
650

DEPOSIT TICKET

PLEASE ITEMIZE
ADDITIONAL
CHECKS ON
REVERSE
SIDE

065000228

HAFLAND V16 (9/73)

050403

2647 0002443481

Inter-Office Memorandum

To: Mr. Edgar F. Poree

Date: September 7, 1976

From: Elray Venice

Copies: Mr. Robert P. Aulston, III

Subject: Robert P. Aulston's Expenses

The attached expenses statements were submitted by Mr. Aulston in the month of June. It was agreed at that time to hold back the payment until such time Republic National Bank could afford to make the payment. However, I have also enclosed a photostat of the items processed for credit to Mr. Aulston's personal account of which includes the following:

1. Check # 102 in the amount of \$2,929.99 for reimbursement of expenses incurred on behalf of Republic National Bank from April 3, 1974 thru February 1, 1976.
2. Check # 101 in the amount of \$12,400.00 for reimbursement of expenses incurred on behalf of Republic National Bank directors.

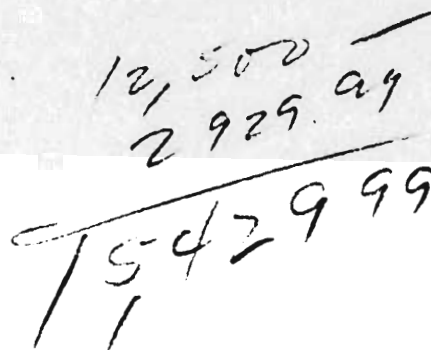
The account the above items are drawn on is presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400.00 expense incurred on behalf of Republic National Bank directors should be presented to the Board of Directors for payment. May I suggest to you to speak to Mr. Aulston before pursuing collection of the total amount.

The total amount due Mr. Aulston is \$15,429.99 of which includes of \$100.00 deposit made to open the special account.

EV/rmm

Attachments

01010045501



GULF SOUTH VENTURE CORPORATION

SUITE 1202

COMMERCE BUILDING

821 GRAVIER STREET

NEW ORLEANS, LOUISIANA 70112

ROBERT P. AULSTON, III

CHAIRMAN

PRESIDENT

AND

CHIEF EXECUTIVE OFFICER

TELEPHONE

AREA CODE 504

XXXXXX

561-2120

June 7, 1976

Mr. Elray Venice
President
Republic National Bank
348 Baronne Street
New Orleans, Louisiana 70112

RE: Expense Statements

Dear Mr. Venice:

I am enclosing herewith my long-overdue expense statements which itemize those certain expenses which I incurred on behalf of Republic National Bank from the period beginning April 3, 1974 and ending February 1, 1976, inclusive of my tenures as President and Chief Executive Officer and as Chairman of the Board of Directors.

I have attached receipts of all travel and travel-related expenses to the statements, and I have given reasonable estimates of taxicab, parking and eating expenses while travelling, where receipts are unavailable.

Because some of the expenses incurred were paid by Gulf South Venture Corporation, I have itemized the expenses in terms of what is to be reimbursed separately to Gulf South Venture Corporation and to me.

As you know, these expenses cover over a two (2) year period and should be examined accordingly.

DATE	AMOUNT DUE EMPLOYEE	AMOUNT DUE GSVC
4/3/74 thru 1/12/76 as incurred on personal BankAmericard and American Express (See Attachments)	\$1,400.53	\$ -0-
6/6/74 thru 12/30/75 (Miscellaneous cash expendi- tures; See Attachments)	513.44	-0-

GULF SOUTH VENTURE CORPORATION

Page 2 of Memo to
Mr. Elray Venice
June 7, 1976

11/ 4/74 thru 1/25/76
(Fairmont Roosevelt breakfast
and luncheon expense; See
Attachments)

	-0-	658.02
1/ 2/75 - Washington trip	208.34	-0-
1/15/75 - Washington trip	221.60	164.47
3/16/75 - Washington trip	117.60	181.46
6/30/75 - Memphis trip	47.75	-0-
10/19/75 - Miami trip	95.00	162.73
2/ 1/76 - Washington trip	325.73	241.48
	<hr/>	<hr/>
TOTAL DUE	\$2,929.99	\$1,408.16
	<hr/>	<hr/>

This does not, of course, include several trips to Washington on behalf of Gulf South Venture Corporation or the American Association of MESBICs at which time Republic National Bank matters were discussed and resolved, e.g. the trip taken by me to Washington and New York during the week of April 26, 1976.

Please remit the respective amounts in checks made payable to Gulf South Venture Corporation and me.

Sincerely,


Robert P. Aulston, III

RPA,III:vk

Enclosures

cc: Lloyd L. Villavaso
Executive Vice President
Gulf South Venture Corporation

01030241508

COMPTROLLER OF THE CURRENCY
ADMINISTRATOR OF NATIONAL BANKS
WASHINGTON, D.C. 20219

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

POSTAGE AND FEES PAID
THE DEPARTMENT OF
THE TREASURY
TREAS-556



Mr. William C. Oldaker
General Counsel
Federal Election Commission
General Counsel's Office
1325 K Street NW
Washington, D.C. 20469



78 JAN 19 PM 12:07

1 UNITED STATES OF AMERICA
2 FEDERAL ELECTION COMMISSION

3 IN THE MATTER OF REPUBLIC NATIONAL BANK
4 NO. MUR 497(77)

5
6
7
8 SWORN STATEMENT

9 OF

10 REBECCA MARSHALL
11
12

13
14 A P P E A R A N C E S:

15 MESSRS. HAL PONDER and ANDREW ATHY
16 Federal Election Commission
17 1325 K Street, N.W.
18 Washington, D.C.
19

20 SWORN STATEMENT OF REBECCA MARSHALL, taken before
21 Patricia Rodenberger, Certified Shorthand Reporter in
22 and for the State of Texas, on the 10th day of May,
23 A.D., 1978, at 8:30 a.m., at the offices of Federal
24 Court Reporters, Suite 411, 1226 Commerce Street,
25 Dallas, Dallas County, Texas.

1 REBECCA MARSHALL,
2 having been first duly sworn to testify the truth, the
3 whole truth and nothing but the truth, testified on
4 her oath as follows:

5 EXAMINATION

6 BY MR. ATHY:

7 Q Will the witness state her name, address
8 and occupation?

9 A Becky Marshall, 7148 Dalewood, 75214; Lakewood
10 Bank & Trust in New Accounts.

11 Q You appreciate you have a right to be
12 represented by a counsel with respect to this proceeding?

13 A Yes.

14 Q Do you have a counsel with you?

15 A No.

16 Q My name is Andrew Athy and with me is Hal
17 Ponder. We're officers of the Federal Election
18 Commission charged with the responsibility of enforcing
19 the Federal Election Campaign Act.

20 This is part of an investigation conducted
21 after the Commission found reason to believe a violation
22 of 441(b) was committed by you and other officers and
23 directors of the Republic National Bank, and the
24 questions shall deal with matters raised on the
25 authority of that investigation.

1 If at any time you want to go off the record,
2 just say so to me and I'll instruct the stenographer
3 to go off the record; but she won't go off the record
4 on your request.

5 Becky, when did you commence work at the
6 Republic National Bank?

7 A Let's see, January, 19 -- wait, let's see,
8 the bank opened . . .

9 Q Were you with the bank when it opened?

10 A Right.

11 Q Until when it closed?

12 A No, before it closed.

13 Q What is the date of that, when you left?

14 A May the 11th or 12th of 1977.

15 Q What positions and responsibilities did you
16 hold when you were at the bank?

17 A I was assistant cashier responsible for
18 supervising the tellers and making the call report and
19 Board of Directors' report. For a year I was secretary
20 to the Board.

21 Q What was the time period you were secretary
22 to the Board?

23 A Let's see, I was there three years and it was
24 the middle year.

25 Q Did your responsibilities increase during your

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1 tenure at the bank?

2 A Yes.

3 Q Would you describe those?

4 A Okay, I had the general ledger; I was in
5 charge of balancing the general ledger and paying
6 invoices and -- did I say the call report?

7 Q Previously.

8 A Okay, that's about it.

9 Q In your association with Republic National
10 Bank did you ever have knowledge of any policy with
11 respect to the making of political contributions by
12 the bank?

13 A No.

14 Q To your knowledge were any directors or
15 officers given any special privilege with respect to
16 reimbursement of expenses or overdrawing of accounts?

17 A Were they given special --

18 Q Privilege.

19 A I know the overdrafts were paid in most
20 cases.

21 Q Of all directors?

22 A Well, not all of them were overdrawn.

23 Q And I will return to that subject matter
24 later. Okay, in August of 1976 you signed a bank check
25 -- excuse me, your signature is on a bank check

1 reimbursing Robert P. Aulston for a contribution he
2 made to A. L. Davis.

3 Do you recall authorizing such a check, having
4 your signature on such a check?

5 A Well, all invoices presented to me for payment
6 had to be initialed by the president or in some cases
7 the Executive Committee.

8 I didn't have any authority to disburse the
9 money; I typed the checks and made the entries and
10 all the paperwork, but all the invoices were initialed.

11 Q How many individual reimbursements are on an
12 invoice? Are you saying each invoice was signed, each
13 expense was authorized individually?

14 A Right. And like -- okay, the directors and
15 the officers would monthly submit an expense sheet,
16 and that was initialed; but it was all listed on the
17 expense list.

18 Q Explain what was stated on the expense list.

19 A Travel, entertainment; just different re-
20 imbursements.

21 Q So if a check, on the face of the check it
22 said reimbursement for tickets to A. L. Davis testi-
23 monial, then that same statement would have also appeared
24 on the invoice?

25 A Right. Now, some -- okay, some of the -- well,

1 let's see, on all -- okay, like for rent and everything
2 like that, there was a specific invoice; on an expense
3 sheet it was a bank form, and just whatever they put on
4 the expense form I'd submit to the president, which
5 there were three different presidents.

6 Q If a notation was on the check, then you would
7 have been transcribing information from the invoice to
8 the check? In other words, if it said rent --

9 A A lot of times, but not always.

10 Q If there was other information where would it
11 come from?

12 A The invoice, or someone told me to pay some-
13 thing.

14 Q All right.

15 A But I didn't have any authority just to issue
16 checks.

17 Q All right, in each case the president would
18 have had the authority, but you're saying sometimes the
19 Executive Committee or both --

20 A Right. Say it was a large expense -- I don't
21 know what the limit on what the president was able to
22 initial.

23 Q If he didn't have the authority, then he took
24 the matter to the Executive Committee?

25 A Right.

1 Q It didn't bypass -- you're not saying any
2 time it automatically bypassed the president?

3 A No, not necessarily.

4 Q Would other officers execute for the president?
5 That is, could Mr. Emmer --

6 A Uh-huh, in his absence. In other words, one
7 of the officers had to have knowledge of it or know it
8 or give me instructions to do it, because I didn't have
9 the authority.

10 I remember a couple of times there was the
11 legal expense, you know, and one time they came in and
12 they wanted the payment and I was the only officer
13 there, so I couldn't give it to them. And like
14 Mr. Emmer, they passed a memo that he could issue it
15 in Mr. Venice's absence, when Mr. Venice was absent.

16 Q You don't have any particular recollection
17 of signing a check for reimbursement of --

18 A I signed so many checks in three years, you
19 know.

20 Q Do you have any personal recollection of
21 signing a check for a \$25.00 contribution to a Diane
22 B-a-j-o-i-e testimonial committee upon the instruction
23 of Mr. Venice?

24 A I could have. I don't remember it necessarily,
25 that particular check. Like I said, I signed so many.

1 Q I just want the clarify this point: You had
2 no discretion as to the payment of any reimbursement
3 by the bank for expenses made by officers?

4 A You mean -- I didn't question it.

5 Q You had no right to question it?

6 A No.

7 Q Or no right to not sign the check ordinarily?

8 A No.

9 Q That is, it just appeared for your process?

10 A Right. They initialed it and okayed it and
11 I typed up the check and paid it.

12 Q And in your capacity as secretary to the
13 Board do you have any recollection of a discussion of
14 making a political contribution or reimbursement to
15 officers for political contributions?

16 A No.

17 Q I want to move now into the subject of over-
18 drafts. If an officer wrote a check in excess of an
19 amount held in an account in his name at the bank and
20 that check was presented for payment to the bank, what
21 process would occur that would either authorize or deny
22 payment of that check?

23 A Okay, I would review the daily overdrafts,
24 and then after they were marked before processing, I had
25 to review them with either the president or Mr. Emmer,

1 or in their absence Mr. Cadro, on the overdrafts.

2 Q How frequently would there be overdrafts?

3 A In the bank?

4 Q No, of an officer.

5 A Oh, gosh, it happened occasionally; it wasn't
6 every day necessarily.

7 Q Was there any threshold amount at which
8 special attention would be paid on an overdraft? If
9 I quoted an amount of, say, \$15,000.00, in terms of the
10 way the bank was managed, did that indicate special
11 concern?

12 A Definitely.

13 Q An amount that large?

14 A Yes.

15 Q I have in front of me a copy of a check that
16 I'm looking at made to the Kelly Nix Testimonial Dinner,
17 \$12,500.00, which was drawn on an account that was opened
18 with \$100.00.

19 Whether there were any funds in the bank at
20 the time I'm not sure, but it constituted an overdraft
21 nearly equal to the amount of the check.

22 Do you have any recollection of a check of
23 that nature written by Robert P. Aulston --

24 A No.

25 Q -- on an account held by Robert P. and

1 Sylvia Aulston?

2 A No. I know he had several accounts.

3 Q Do you have any recollection of reviewing
4 overdrafts made by Mr. Aulston?

5 A Oh, I can remember from time to time there
6 was an overdraft on his account, but it was already
7 referred to Mr. Emmer or Mr. Venice.

8 Q Would the check itself, presented for payment,
9 be sent to Mr. Venice for review or Mr. Emmer?

10 A Sometime they asked for the item.

11 Q And sometimes they would not?

12 A Well, they might have known what it was or
13 were expecting the check to come through, or they would
14 have knowledge that a loan would be put on the books
15 or something to that effect, you know. Like in other
16 businesses, you know, sometimes a check would come
17 through and Mr. Emmer would say "They're supposed to
18 have a loan processed today," whatever, something to
19 that effect.

20 Q Would it be unusual if there was no incoming
21 cash expected within the next few days, that is if
22 the account remained overdrawn for a number of months?

23 A To my knowledge it would be.

24 Q Would the fact that that account remained
25 in deficit be regularly brought to Mr. Venice's or

1 Mr. Emmer's attention?

2 A Yeah. It would remain on the print-out.

3 Q And they would be aware of that?

4 A Uh-huh.

5 Q Returning to the question I asked a minute
6 ago which is in the case of a -- what we might label a
7 substantial overdraft, that is \$12,000.00, would the
8 authorization process include a copy of the check being
9 sent to the president or Mr. Emmer, and if not, would
10 it only be in situations where they had previous know-
11 ledge of what the purpose of the check was for?

12 A Right.

13 Q Do you have any knowledge about an overdraft
14 made by Mr. Aulston in the amount of \$5,000.00 by means
15 of a check paid to the order of Robert Tucker Campaign
16 Fund or Robert Tucker Committee?

17 A No.

18 Q Let's see if we can pinpoint this; May of
19 1976 -- is there any way of determining whether or not
20 in a particular instance a substantial overdraft by an
21 officer -- and again, I'm concerned with the particular
22 overdraft by Mr. Aulston -- would have been approved
23 by either Mr. Venice or Mr. Emmer?

24 A If there was an overdraft in that month, which
25 I can't remember 1976, it would have been reviewed by

1 Mr. Emmer or Mr. Venice.

2 Q You can't say which? Could one approve a
3 substantial overdraft without another knowing about it?

4 A At that particular time if one of the
5 officers wasn't there, like if Mr. Emmer or Mr. Venice
6 wasn't there.

7 Q If one of them wasn't there and the other,
8 in that person's absence, authorized you or someone
9 else to pay a check presented for payment constituting
10 an overdraft could that fact of authorization by the
11 substituting officer or the accounting officer be
12 concealed from the other officer? Or would, in the
13 ordinary course of their responsibility, would they
14 become aware of the fact that a certain account,
15 especially by an officer and former president, was
16 in overdraft?

17 A Now, whether, you know -- if one came back
18 and, you know, he didn't tell him, and if he didn't look
19 at the sheet or review, you know, what transpired
20 earlier in the morning, I don't think it would
21 necessarily be concealed. But it -- whether it was
22 brought to his attention or not by the approving person,
23 I don't know.

24 Q My first question was, could it be concealed?
25 Well, let me restate: Could one officer prevent another

1 officer from knowing there was a large overdraft?

2 A No, because the overdraft record was a daily
3 record maintained by the bank.

4 Q And it was readily available?

5 A Yeah.

6 Q In the course of ordinary banking practices
7 would it be reasonable to assume a president of a bank
8 would be aware of a continuing outstanding deficit in
9 an account? Or would you say things were so busy at
10 the bank, there were so many overdrafts, that a
11 substantial overdraft would have been overlooked? And
12 I'm talking about fourteen, \$15,000.00 deficit.

13 A I don't want to say it was impossible, but
14 I guess it could be if -- like I said, if he did not
15 take it upon himself to go and look, necessarily, you
16 know. In other words, I can't really say if on a certain
17 day, if he didn't look at the sheets or was out a week
18 on vacation or whatever, you know, to that effect, that
19 he didn't come back and review. I know that they were
20 there in a journal form daily maintained by the bank.

21 Q Were they reviewed by the -- either the Board
22 or the president as a regular practice, to review
23 these journals?

24 A The uncovered list was. I worked on that,
25 you know, on the president's instructions, you know.

1 Q What do you mean "uncovered"?

2 A Two lists, a daily list, you know, the current
3 activity --

4 Q Uh-huh.

5 A -- and an uncovered list, the previous days
6 that weren't covered. And that appeared right following
7 the daily overdrafts. So any overdrafts that, say,
8 occurred a week before that hadn't been covered in the
9 meantime was still on the list, okay? And a lot of times
10 I'd have to call, whether it was an individual or
11 business account and say, you know, the account was
12 still overdrawn, that it had to be covered and there
13 were some form letters that went out on personal
14 accounts as well as business that if your overdraft
15 wasn't covered in such and such -- so many days, the
16 bank would have to close the account.

17 Q Did you say those letters went out in every
18 case?

19 A Not in every case.

20 Q Would Mr. Aulston get a letter like that?

21 A No.

22 Q Okay, going through the procedures again, if
23 Mr. Venice as president was absent --

24 A Uh-huh.

25 Q -- authority would automatically pass to

1 Mr. Emmer?

2 A Uh-huh.

3 Q If Ma. Emmer and Mr. Venice were absent --

4 A It would be Mr. Cadro.

5 Q Authority would pass to Mr. Cadro. When a
6 check was presented for payment and authorization was
7 made to make payment would that be done in writing?

8 Would someone initial something?

9 A The actual overdraft sheet?

10 Q Uh-huh.

11 A Okay, it was initialed.

12 Q Was there a sheet for every check presented
13 for payment?

14 A No.

15 Q A whole sheet was --

16 A Listing.

17 Q Say in the course of a day that a thirteen
18 thousand dollar check was presented which constituted an
19 overdraft -- we've gone through some of this, but let's
20 just trace the course of that check within the bank and
21 pinpoint responsibility in how that responsibility was
22 effected or noted. Can we do that again?

23 A Okay.

24 Q Great.

25 A Okay, in the morning all the checks would come

1 in. We'd get our work; we'd get a computer print-out
2 of the drafts and I would rule on the overdrafts, mark
3 them, like on business accounts or large overdrafts.
4 The whole sheet would be reviewed by either the president
5 or Mr. Emmer, and changes would be made.

6 Q What would it say on that sheet?

7 A Daily overdrafts.

8 Q The amount?

9 A The name, account number and amount.

10 Q Would it have the person to whom the check
11 was paid?

12 A Oh, no, nuh-uh.

13 Q So say, Robert P. Aulston --

14 A And account such and such and the dollar
15 amount.

16 Q Okay, go ahead.

17 A And then it would say pay, pay and charge or
18 return, and you'd mark them accordingly, and then we'd
19 review, before the checks were sent back, they'd be
20 reviewed by the president or Mr. Emmer in his absence.

21 Q You'd have the sheet and the sheet would go
22 forward, just to clarify it for me, you'd have the sheet
23 or the ledger or whatever?

24 A Uh-huh.

25 Q Detailing the checks, indicating --

1 A No, it wouldn't have that, just the dollar
2 amount.

3 Q But you said the checks were forwarded.
4 Were the checks themselves forwarded?

5 A Okay, the checks were pulled after we marked
6 the sheet, then you give the sheet to the girl that
7 pulled the checks and stamped them and returned them,
8 I think, by a deadline, I think of 11:00 o'clock that
9 they had to be ruled on by a certain time.

10 Q Would the officer with the authority, would
11 he see the check?

12 A Not necessarily. Like I said, if he re-
13 quested that, you know, I pull it or the girl pull it
14 and let him see what it is, yes. But like I said, if
15 he anticipated an overdraft --

16 Q A thirteen thousand dollar overdraft on an
17 account, that's the kind of check he would ask to have
18 pulled?

19 A Probably.

20 Q I mean, do you see a -- is there kind of a
21 threshold on scrutiny?

22 A Well, I guess in the thousands, but sometimes
23 they would look at the hundreds.

24 Q How would they indicate that authority, by
25 initialing? In other words, if I wanted to retrace to

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1 see who approved --

2 A It wouldn't necessarily be initialed, the
3 check initialed. It would be if someone came into the
4 bank during the course of the day and presented it to
5 the teller for payment, then she would have to get an
6 initial on it; she couldn't pay a check, you know . . .

7 Q How could I tell what officer would have
8 authorized the particular check, knowing it showed up
9 on the ledger?

10 A You could check the sheet for that day.

11 Q And they would have signed it?

12 A Right.

13 Q Okay. Now, as the account remained outstand-
14 ing and in deficit -- I'm repeating myself a little bit
15 -- would that be re-presented to the president or some-
16 one in the president's absence on a regular basis?

17 A Yeah, they were regularly reviewed, the un-
18 covered list.

19 Q How regularly?

20 A Oh, once a week.

21 Q Would the Board ever sit and review -- the
22 Board or Executive Committee sit in review of overdrawn
23 accounts?

24 A Yeah, sometimes they would review the un-
25 covered or overdraft list. I know on one, the S.S.I.

1 overdrafts, they were very large, and they would be
2 reviewed.

3 Q What's S.S.I.?

4 A Superdome Services, Inc. They had loans
5 with us. And I don't know whether it was just loans that
6 weren't processed, whatnot, but I know overdrafts were
7 reviewed by the Board. Now, I don't know what particular
8 ones were, but . . .

9 Q From your view, what role did Robert P. Aulston
10 play in -- at the bank in 1976 other than acting as a
11 director?

12 A I know he was Chairman of the Board for a
13 while, but I don't know what period it was.

14 Q I'm interested more in the way he'd function
15 at the bank on a daily or regular basis, whether he was
16 -- other than his -- the responsibilities incident to
17 whatever office he might have held, whether he had any
18 special authority in and around the bank?

19 A Not necessarily, not any more than any of the
20 other Board members.

21 Q If you can recall 1976, did he have an
22 especially close relationship with either Mr. Emmer
23 or Mr. Venice, and did that relationship change at any
24 point subsequently?

25 A I don't know.

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1 Q You don't know?

2 A Nuh-uh. He was in and out of the bank all
3 the time.

4 Q Were you aware of any, what's traditionally
5 known as power struggle going on in the bank?

6 A Yeah, there was always something like that
7 going on, because they changed presidents and Board
8 members several times.

9 Q You didn't notice anything special, a special
10 alliance between Mr. Aulston and Mr. Venice or Mr. Emmer?

11 A Special alliance, I don't -- he talked to them
12 in their office a lot, both of them.

13 Q Could you determine whether or not he was --
14 whether either Mr. Venice or Mr. Emmer would be more apt
15 to approve a large overdraft on Mr. Aulston's account?

16 A Oh, I don't know.

17 Q You have no way of telling --

18 A Gosh, no.

19 Q -- whether he got more favorable treatment
20 from Mr. Venice or Mr. Emmer?

21 A Not necessarily, no.

22 Q I'll repeat a question I asked before, which
23 was you had no independent authority to authorize the
24 payment for a check that constituted an overdraft?

25 A No.

1 Q And repeating again, do you have any recollec-
2 tion of the subject of political contributions being
3 raised in the course of bank business?

4 A No, nuh-uh.

5 Q Do you have any recollection of signing a
6 check reimbursing any officer for a contribution to a
7 political candidate?

8 A No. I signed a lot of reimbursement checks,
9 like I said, that once a month different directors and
10 officers would submit an expense sheet.

11 Q As secretary of the Board at the bank do you
12 have any recollection of an officer seeking and being
13 refused payment for a contribution to a political
14 candidate?

15 A No.

16 Q Do you have any special recollection of
17 particular reimbursements that were sought that were
18 refused in general?

19 A (No response.)

20 Q Let me say, what part of the reimbursements
21 sought were refused? Were they refused only -- were
22 they occasionally refused or were they being carefully
23 reviewed and scrutinized?

24 A I remember one large reimbursement for
25 Mr. Aulston, and it was reviewed by the Executive

1 Committee, you know -- it was -- like, I don't
2 remember how much it was. It was a large reimbursement
3 for several months, and they reviewed it, but it was
4 paid eventually.

5 Q Did the Board know the particular purpose
6 for each reimbursement? In other words, it was stated,
7 or could they be categorized as miscellaneous or were
8 they very generically described, like --

9 A Well, I did an expense sheet that went to the
10 Board of Directors report, and Mr. Venice would review
11 -- or whoever was handling it, presented the Board of
12 Directors report, would go over all of the expenses; and
13 they were broken down by each category. And they
14 reviewed that once a month at the Board meeting.

15 Q Do you remember a category called Political
16 Contributions?

17 A No. We had, I guess, about twenty different
18 categories, but I don't think they were in the politi-
19 cal . . .

20 Q What category would political contributions
21 fit?

22 A I would -- every month I'd have a question
23 as to 'Where am I supposed to charge whatever', whether
24 it was a cleaning expense or whatnot; and he would tell
25 me, you know, which one to charge it to if I had a

1 question.

2 Q Who would tell you?

3 A Mr. Venice or Mr. Emmer.

4 Q In all cases, any reimbursement that was
5 sought that was presented to the Board would have been
6 first okayed by Mr. Venice, is that correct?

7 A Any what?

8 Q Any reimbursement sought that was presented
9 to the Board for approval would have been initially
10 approved by Mr. Venice or okayed for presentation to
11 the Board, is that correct?

12 A Okay, on reimbursements -- well, it would be
13 handled like an invoice, and I would present the bills
14 to Mr. Venice and then those would appear on the report
15 to the Board of Directors after they were paid.

16 Q And in the process Mr. Emmer sometimes sub-
17 stituted for Mr. Venice?

18 A Uh-huh.

19 Q Or was there time to wait for Mr. Venice's
20 return?

21 A Mr. Emmer would approve them from time to time.

22 Q Would he weed out certain ones himself?

23 A No, not necessarily.

24 Q He would just review them, indicate he had
25 seen such and present it to the Board for authorization,

1 is that correct?

2 A No, he wouldn't necessarily show it to the
3 Board for authorization.

4 Q He might just authorize it himself?

5 A Sure.

6 Q And it would be paid?

7 A Uh-huh.

8 Q When would the Board see it?

9 A That month, that cycle.

10 Q Are you suggesting in some cases he reserved
11 judgment or authorization until the Board approved --

12 A On some things, yeah; I can remember that
13 would happen.

14 Q In what situations was the Executive
15 Committee substituting for the Board?

16 A They met more regularly; and I just assumed
17 it depended on how immediate or whatever, you know . . .

18 Q I wonder if you could describe one more time
19 for me exactly what is presented to Mr. Venice in terms
20 of an expense; what does he see? If you had a request
21 for a one hundred dollar reimbursement for a political
22 contribution presented to you, you'd have no independent
23 authority to sit on this?

24 A To pay it, no.

25 Q You would send it on to Mr. Venice?

1 A Right.

2 Q What would he be told about that particular --

3 A Well, it could have been a letter or it
4 could have been an expense sheet or it could have been
5 on a memo pad.

6 Q The exact purpose of the expenditure would be
7 -- would be stated?

8 A Yeah, 'Please reimburse for such and such.'

9 Q You wouldn't take the authority, or you
10 wouldn't have the responsibility of categorizing it
11 for the purpose?

12 A No, nuh-uh. I just presented the bills.

13 Q Exactly as presented to you?

14 A Right.

15 Q They wouldn't be described by you for his
16 purpose?

17 A No.

18 MR. ATHY: Mr. Ponder, do you have any
19 questions?

20 EXAMINATION

21 BY MR. PONDER:

22 Q Yeah, I just would like to understand better,
23 you described earlier that there is a threshold, although
24 you're not sure what it would be for overdrafts, at
25 which time Mr. Venice or the approving officer would ask

1 perhaps to see the check, see what the money was for if
2 he was already not aware of that. This would be true,
3 I'm sure, of banking customers. But were bank officers
4 treated differently, or would this be true also for
5 them?

6 A What, that they -- that the officer would
7 ask to see the check?

8 Q If Mr. Aulston had an outstanding overdraft,
9 a large one like \$13,000.00, and if the approving officer
10 that day was Mr. Venice, assuming he was there that
11 day --

12 A Uh-huh.

13 Q -- because of the largeness of the amount,
14 you were saying if he did not already known about that,
15 what the money was going for, he would want to know the
16 purpose of that --

17 A Right.

18 Q Is that right?

19 A Well, not necessarily in all cases. But
20 sometimes they'd look at the checks and sometimes they
21 wouldn't. And I'm just assuming -- sometimes they would
22 have knowledge of what it was, say this is such and such,
23 whatever was going on, a loan or whatever was going on
24 the books.

25 Q Was Mr. Aulston's authority so great in the

1 bank that any overdraft he would have would automatically
2 be approved?

3 A (Pause) Not necessarily.

4 Q Was his line of credit so good that any over-
5 draft he had would automatically be approved?

6 A I don't know what his line of credit was.

7 Q Was it common knowledge in the bank that he
8 had a lot of overdrafts that no one questioned?

9 A No.

10 Q Were there other officers who had similar
11 overdrafts?

12 A I don't think so -- the officers?

13 Q Uh-huh.

14 A There were only four; I don't think so, not
15 that I remember.

16 Q Do you remember any other overdrafts that
17 were allowed to go on for so long, like two or three
18 months?

19 A S.S.I.

20 Q S.S.I.?

21 A Uh-huh. I don't know that it went consistently
22 for a month or if it would be covered and become over-
23 drawn again, you know. Sometimes that would happen,
24 you know; maybe it would be covered and it would be
25 overdrawn again, like a new overdraft. But that one

1 was on there a lot.

2 MR. PONDER: Okay, I don't have any more
3 questions.

4 MR. ATHY: No more questions; thank you.
5
6

7 REBECCA MARSHALL

8 STATE OF TEXAS)
9)
COUNTY OF DALLAS)


10 SUBSCRIBED AND SWORN TO by the said witness,
11 REBECCA MARSHALL, before me, the undersigned authority,
12 on this the ____ day of _____, A.D., 1978.
13
14

15 NOTARY PUBLIC IN AND FOR
16 THE STATE OF TEXAS
17
18
19
20
21
22
23
24
25

1 STATE OF TEXAS)
2)
3 COUNTY OF DALLAS)
4

5 THIS IS TO CERTIFY THAT I, PATRICIA RODENBERGER,
6 Certified Shorthand Reporter and Notary Public in and
7 for the State of Texas, reported in shorthand the pro-
8 ceedings had at the time and place set forth in the
9 caption hereof, and that the above and foregoing 28 pages
10 contain a full, true and correct transcript of the
11 said proceedings.

12 THIS the 14 day of June, A.D., 1978.
13

14 
15 PATRICIA RODENBERGER, Certified
16 Shorthand Reporter and Notary Public
17 in and for the State of Texas
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August 10, 1978

Mr. Hal Ponder
General Counsel
Federal Election Commission
4th Floor
1325 K Street, N.W.
Washington, D.C. 20463

005330

Re: In The Matter Of Republic National Bank
No. MUR 497(77)

Dear Mr. Ponder:

Please find enclosed the original sworn statement
of Rebecca Marshall that was taken on May 10, 1978.

If we can be of any more assistance, please don't
hesitate to call.

Very truly yours,



Patricia Rodenberger, RPR

PR/mjr
Encl.

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1 UNITED STATES OF AMERICA
2 FEDERAL ELECTION COMMISSION
3 IN THE MATTER OF REPUBLIC NATIONAL BANK
4 NO. MUR 497(77)
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8

9 SWORN STATEMENT

10 OF

11 REBECCA MARSHALL
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13

14 A P P E A R A N C E S:

15 MESSRS. HAL PONDER and ANDREW ATHY
16 Federal Election Commission
17 1325 K Street, N.W.
18 Washington, D.C.
19
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21 SWORN STATEMENT OF REBECCA MARSHALL, taken before
22 Patricia Rodenberger, Certified Shorthand Reporter in
23 and for the State of Texas, on the 10th day of May,
24 A.D., 1978, at 8:30 a.m., at the offices of Federal
25 Court Reporters, Suite 411, 1226 Commerce Street,
Dallas, Dallas County, Texas.

REBECCA MARSHALL,

having been first duly sworn to testify the truth, the whole truth and nothing but the truth, testified on her oath as follows:

EXAMINATION

BY MR. ATHY:

Q Will the witness state her name, address and occupation?

A Becky Marshall, 7148 Dalewood, 75214; Lakewood Bank & Trust in New Accounts.

Q You appreciate you have a right to be represented by a counsel with respect to this proceeding?

A Yes.

Q Do you have a counsel with you?

A No.

Q My name is Andrew Athy and with me is Hal Ponder. We're officers of the Federal Election Commission charged with the responsibility of enforcing the Federal Election Campaign Act.

This is part of an investigation conducted after the Commission found reason to believe a violation of 441(b) was committed by you and other officers and directors of the Republic National Bank, and the questions shall deal with matters raised on the authority of that investigation.

1 If at any time you want to go off the record,
2 just say so to me and I'll instruct the stenographer
3 to go off the record; but she won't go off the record
4 on your request.

5 Becky, when did you commence work at the
6 Republic National Bank?

7 A Let's see, January, 19 -- wait, let's see,
8 the bank opened . . .

9 Q Were you with the bank when it opened?

10 A Right.

11 Q Until when it closed?

12 A No, before it closed.

13 Q What is the date of that, when you left?

14 A May the 11th or 12th of 1977.

15 Q What positions and responsibilities did you
16 hold when you were at the bank?

17 A I was assistant cashier responsible for
18 supervising the tellers and making the call report and
19 Board of Directors' report. For a year I was secretary
20 to the Board.

21 Q What was the time period you were secretary
22 to the Board?

23 A Let's see, I was there three years and it was
24 the middle year.

25 Q Did your responsibilities increase during your

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1 tenure at the bank?

2 A Yes.

3 Q Would you describe those?

4 A Okay, I had the general ledger; I was in
5 charge of balancing the general ledger and paying
6 invoices and -- did I say the call report?

7 Q Previously.

8 A Okay, that's about it.

9 Q In your association with Republic National
10 Bank did you ever have knowledge of any policy with
11 respect to the making of political contributions by
12 the bank?

13 A No.

14 Q To your knowledge were any directors or
15 officers given any special privilege with respect to
16 reimbursement of expenses or overdrawing of accounts?

17 A Were they given special --

18 Q Privilege.

19 A I know the overdrafts were paid in most
20 cases.

21 Q Of all directors?

22 A Well, not all of them were overdrawn.

23 Q And I will return to that subject matter
24 later. Okay, in August of 1976 you signed a bank check
25 -- excuse me, your signature is on a bank check

1 reimbursing Robert P. Aulston for a contribution he
2 made to A. L. Davis.

3 Do you recall authorizing such a check, having
4 your signature on such a check?

5 A Well, all invoices presented to me for payment
6 had to be initialed by the president or in some cases
7 the Executive Committee.

8 I didn't have any authority to disburse the
9 money; I typed the checks and made the entries and
10 all the paperwork, but all the invoices were initialed.

11 Q How many individual reimbursements are on an
12 invoice? Are you saying each invoice was signed, each
13 expense was authorized individually?

14 A Right. And like -- okay, the directors and
15 the officers would monthly submit an expense sheet,
16 and that was initialed; but it was all listed on the
17 expense list.

18 Q Explain what was stated on the expense list.

19 A Travel, entertainment; just different re-
20 imbursements.

21 Q So if a check, on the face of the check it
22 said reimbursement for tickets to A. L. Davis testi-
23 monial, then that same statement would have also appeared
24 on the invoice?

25 A Right. Now, some -- okay, some of the -- well,

1 let's see, on all -- okay, like for rent and everything
2 like that, there was a specific invoice; on an expense
3 sheet it was a bank form, and just whatever they put on
4 the expense form I'd submit to the president, which
5 there were three different presidents.

6 Q If a notation was on the check, then you would
7 have been transcribing information from the invoice to
8 the check? In other words, if it said rent --

9 A A lot of times, but not always.

10 Q If there was other information where would it
11 come from?

12 A The invoice, or someone told me to pay some-
13 thing.

14 Q All right.

15 A But I didn't have any authority just to issue
16 checks.

17 Q All right, in each case the president would
18 have had the authority, but you're saying sometimes the
19 Executive Committee or both --

20 A Right. Say it was a large expense -- I don't
21 know what the limit on what the president was able to
22 initial.

23 Q If he didn't have the authority, then he took
24 the matter to the Executive Committee?

25 A Right.

1 Q It didn't bypass -- you're not saying any
2 time it automatically bypassed the president?

3 A No, not necessarily.

4 Q Would other officers execute for the president?
5 That is, could Mr. Emmer --

6 A Uh-huh, in his absence. In other words, one
7 of the officers had to have knowledge of it or know it
8 or give me instructions to do it, because I didn't have
9 the authority.

10 I remember a couple of times there was the
11 legal expense, you know, and one time they came in and
12 they wanted the payment and I was the only officer
13 there, so I couldn't give it to them. And like
14 Mr. Emmer, they passed a memo that he could issue it
15 in Mr. Venice's absence, when Mr. Venice was absent.

16 Q You don't have any particular recollection
17 of signing a check for reimbursement of --

18 A I signed so many checks in three years, you
19 know.

20 Q Do you have any personal recollection of
21 signing a check for a \$25.00 contribution to a Diane
22 B-a-j-o-i-e testimonial committee upon the instruction
23 of Mr. Venice?

24 A I could have. I don't remember it necessarily,
25 that particular check. Like I said, I signed so many.

1 Q I just want the clarify this point: You had
2 no discretion as to the payment of any reimbursement
3 by the bank for expenses made by officers?

4 A You mean -- I didn't question it.

5 Q You had no right to question it?

6 A No.

7 Q Or no right to not sign the check ordinarily?

8 A No.

9 Q That is, it just appeared for your process?

10 A Right. They initialed it and okayed it and
11 I typed up the check and paid it.

12 Q And in your capacity as secretary to the
13 Board do you have any recollection of a discussion of
14 making a political contribution or reimbursement to
15 officers for political contributions?

16 A No.

17 Q I want to move now into the subject of over-
18 drafts. If an officer wrote a check in excess of an
19 amount held in an account in his name at the bank and
20 that check was presented for payment to the bank, what
21 process would occur that would either authorize or deny
22 payment of that check?

23 A Okay, I would review the daily overdrafts,
24 and then after they were marked before processing, I had
25 to review them with either the president or Mr. Emmer,

1 or in their absence Mr. Cadro, on the overdrafts.

2 Q How frequently would there be overdrafts?

3 A In the bank?

4 Q No, of an officer.

5 A Oh, gosh, it happened occasionally; it wasn't
6 every day necessarily.

7 Q Was there any threshold amount at which
8 special attention would be paid on an overdraft? If
9 I quoted an amount of, say, \$15,000.00, in terms of the
10 way the bank was managed, did that indicate special
11 concern?

12 A Definitely.

13 Q An amount that large?

14 A Yes.

15 Q I have in front of me a copy of a check that
16 I'm looking at made to the Kelly Nix Testimonial Dinner,
17 \$12,500.00, which was drawn on an account that was opened
18 with \$100.00.

19 Whether there were any funds in the bank at
20 the time I'm not sure, but it constituted an overdraft
21 nearly equal to the amount of the check.

22 Do you have any recollection of a check of
23 that nature written by Robert P. Aulston --

24 A No.

25 Q -- on an account held by Robert P. and

1 Sylvia Aulston?

2 A No. I know he had several accounts.

3 Q Do you have any recollection of reviewing
4 overdrafts made by Mr. Aulston?

5 A Oh, I can remember from time to time there
6 was an overdraft on his account, but it was already
7 referred to Mr. Emmer or Mr. Venice.

8 Q Would the check itself, presented for payment,
9 be sent to Mr. Venice for review or Mr. Emmer?

10 A Sometime they asked for the item.

11 Q And sometimes they would not?

12 A Well, they might have known what it was or
13 were expecting the check to come through, or they would
14 have knowledge that a loan would be put on the books
15 or something to that effect, you know. Like in other
16 businesses, you know, sometimes a check would come
17 through and Mr. Emmer would say "They're supposed to
18 have a loan processed today," whatever, something to
19 that effect.

20 Q Would it be unusual if there was no incoming
21 cash expected within the next few days, that is if
22 the account remained overdrawn for a number of months?

23 A To my knowledge it would be.

24 Q Would the fact that that account remained
25 in deficit be regularly brought to Mr. Venice's or

1 Mr. Emmer's attention?

2 A Yeah. It would remain on the print-out.

3 Q And they would be aware of that?

4 A Uh-huh.

5 Q Returning to the question I asked a minute
6 ago which is in the case of a -- what we might label a
7 substantial overdraft, that is \$12,000.00, would the
8 authorization process include a copy of the check being
9 sent to the president or Mr. Emmer, and if not, would
10 it only be in situations where they had previous know-
11 ledge of what the purpose of the check was for?

12 A Right.

13 Q Do you have any knowledge about an overdraft
14 made by Mr. Aulston in the amount of \$5,000.00 by means
15 of a check paid to the order of Robert Tucker Campaign
16 Fund or Robert Tucker Committee?

17 A No.

18 Q Let's see if we can pinpoint this; May of
19 1976 -- is there any way of determining whether or not
20 in a particular instance a substantial overdraft by an
21 officer -- and again, I'm concerned with the particular
22 overdraft by Mr. Aulston -- would have been approved
23 by either Mr. Venice or Mr. Emmer?

24 A If there was an overdraft in that month, which
25 I can't remember 1976, it would have been reviewed by

1 Mr. Emmer or Mr. Venice.

2 Q You can't say which? Could one approve a
3 substantial overdraft without another knowing about it?

4 A At that particular time if one of the
5 officers wasn't there, like if Mr. Emmer or Mr. Venice
6 wasn't there.

7 Q If one of them wasn't there and the other,
8 in that person's absence, authorized you or someone
9 else to pay a check presented for payment constituting
10 an overdraft, could that fact of authorization by the
11 substituting officer or the accounting officer be
12 concealed from the other officer? Or would, in the
13 ordinary course of their responsibility, would they
14 become aware of the fact that a certain account,
15 especially by an officer and former president, was
16 in overdraft?

17 A Now, whether, you know -- if one came back
18 and, you know, he didn't tell him, and if he didn't look
19 at the sheet or review, you know, what transpired
20 earlier in the morning, I don't think it would
21 necessarily be concealed. But it -- whether it was
22 brought to his attention or not by the approving person,
23 I don't know.

24 Q My first question was, could it be concealed?
25 Well, let me restate: Could one officer prevent another

1 officer from knowing there was a large overdraft?

2 A No, because the overdraft record was a daily
3 record maintained by the bank.

4 Q And it was readily available?

5 A Yeah.

6 Q In the course of ordinary banking practices
7 would it be reasonable to assume a president of a bank
8 would be aware of a continuing outstanding deficit in
9 an account? Or would you say things were so busy at
10 the bank, there were so many overdrafts, that a
11 substantial overdraft would have been overlooked? And
12 I'm talking about fourteen, \$15,000.00 deficit.

13 A I don't want to say it was impossible, but
14 I guess it could be if -- like I said, if he did not
15 take it upon himself to go and look, necessarily, you
16 know. In other words, I can't really say if on a certain
17 day, if he didn't look at the sheets or was out a week
18 on vacation or whatever, you know, to that effect, that
19 he didn't come back and review. I know that they were
20 there in a journal form daily maintained by the bank.

21 Q Were they reviewed by the -- either the Board
22 or the president as a regular practice, to review
23 these journals?

24 A The uncovered list was. I worked on that,
25 you know, on the president's instructions, you know.

1 Q What do you mean "uncovered"?

2 A Two lists, a daily list, you know, the current
3 activity --

4 Q Uh-huh.

5 A -- and an uncovered list, the previous days
6 that weren't covered. And that appeared right following
7 the daily overdrafts. So any overdrafts that, say,
8 occurred a week before that hadn't been covered in the
9 meantime was still on the list, okay? And a lot of times
10 I'd have to call, whether it was an individual or
11 business account and say, you know, the account was
12 still overdrawn, that it had to be covered and there
13 were some form letters that went out on personal
14 accounts as well as business that if your overdraft
15 wasn't covered in such and such -- so many days, the
16 bank would have to close the account.

17 Q Did you say those letters went out in every
18 case?

19 A Not in every case.

20 Q Would Mr. Aulston get a letter like that?

21 A No.

22 Q Okay, going through the procedures again, if
23 Mr. Venice as president was absent --

24 A Uh-huh.

25 Q -- authority would automatically pass to

1 Mr. Emmer?

2 A Uh-huh.

3 Q If Ma. Emmer and Mr. Venice were absent --

4 A It would be Mr. Cadro.

5 Q Authority would pass to Mr. Cadro. When a
6 check was presented for payment and authorization was
7 made to make payment would that be done in writing?

8 Would someone initial something?

9 A The actual overdraft sheet?

10 Q Uh-huh.

11 A Okay, it was initialed.

12 Q Was there a sheet for every check presented
13 for payment?

14 A No.

15 Q A whole sheet was --

16 A Listing.

17 Q Say in the course of a day that a thirteen
18 thousand dollar check was presented which constituted an
19 overdraft -- we've gone through some of this, but let's
20 just trace the course of that check within the bank and
21 pinpoint responsibility in how that responsibility was
22 effected or noted. Can we do that again?

23 A Okay.

24 Q Great.

25 A Okay, in the morning all the checks would come

1 in. We'd get our work; we'd get a computer print-out
2 of the drafts and I would rule on the overdrafts, mark
3 them, like on business accounts or large overdrafts.
4 The whole sheet would be reviewed by either the president
5 or Mr. Emmer, and changes would be made.

6 Q What would it say on that sheet?

7 A Daily overdrafts.

8 Q The amount?

9 A The name, account number and amount.

10 Q Would it have the person to whom the check
11 was paid?

12 A Oh, no, nuh-uh.

13 Q So say, Robert P. Aulston --

14 A And account such and such and the dollar
15 amount.

16 Q Okay, go ahead.

17 A And then it would say pay, pay and charge or
18 return, and you'd mark them accordingly, and then we'd
19 review, before the checks were sent back, they'd be
20 reviewed by the president or Mr. Emmer in his absence.

21 Q You'd have the sheet and the sheet would go
22 forward, just to clarify it for me, you'd have the sheet
23 or the ledger or whatever?

24 A Uh-huh.

25 Q Detailing the checks, indicating --

1 A No, it wouldn't have that, just the dollar
2 amount.

3 Q But you said the checks were forwarded.
4 Were the checks themselves forwarded?

5 A Okay, the checks were pulled after we marked
6 the sheet, then you give the sheet to the girl that
7 pulled the checks and stamped them and returned them,
8 I think, by a deadline, I think of 11:00 o'clock that
9 they had to be ruled on by a certain time.

10 Q Would the officer with the authority, would
11 he see the check?

12 A Not necessarily. Like I said, if he re-
13 quested that, you know, I pull it or the girl pull it
14 and let him see what it is, yes. But like I said, if
15 he anticipated an overdraft --

16 Q A thirteen thousand dollar overdraft on an
17 account, that's the kind of check he would ask to have
18 pulled?

19 A Probably.

20 Q I mean, do you see a -- is there kind of a
21 threshold on scrutiny?

22 A Well, I guess in the thousands, but sometimes
23 they would look at the hundreds.

24 Q How would they indicate that authority, by
25 initialing? In other words, if I wanted to retrace to

1 see who approved --

2 A It wouldn't necessarily be initialed, the
3 check initialed. It would be if someone came into the
4 bank during the course of the day and presented it to
5 the teller for payment, then she would have to get an
6 initial on it; she couldn't pay a check, you know . . .

7 Q How could I tell what officer would have
8 authorized the particular check, knowing it showed up
9 on the ledger?

10 A You could check the sheet for that day.

11 Q And they would have signed it?

12 A Right.

13 Q Okay. Now, as the account remained outstand-
14 ing and in deficit -- I'm repeating myself a little bit
15 -- would that be re-presented to the president or some-
16 one in the president's absence on a regular basis?

17 A Yeah, they were regularly reviewed, the un-
18 covered list.

19 Q How regularly?

20 A Oh, once a week.

21 Q Would the Board ever sit and review -- the
22 Board or Executive Committee sit in review of overdrawn
23 accounts?

24 A Yeah, sometimes they would review the un-
25 covered or overdraft list. I know on one, the S.S.I.

1 overdrafts, they were very large, and they would be
2 reviewed.

3 Q What's S.S.I.?

4 A Superdome Services, Inc. They had loans
5 with us. And I don't know whether it was just loans that
6 weren't processed, whatnot, but I know overdrafts were
7 reviewed by the Board. Now, I don't know what particular
8 ones were, but . . .

9 Q From your view, what role did Robert P. Aulston
10 play in -- at the bank in 1976 other than acting as a
11 director?

12 A I know he was Chairman of the Board for a
13 while, but I don't know what period it was.

14 Q I'm interested more in the way he'd function
15 at the bank on a daily or regular basis, whether he was
16 -- other than his -- the responsibilities incident to
17 whatever office he might have held, whether he had any
18 special authority in and around the bank?

19 A Not necessarily, not any more than any of the
20 other Board members.

21 Q If you can recall 1976, did he have an
22 especially close relationship with either Mr. Emmer
23 or Mr. Venice, and did that relationship change at any
24 point subsequently?

25 A I don't know.

1 Q You don't know?

2 A Nuh-uh. He was in and out of the bank all
3 the time.

4 Q Were you aware of any, what's traditionally
5 known as power struggle going on in the bank?

6 A Yeah, there was always something like that
7 going on, because they changed presidents and Board
8 members several times.

9 Q You didn't notice anything special, a special
10 alliance between Mr. Aulston and Mr. Venice or Mr. Emmer?

11 A Special alliance, I don't -- he talked to them
12 in their office a lot, both of them.

13 Q Could you determine whether or not he was --
14 whether either Mr. Venice or Mr. Emmer would be more apt
15 to approve a large overdraft on Mr. Aulston's account?

16 A Oh, I don't know.

17 Q You have no way of telling --

18 A Gosh, no.

19 Q -- whether he got more favorable treatment
20 from Mr. Venice or Mr. Emmer?

21 A Not necessarily, no.

22 Q I'll repeat a question I asked before, which
23 was you had no independent authority to authorize the
24 payment for a check that constituted an overdraft?

25 A No.

1 Q And repeating again, do you have any recollec-
2 tion of the subject of political contributions being
3 raised in the course of bank business?

4 A No, nuh-uh.

5 Q Do you have any recollection of signing a
6 check reimbursing any officer for a contribution to a
7 political candidate?

8 A No. I signed a lot of reimbursement checks,
9 like I said, that once a month different directors and
10 officers would submit an expense sheet.

11 Q As secretary of the Board at the bank do you
12 have any recollection of an officer seeking and being
13 refused payment for a contribution to a political
14 candidate?

15 A No.

16 Q Do you have any special recollection of
17 particular reimbursements that were sought that were
18 refused in general?

19 A (No response.)

20 Q Let me say, what part of the reimbursements
21 sought were refused? Were they refused only -- were
22 they occasionally refused or were they being carefully
23 reviewed and scrutinized?

24 A I remember one large reimbursement for
25 Mr. Aulston, and it was reviewed by the Executive

1 Committee, you know -- it was -- like, I don't
2 remember how much it was. It was a large reimbursement
3 for several months, and they reviewed it, but it was
4 paid eventually.

5 Q Did the Board know the particular purpose
6 for each reimbursement? In other words, it was stated,
7 or could they be categorized as miscellaneous or were
8 they very generically described, like --

9 A Well, I did an expense sheet that went to the
10 Board of Directors report, and Mr. Venice would review
11 -- or whoever was handling it, presented the Board of
12 Directors report, would go over all of the expenses; and
13 they were broken down by each category. And they
14 reviewed that once a month at the Board meeting.

15 Q Do you remember a category called Political
16 Contributions?

17 A No. We had, I guess, about twenty different
18 categories, but I don't think they were in the politi-
19 cal . . .

20 Q What category would political contributions
21 fit?

22 A I would -- every month I'd have a question
23 as to 'Where am I supposed to charge whatever', whether
24 it was a cleaning expense or whatnot; and he would tell
25 me, you know, which one to charge it to if I had a

1 question.

2 Q Who would tell you?

3 A Mr. Venice or Mr. Emmer.

4 Q In all cases, any reimbursement that was
5 sought that was presented to the Board would have been
6 first okayed by Mr. Venice, is that correct?

7 A Any what?

8 Q Any reimbursement sought that was presented
9 to the Board for approval would have been initially
10 approved by Mr. Venice or okayed for presentation to
11 the Board, is that correct?

12 A Okay, on reimbursements -- well, it would be
13 handled like an invoice, and I would present the bills
14 to Mr. Venice and then those would appear on the report
15 to the Board of Directors after they were paid.

16 Q And in the process Mr. Emmer sometimes sub-
17 stituted for Mr. Venice?

18 A Uh-huh.

19 Q Or was there time to wait for Mr. Venice's
20 return?

21 A Mr. Emmer would approve them from time to time.

22 Q Would he weed out certain ones himself?

23 A No, not necessarily.

24 Q He would just review them, indicate he had
25 seen such and present it to the Board for authorization,

1 is that correct?

2 A No, he wouldn't necessarily show it to the
3 Board for authorization.

4 Q He might just authorize it himself?

5 A Sure.

6 Q And it would be paid?

7 A Uh-huh.

8 Q When would the Board see it?

9 A That month, that cycle.

10 Q Are you suggesting in some cases he reserved
11 judgment or authorization until the Board approved --

12 A On some things, yeah; I can remember that
13 would happen.

14 Q In what situations was the Executive
15 Committee substituting for the Board?

16 A They met more regularly; and I just assumed
17 it depended on how immediate or whatever, you know . . .

18 Q I wonder if you could describe one more time
19 for me exactly what is presented to Mr. Venice in terms
20 of an expense; what does he see? If you had a request
21 for a one hundred dollar reimbursement for a political
22 contribution presented to you, you'd have no independent
23 authority to sit on this?

24 A To pay it, no.

25 Q You would send it on to Mr. Venice?

1 A Right.

2 Q What would he be told about that particular --

3 A Well, it could have been a letter or it
4 could have been an expense sheet or it could have been
5 on a memo pad.

6 Q The exact purpose of the expenditure would be
7 -- would be stated?

8 A Yeah, 'Please reimburse for such and such.'

9 Q You wouldn't take the authority, or you
10 wouldn't have the responsibility of categorizing it
11 for the purpose?

12 A No, nuh-uh. I just presented the bills.

13 Q Exactly as presented to you?

14 A Right.

15 Q They wouldn't be described by you for his
16 purpose?

17 A No.

18 MR. ATHY: Mr. Ponder, do you have any
19 questions?

20 EXAMINATION

21 BY MR. PONDER:

22 Q Yeah, I just would like to understand better,
23 you described earlier that there is a threshold, although
24 you're not sure what it would be for overdrafts, at
25 which time Mr. Venice or the approving officer would ask

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1 perhaps to see the check, see what the money was for if
2 he was already not aware of that. This would be true,
3 I'm sure, of banking customers. But were bank officers
4 treated differently, or would this be true also for
5 them?

6 A What, that they -- that the officer would
7 ask to see the check?

8 Q If Mr. Aulston had an outstanding overdraft,
9 a large one like \$13,000.00, and if the approving officer
10 that day was Mr. Venice, assuming he was there that
11 day --

12 A Uh-huh.

13 Q -- because of the largeness of the amount,
14 you were saying if he did not already know about that,
15 what the money was going for, he would want to know the
16 purpose of that --

17 A Right.

18 Q Is that right?

19 A Well, not necessarily in all cases. But
20 sometimes they'd look at the checks and sometimes they
21 wouldn't. And I'm just assuming -- sometimes they would
22 have knowledge of what it was, say this is such and such,
23 whatever was going on, a loan or whatever was going on
24 the books.

25 Q Was Mr. Aulston's authority so great in the

1 bank that any overdraft he would have would automatically
2 be approved?

3 A (Pause) Not necessarily.

4 Q Was his line of credit so good that any over-
5 draft he had would automatically be approved?

6 A I don't know what his line of credit was.

7 Q Was it common knowledge in the bank that he
8 had a lot of overdrafts that no one questioned?

9 A No.

10 Q Were there other officers who had similar
11 overdrafts?

12 A I don't think so -- the officers?

13 Q Uh-huh.

14 A There were only four; I don't think so, not
15 that I remember.

16 Q Do you remember any other overdrafts that
17 were allowed to go on for so long, like two or three
18 months?

19 A S.S.I.


20 Q S.S.I.?

21 A Uh-huh. I don't know that it went consistently
22 for a month or if it would be covered and become over-
23 drawn again, you know. Sometimes that would happen,
24 you know; maybe it would be covered and it would be
25 overdrawn again, like a new overdraft. But that one

1 was on there a lot.

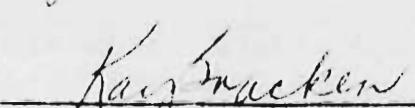
2 MR. PONDER: Okay, I don't have any more
3 questions.

4 MR. ATHY: No more questions; thank you.

5
6 
7 REBECCA MARSHALL

8 STATE OF TEXAS)
9 COUNTY OF DALLAS)

10 SUBSCRIBED AND SWORN TO by the said witness,
11 REBECCA MARSHALL, before me, the undersigned authority,
12 on this the 8th day of August, A.D., 1978.

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14 
15 NOTARY PUBLIC IN AND FOR
16 THE STATE OF TEXAS
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18
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25



HENRY G. WHITE

PRIVATE INVESTIGATOR

RES 946-7975

ASSOCIATED WITH

DENSON EATON INVESTIGATIONS

2929 CEDAR SPRINGS

SUITE 102

DALLAS, TEXAS 75219

(214) 526-1511

Rec May 3 1978
Dallas TX 11:00 am
37 E
Jimmie Ph 821-2000
- Jackson 821-2134
823 9921
For Deposition
Examination
Duce Documents
Serving Wills

To Appear for Deposition
Upon Oral Examination
And to Produce Documents.

TO: Rebecca Marshall
7148 Dalewood
Dallas, Texas 75214

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

SUBPOENA: Rebecca Marshall

- 2 -

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C.

20463, this *25th* day of *April*, 1978.

Thomas E. Harris

Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

(over)

5-11-12

Mileage	26 at .20 ^{mi.} _{mi.}	\$5.20
2 Hrs.	at \$10.00 per hr.	20.00
Service of Writ	1	5.00
Total		<u>\$30.20</u>

Henry G. White P. E. I.

Mickey Waddell

Notary Public in and for Dallas County
Texas May ~~22~~^{5th} 1978

1030245570
FEDERAL COURT REPORTERS
P. O. BOX 2023
DALLAS, TEXAS 75221

Mr. Hal Ponder
General Counsel
Federal Election Commission
1325 K Street, N.W., 4th Floor
Washington, D.C. 20463

Return Receipt
Requested

CERTIFIED

No. 858916

MAIL

EX-104
4964

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September 19, 1978

Phone:
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Notary Public
D.C.-Va.-Md.

David Federman, Esq.
Counsel
Federal Election Commission
4th Floor
1325 K Street, N. W.
Washington, D. C. 20463

Re: IN THE MATTER OF: REPUBLIC NATIONAL BANK, MUR 497 (77).

Dear Mr. Federman:

Mr. Robert P. Aulston has made the following corrections to his deposition taken August 8, 1978:

<u>Page</u>	<u>Line</u>	<u>From</u>	<u>To</u>
4	4	"1974,"	"1975,"
4	12	"date"	"dates"
4	19	"because legal"	"because previous legal"
4	21	"representative."	"representation."
4	22	Delete "in particular"	
5	4	Delete "and"	
5	12	"submitted"	"prepared"
5	13	"cashier"	"cashier,"
5	14	"board"	"board,"
6	9&10	Delete "expenses reimbursed,"	
6	19	"benefit"	"benefit,"
7	8	"Sims & Austin"	"Simmons & Aulston"
7	18	"as other"	"as are other"
7	19	"accounts"	"accounts:"
8	20	"which"	"when"
8	12	"time"	"time,"
9	1	"misjudge"	"misjudged"
9	1	"write"	"wrote"
9	5	"record"	"records"
9	7	"others, it"	"others as well,"
9	8	Change line to read: "I had overdrafts."	
9	18	"whatever"	"wherever"
9	19	"our"	"the"
9	20	Delete second "in"	
10	10	"Sometimes people"	"Sometimes bank people"
10	10	"call to"	"call customers to"
10	12	"your"	"their"
10	13	"your"	"the"

(Corrections made by Mr. Robert P. Aulston to his deposition
taken August 8, 1978 -- Continued)

Page	Line	From	To
11	13	"critiria"	"criteria"
16	5	"approve on"	"approve overdrafts on"
16	13	"I"	"he"
20	14	"regular"	"record"
21	17&18	Delete "them-selves"	
25	15	Change line to read: "bank or	its directors as individuals."
25	16	"campaign for"	"campaign contributions for"
25	18	"instance"	"instance,"
25	19	"wought"	"ought"
25	19	"something"	"something,"
27	7	"majority, since"	"pejorative sense"
27	9	Delete "certain directors,"	
29	9	"says the"	"says "the"
29	14	"payment."	"payment.""
30	7	Delete "that"	
31	13	Delete "don't"	
33	3	"directors not"	"directors, not"
33	6	"was incurred"	"was "incurred"
33	7	"directors."	"directors."
33	13	"should be presented."	"should be presented.""
33	19	"but"	"or"
34	9	"either the"	"either to the"
34	17	"seems it should be presented"	"says "it should be presented.""
34	20	"randa and that"	"randa, that"
35	18	"the"	"other"
36	1	Change line to read: "I don't"	
37	2	Before "and" add: "without their knowledge"	
37	14	"Other"	"Another"
37	19	"Knashing"	"gnashing"
39	12	Delete "today"	
41	7	Delete "else"	
41	12	Delete "that"	
42	8	After "time" add: "(4 months),"	
43	11	"I want my money back."	"I want my money back.""
47	17	"I am merely opening"	"I merely opened"
47	22	Change line to read: "may not have been formally submitted."	

Mr. Aulston read, corrected, but neglected to sign his deposition,
however, said deposition is submitted to you for filing.

Sincerely yours,

MILTON & GREENWOOD
REPORTING ASSOCIATES, INC.

D. S. George
D. S. George

Administrative Assistant

cc:
file

ORIGINAL

1

BEFORE THE FEDERAL ELECTION COMMISSION

----- X
:
In the Matter of: :
:
REPUBLIC NATIONAL BANK :
:
----- X

MUR 497 (77)

Washington, D.C.

Tuesday, August 8, 1978

Deposition of

ROBERT P. AULSTON

a witness in the above-entitled matter, called for examination
by counsel for the Federal Election Commission, pursuant to
notice, at the offices of the Federal Election Commission,
1325 K Street, N.W., Washington, D.C., beginning at 1:30 p.m.,
before Joyce Callahan, when were present on behalf of the
parties:

For the Federal Election Commission

DAVID FEDERMAN, Esq.
Counsel, Federal Election Commission

HAL PONDER, Esq.
Counsel, Federal Election Commission

Milton & Greenwood Associates, Inc.

(NOTARY: D.C.-VA.-MD.)
OFFICIAL REPORTERS
1028 Connecticut Ave., N.W., Suite 1100
Washington, D.C. 20036
Phones: (202) 833-3598
833-3599

E X H I B I T SMarked for identification:Page

FEC Exhibit No.	1 - Check dated 8-8-76	11
" "	2 - Check dated 8-31-76	12
" "	3 - Check dated 5-7-76	13
" "	4 - Check dated 6-4-76	15
" "	5 - Check dated 8-30-76	19
" "	6 - Bank statement dated 9-3-76	20
" "	7 - Cashier's check dated 5-5-77	27
" "	8 - Memo dated 9-7-76	28

Whereupon,

ROBERT P. AULSTON

having been called as a witness in the above-entitled matter, and after having been first duly sworn by Joyce Callahan, a Notary Public in and for the District of Columbia, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR THE COMMISSION

BY MR. FEDERMAN:

Q Would you please state your name and address and occupation?

A Robert P. Aulston. And my address is 1204 East 53rd Street, Chicago, Illinois. And I am an attorney.

Q Where is your business?

A At 1204 East 53rd Street.

Q Do you understand that you have a right to be represented by counsel with respect to this proceeding?

A Yes, I do.

Q You have no counsel with you?

A I do not.

MR. FEDERMAN: I am David Federman, and with me is Hal Ponder, and we are from the office of the Federal Election Commission.

This is part of an investigation conducted by the Federal Elections Commission who has found reason to believe that a violation of section 441(b) was committed by you and other officers and directors of the Republic National Bank. And the questions shall deal with matters raised on the authority under that investigation.

If at any time you want to go off the record, say so and I will instruct the stenographer to go off the record.

BY MR. FEDERMAN:

Q Have you ever served as an officer, director, employee of the Republic National Bank?

A Yes.

Q Would you please state when and in what capacity you so served?

A I became an organizing director of the bank in June, 1974, a few weeks before it opened. I had not been a part of the organizing group. That was instituted approximately three years before the June, 1974 opening day.

Thereafter, I served as a director until November of 1974, at which time I became a temporary, interim president of the bank while the board searched for a replacement to the president who had resigned in November. While the

appointment was to have been temporary and only for six months as recorded both in the minutes of the Republic National Bank and in the minutes of the company that I was employed with at that time, my tenure continued until June of 197^{5A}~~7~~, * at which time I resigned as president. I don't recall the exact date. Shortly thereafter I resigned as a director as well.

Q Since that time you have had no official position with the bank?

A Well, I served as counsel after my resignation as a director, and I was reappointed to the board. I don't have the date^s in front of me. That is a matter of record in the minutes of the bank.

Q During 1976 what services and functions did you perform for the bank, you as counsel or as, subsequently, director?

A Well, the services during this period²- I was counsel. I don't recall the exact date because I inherited the responsibility of being the legal counsel because ^{previous} ~~the~~ legal counsel resigned to leave town. My services included general corporate legal representative. ^{ON} ~~As~~ As a director my responsibilities were those common ~~in particular~~ to all directors

* to conform with the facts

serving on the board.

Q Did you ever incur expenses on the bank's behalf?

A I would say, yes, I did, in my capacity as president of the bank. ~~and~~ I did have a modest expense account, and on occasion I was reimbursed as I can best recall. I don't have the details.

Q Can you remember what kind of expenses these were?

A The typical breakfast meetings, luncheon meetings, air travel, hotel expense.

Q Once you incurred expenses, how did the reimbursement process operate?

A I ^{prepared it} ~~submitted~~ an expense statement and submitted it to the board and the cashier of the bank. The cashier, upon approval by the board, would reimburse me for the out-of-pocket expenses as justified.

Q Would the expenses have to be approved prior to them being incurred?

A I don't recall that they had to be.

Q Did the entire board have to approve them? Was it a vote?

A No.

Q How did that operate?

A It didn't have that kind of formality. It was a matter of the board being apprised, the Executive Committee being apprised. It was reported in the financial statements as presented on a monthly basis. There was no formal submission each time. It would be cumbersome for the board to approve every expense item for every officer.

I was not the only officer who had ~~expenses reim-~~^{A *}
~~bursed,~~ business expenses reimbursed.

Q As a director and president of the bank, did the bank extend to you certain privileges that were not extended to regular, say, bankers, excuse the expression, "customers," in terms of checking accounts or drafts, things of that nature?

A Well, first of all, as to overdrafts I had no control over overdrafts, so I didn't extend or approve overdraft privileges to anyone else.

As to the question of whether or not the bank extended to me overdraft privileges, no, there was no formal expression of a benefit, but I would suspect on occasion I did have an overdraft. I don't recall with what frequency I had overdrafts. I do know that I covered all of my overdrafts, and upon the demise of the bank, I didn't have any overdrafts

* to conform with the facts

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at that time.

Q How many accounts do you have with the Republic National Bank?

A I really don't recall.

Q Well, do you have one with you and your wife, a joint account?

A That seems possible, yes.

Q Do you have one with your law firm, ^{Simmons & Austin?} ~~Sime & Austin?~~

A Yes.

Q Was there a special account in your name only?

A Yes.

Q What was the special account used for?

THE WITNESS: Can we go off the record?

MR. FEDERMAN: Sure.

(Brief discussion off the record.)

BY MR. FEDERMAN:

Q What was the purpose of the special account?

A The special account was merely as ^{are} other special accounts; to have a segregation of funds available for business, charitable and other purposes.

Q As an officer-director of the bank, do you have overdraft privileges yourself?

A I did not have a privilege as expressed or enumerated anyplace. I on occasion had an overdraft, as I would suspect many people did.

Q As president of the bank, did you have the authority to approve overdrafts?

A No, I didn't.

Q Who actually did have authority to approve overdrafts?

A Other officers of the bank, the Executive Committee, and the board itself. I specifically did not have any loan authority or any authority to approve overdrafts.

Q What was the process for overdrafts? Say you overdrafted your account. How long would the bank carry the overdraft?

A I really cannot say with any specificity as to how long. It varied, I guess, from customer to customer. I do know that when overdrafts did occur fees were charged per check and I don't know if there was a per diem. I don't recall if there was a per diem charge or not, but I do recall there was a per check charge ^{when} ~~which~~ every officer approved the overdraft at that time, or he would have the choice of returning the checks.

I also had checks returned on occasion where I might

above
 A misjudged my balance or if I write ~~it~~ from the wrong account, or whatever.

I would like to clarify one thing. I don't think that I had any overdrafts at the time that I was president of the bank. Your record would be the best evidence of whether or not I did. I don't recall that I did, but I recall intermittently at Republic, and not only our bank but others ^{as well,} ~~it~~ *I had overdrafts.*
~~wasn't something that I was frequently doing.~~ *N

Q Did you ever have to pay a fee for the overdraft -- for overdrafting your account?

A I recall paying fees.

Q In the overdraft process, if someone overdrafted an account, you mentioned some officers or Executive Board had to okay it, had to approve it, to carry it. Could you elaborate on that? Be more specific in terms of which officers.

A Well, let me start with the process. As a mechanical matter, all checks are paid automatically unless an officer directs the corresponding bank or directs ^{wherever} ~~whatever~~ *the* ~~our~~ account is held that the check not be honored. Checks come in ~~in~~ the morning. All of the items are processed and go through transit approval. When they come in, they are all automatically paid until the officer says return. *N

* to clarify the record

It is really not a question of approving an overdraft. It is more a question of not returning checks for insufficient funds or uncollected funds.

Q I see.

A As far as who, you would have to look to the initial that would appear on the debit memo item, which is sent to the customers indicating that an overdraft has been created. He has been charged "X" number of dollars, he should come in immediately and cover the overdraft.

*N Sometimes ^{BANK} people would call ^{CUSTOMERS} to bring in money before a certain time, like 11 o'clock. If ~~you don't~~ ^{ONE DOESN'T} have the money by 11, ^{THEIR} ~~your~~ check is going to be returned. If you can cover it, which is the proper term, by 11, then ~~your~~ ^{THE} check will be paid.

On occasion there was some flexibility of someone saying "I can't get there today, I will get there tomorrow or in two days." It varied, and it was in the discretion of the officer handling it.

Again, I didn't handle any overdrafts at any time.

Q Would it be unusual for an overdraft, for an account to remain in an overdraft status for a period of, say, two, three, four, five months?

* TO CLARIFY THE RECORD

A I think on occasion we did that. I don't know the specifics, but on occasion I am sure that that may have happened. I don't know the extent of the time, whether it was a month, two, three, four, five months.

Q What criteria was used to determine if an account should be allowed to be in the status for that period of time?

A Well, it varied from situation to situation. One particular overdraft that I am familiar with, the circumstances were such that if we returned checks we would have created a serious problem for a corporation that was suffering from some severe cashflow problems. So we were carrying them through a period of time until they could collect on certain receivables due to them. That is one criteria that I am familiar with.

MR. FEDERMAN: We have some checks here. If you want to mark them. I have a check paid to Robert Aulston III for \$100 made on August 8, 1976. It is an expense check and says two tickets at \$50 apiece, reception for A. L. Davis.

Mark this as FEC No. 1.

(A document was marked FEC Exhibit
1 for identification.)

BY MR. FEDERMAN:

Q I show you a check, Mr. Aulston. Would you please

PENGAD CO., BAYONNE, N.J. 07002 - FORM WERL
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explain the purpose of the reimbursement?

A Well, as best I can recall, I apparently purchased tickets on behalf of the directors of the bank for the reception honoring A. L. Davis and asked that I be reimbursed for having purchased the tickets. I don't recall the specifics.

Q A. L. Davis at that time was a candidate for city councilman?

A Yes.

Q How large a reception was it? Was it a fundraising campaign for Mr. Davis?

A Let me see the date on the check. I am not certain whether this was prior to his election or subsequent to his election. It could have been a reception, post-election. You would have to look at the date and tell me. It is either a reception for fundraising or it is a post-election reception. That is very common in New Orleans.

Q There is a check made payable to Diana Baget, Testimonial Committee, for \$25, an expense check for the Republic National Bank dated August 31st, 1976.

MR. FEDERMAN: Would you mark this as Exhibit No. 2?

(A check for \$25 dated August 31, 1976 was marked FEC Exhibit No. 2 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 2, a check. Do you know about this expense?

A No.

Q How would it have been approved?

A An officer of the bank would have had to direct the cashier to prepare a check, or a director may have requested of an officer this contribution to the Baget Testimonial Committee be paid.

Q Did you attend that testimonial?

A No.

MR. FEDERMAN: I have here a check made payable to the Kelly Knicks testimonial dinner dated May 7, 1976, in the amount of \$12,500 on the account of Robert P. or Sylvia Aulston, signed by R. P. Aulston with an annotation, purchase of ten tables.

Can we have this marked as FEC No. 3?

(A check dated May 7, 1976 was marked FEC Exhibit No. 3 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 3. At that time Kelly Knicks was a candidate for the State Board of Education; is that

correct?

A That is correct.

Q For whom were the tables purchased?

A For myself and business associates.

Q Did any officer or director from the Republic National Bank go to the dinner?

A I don't recall. Perhaps one or two did.

Q Did you seek reimbursement from the Republic National Bank for this expense?

A No, I did not.

Q Was this an overdraft of your account?

A I don't recall. Are you asking did it create an overdraft?

Q Did it create an overdraft?

A I don't recall. I would like to add to your question, did I seek reimbursement from the bank, do I recollect reimbursement from certain directors of the bank -- yes, as individuals.

MR. FEDERMAN: I have here a bank statement from the account of Robert or Sylvia Aulston III, Republic National Bank, a statement dated June 4, 1976.

Mark this as No. 4.

(A bank statement dated June 4, 1976 was marked FEC Exhibit No. 4 for identification.)

BY MR. FEDERMAN:

Q I show you the bank statement, which is Exhibit No. 4. Would this \$12,500 check correspond to the \$12,500 Kelly Knicks check?

A The check is dated May 7th and the \$12,500 item cleared May 12th. I have no reason to believe that it is not the same item.

Q At the time that check cleared, what was the balance prior to it clearing?

A There was an overdraft of \$1,592.59.

Q So at the time that the \$12,500 check to the Kelly Knicks testimonial dinner was paid, it created -- your account was already in the overdraft status at that point?

A That is what the record indicates.

Q Was Mr. Venice at that time president of the bank?

A Yes.

Q Did he have overdraft approval?

A Yes.

Q Were there any policy memos or statements of the position which set out the procedure on overdrafts and reim-

bursement once Mr. Venice took office as president?

A I don't recall any explicit statement of overdraft procedure, except that the board reserved the right to approve or disapprove overdrafts. Mr. Venice did have the authority on his own as an officer to approve ^{overdrafts} on a day-to-day basis. He alone, and Mr. Emmer approved overdrafts, and they were the only two officers.

Mr. Livermore had overdraft approval authority subject to the approval of the board. When I came in as president, I did not want it. I didn't seek it and did not exercise it.

Mr. Venice, as my successor and during my tenure as president, while ^{he} I was vice president, did have the authority to disapprove or approve checks. And then Mr. Emmer also had that authority.

I don't recall whether Mr. Cadro did or didn't. He may have exercised that authority. But I think it is a normal bank procedure that the officers in their discretion up to certain limits can approve overdrafts and it must be reported on a regular basis to the board.

Q So the board would be fully apprised of the overdrafts which were approved by the officers?

A Yes. The board should have been apprised. Whether

(Brief discussion off the record.)

Q You stated that there were meetings in which overdrafts were discussed and policies. Were minutes kept of these meetings?

Q Who would be in possession of those at this time?

Q Going back to the Kelly Knicks check for \$12,500,

who were the directors that you sought reimbursement from?

A All of them. What happened on many occasions was that we would be asked as individuals to make political contributions to various candidates. And any individual director might come in with a request from certain political aspirants or officeholders who might say I would appreciate a contribution or I would appreciate your attending my banquet, and we would respond by saying the bank cannot make contributions

but individual directors can.

And in a couple of instances directors would say, all right, I will contribute "X" number of dollars. Another director would say, I will contribute "Y" number of dollars, etc. But this was not a part of the board meetings. It would be either after the meeting or before the meeting or in some other informal setting where we were being asked individually to make contributions.

On a couple of occasions --- and the check to Mr. Knicks was one of those occasions -- one of us would say I will make the contribution because time is of the essence and I would like your check for \$1,000 or your check for \$500 or however much each person committed himself in terms of buying tickets or tables. And it was usually in the banquet situation and not so much a contribution situation that we would have a director say, well, I will put up the \$500 and Director A will be sure to reimburse me, Director B, but not as a director but as Mr. Jones, Mr. Smith, Mr. Whomever.

And in that particular instance it was agreed that I would make the contribution and that I would be reimbursed by certain individuals and individuals who were the directors of the bank as well, I should add.

Q So prior to your making the \$12,500 contribution you had an agreement from the people who you would be reimbursed from that you would be reimbursed?

A Yes. Several people said you can count me in and I will pay you back, or I will give you a check for "X" number of dollars. I will buy five tickets, for example. Or, I will buy ten tickets. And several people indicated that and several people did in fact honor the commitment.

MR. FEDERMAN: I have here a check made payable to Robert P. Aulston III dated August 30, 1976 for the amount of \$12,400 written on Mr. Robert P. Aulston III's special account and check number 101, and it is for testimonial contributions on behalf of the Republic National Bank directors.

Can we have this marked FEC 5?

(A check dated August 30, 1976, was marked FEC Exhibit No. 5 for identification.)

BY MR. FEDERMAN:

Q This check was written from your special account and subsequently deposited in your regular account, your joint account with your wife; is that correct?

A Yes. I don't know if that is correct but it makes sense, because that means that I was reimbursing myself and I

didn't want to hold my account in an overdraft status waiting for reimbursement from other persons.

Q So this \$12,400 check was overdrawing your special account; is that correct?

A I don't know. Can you show me?

MR. FEDERMAN: I have a bank statement of Robert P. Aulston III, a statement dated September 3, 1976. This is a special account. We should mark this as Exhibit No. 6

(A bank statement dated September 3, 1976 was marked FEC Exhibit No. 6 for identification.)

BY MR. FEDERMAN:

Q So then did this \$12,400 check create an overdraft in your special account?

*18 A The ^{word} ~~regular~~ indicates that it did, yes.

Q How much was in your account at the time the check was written?

A \$100.

Q And this check for \$12,400 was written from the special account and subsequently deposited in your joint account. That was to cover the previous overdraft; is that correct, of \$12,500 of the Kelly Knicks check?

A Yes.

* TO CLARIFY THE RECORD

Q All right. So then your account, your joint account was in an overdraft status in upwards of 12,000 from May through September 3, 1976?

A I don't know. If that is what the record indicates. I do know that this check was written -- perhaps the better wordage would be not to cover but to separate out from the special account those amounts due me from individuals as a result of these tickets being bought.

So I don't know if any other accounts remained overdrawn. I don't recall if the joint account was overdrawn during this period of time, during the entire period of time.

Q Did you seek reimbursement of this \$12,400 check from the Republic National Bank?

A No, not from the bank.

Q From whom did you seek reimbursement?

A From several individuals who had committed ~~them-~~
~~selves~~ that they would participate in buying tickets to the banquet for Kelly Knicks.

Q Were these the same individuals whom you sought reimbursement from previously for the \$12,500 Kelly Knicks testimonial?

A It is all the same transaction, yes.

Q Which officers or directors of the bank did you specifically request reimbursement from?

A Nolan Marshall, Lewis Mason, Jack Parker, Elray Venice, Leon Fulton. I don't recall but there may be others. Again, it was a matter of someone approaching me personally and asking for a contribution, and I indicated that I could not afford it but perhaps together we could do that. And I broached the subject to other individuals and I said, we have been asked to make a contribution and how much can each person contribute because I certainly can't afford \$12,500 on my own.

Q So in May you first wrote the check for \$12,500 to Kelly Knicks?

A Yes.

Q And in September you wrote a check on your special account to yourself for \$12,400, which would actually cover the overdraft status in your regular account?

A Yes. And the special account then became evidence of what was owed with respect to these particular tickets and there may have been some other contributions made that were also owed.

Q Wasn't this \$12,400 check made payable to you and

overdrawing your special account by almost the entire amount of the check? It is a reimbursement from the bank for the Kelly Knicks testimonial dinner?

A No, because this overdraft was ultimately covered. So it was not a reimbursement.

Q How was the overdraft covered eventually?

A I deposited monies in the account which eliminated the overdraft, and you would probably have the records of when that took place.

Q Do you have a record of the reimbursement by the individual directors to you?

A No.

Q Were you eventually reimbursed by the individual directors for this?

A Not all of it. Some did make reimbursement. Some did not. I ultimately had to pay the majority of the contributions.

Q I have a check number 104 drawn on Robert P. Aulston III's special account made payable to Robert P. Aulston in the amount of \$500 for the A. L. Davis campaign for the Republic National Bank, and this is part of the FEC Exhibit No. 5.

If you will look at that.

A Yes.

Q Would you explain the purpose of that check?

A Well, to the best of my recollection it was a contribution to the A. L. Davis campaign.

Q Presumably this created a further overdraft in your special account?

A If that is what the record indicates.

Q Showing you FEC Exhibit No. ---

A The statement dated September 3rd shows a check in the amount of \$500 in conjunction with the other checks resulted in an overdraft.

Q I have before me check number 102 drawn on the account of Robert P. Aulston III's special account dated August 30, 1976 and made payable to Robert P. Aulston III in the amount of \$2,929.99 for reimbursement due from the Republic National Bank.

This is part of FEC Exhibit No. 5. Showing you this--

A Yes.

Q Would you explain the purpose of that check?

A I really don't recall, but I believe that it was in conjunction with an expense statement that I submitted and

does not have any relationship to campaign contributions as noted.

As you have indicated, I noted on the checks what these checks were for so that there would be a permanent record. I do recall, and the bank directors could recall, what the checks were for. But the third check does not relate to any political contributions I don't believe, unless you have something that indicates it.

I think you will find a corresponding expense statement covering a period of four or five months or more that I submitted all at once, and the check had not been paid to me. And, again, the purpose of this check was to segregate it out so that it would be easily identifiable as an amount due to me for having incurred expenses on behalf of the bank ~~OR ITS DIRECTORS AS INDIVIDUALS.~~

And here, when it says campaign ^{CONTRIBUTION} for Republic National Bank, it doesn't mean for the bank. That means that one of the directors in that instance, either A. L. Davis or some other director asked informally, said we ~~w~~ought to do something, as has been the case in a lot of this. ^N

I would agree to make the contribution, or to incur the expense provided that I get reimbursed and I wanted to

* TO CONFORM TO THE FACTS.

Q By writing it on your special account this was to ensure that it was segregated, that you were due reimbursement from the directors?

I don't know if there were other checks as well in that account or not. I think there were some other checks drawn for other purposes similar to an escrow account that would be maintained by an attorney.

A Yes, by individual persons. I want to stress that.

A I don't know.

Q Before you wrote the check for \$12,400 and the \$500

check, did you see if they would be carrying overdrafts?

A No, I didn't.

Q You simply assumed it would be okay?

A They could have been returned, but since the officers who would be approving the overdrafts were familiar with the commitments which I would reluctantly call an arrangement and not in the ~~majority~~ ^{PS's} ~~since~~ ^{Sabb} arrangements --- but they knew that I had incurred this liability on behalf of ~~certain directors~~, all of the directors of the bank, and I had reason to believe that the check would be cleared until such time as I received funds from the persons who were to reimburse me.

MR. FEDERMAN: I have in front of me a cashier's check in the amount of \$25,000 made payable to the Republic National Bank of Louisiana written on the Whitney National Bank dated May 5, 1977.

Mark this FEC Exhibit No. 7.

(A cashier's check dated May 5, 1977 was marked FEC Exhibit No. 7 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 7.

A Yes.

* TO CLARIFY THE RECORD

A No, I am not.

A No, I am not.

(Brief recess.)

(A memo dated September 7, 1976 was marked FEC Exhibit No. 8 for identification.)

Q I show you Exhibit No. 8.

A Yes.

A Well, number one, as indicated in the memorandum I agreed to hold back certain expenses I incurred on behalf of

the bank until the bank was in a better financial position, and it was not Robert Aulston but the Gulfsouth Venture Corporation and there should be some backup record someplace indicating that these expenses were incurred partly by me and partly by Gulfsouth Venture Corporation on behalf of the Republic National Bank during its formative stages.

Q Let's deal with the second one, the \$12,400.

A I don't know how to deal with it other than reading the memorandum. It says "the account, the above items are drawn presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400 expense incurred on behalf of the Republic National Bank directors should be presented to the board of directors for payment."

Q Did you seek reimbursement from Edgar Poree regarding the \$12,400 incurred?

A I may have. It would seem that I did because he had a lot of contact with the politicians involved at that time. He was chairman of the bank, and Mr. Venice was president. And a lot of requests would come through them and then come to me, as it would go to other directors.

I would also like to add that other directors made

contributions and they were reimbursed individually.

Q We are dealing with a fairly substantial sum of money. Is that a sum of money which you are ordinarily accustomed to dealing with in your everyday business goings on?

A Well, my bank statements which apparently you have a copy of at this point would indicate ~~that~~, what amounts of money I handle in either my company account or personal account.

I would not say that \$12,000 is a regular daily expense.

Q It seems unusual that that expense you would not remember seeking reimbursement from particular individuals from whom you sought reimbursement of such a sum in that you seem to have been seeking reimbursement since it was made in May and this was on into September.

Do you remember seeking reimbursement from Elray Venice?

A I think I mentioned him already, yes.

Q Did you seek reimbursement from Jacob Emmer?

A No.

Q Did you seek reimbursement from Ernest Cadro?

A No.

Q From Rebecca Marshall?

A I doubt it, no.

Q E. W. Bashful, did you seek reimbursement from?

A I don't think he was on the board at that time.

Q Milton Becknel?

A No.

Q James R. Bobo?

A Perhaps, I don't recall.

Q Dennis Cross?

A I don't recall.

Q Wilfred Dialett?

*A I ~~don't~~ believe so.

Q Did you seek reimbursement from A. L. Davis?

A Most definitely.

Q Did you seek reimbursement from Joseph Epps?

A No.

Q Did you seek reimbursement from Mortimore Evans?

A No.

Q Did you seek reimbursement from Leon Fulton?

A I didn't seek reimbursement from Leon Fulton, but he did commit to make a contribution, that he was to be part

* TO CONFIRM TO THE FACTS

of the consortium.

Q Did you seek reimbursement from Nolan Marshall?

A Nolan made a commitment. When you say did I seek reimbursement, I don't recall saying Nolan was part of this, but I recall -- you see, before the contribution was made there was an informal agreement as to who could be counted on to put up a portion of the purchase of the tickets.

Q Did you seek reimbursement from Lewis Mason, Jr.?

A Lewis said that he would put it up.

Q Did you seek reimbursement from John R. Pitts?

A I doubt it.

Q Did you seek reimbursement from Robert Redfern?

A No.

Q Charles C. Teamer, did you seek reimbursement from him?

A I don't recall.

Q Did you seek reimbursement from Lloyd Villavaso?

A I don't recall. I would say that Lloyd would have been part of the group.

Q Returning to Exhibit No. 8, which is the memo from Elray Venice to Edgar Poree. This memo indicates that you sought reimbursement directly from the bank for the \$12,400

A Correction, it says that I sought reimbursement from the directors, not from the bank.

A That was incurred on behalf of the Republic National Bank directors."

A Well, the wording here is, "should be presented." I don't see any indication that it was presented, and the minutes would be the best evidence of whether or not it was presented.

That memorandum is merely one communication from Mr. Venice. It doesn't indicate that it be presented at any formal meeting of the board ~~but~~ ^{or} to the members of the board.

Q Was it presented to the members of the board?

A I don't recall that it was. Do you have the minutes?

* EMPHASIS ADDED

Q Was not item number one, check 102, in the amount of \$2,929.99 presented to the board for reimbursement by the bank?

A This memorandum does not indicate that it was. I don't recall whether it was. I do recall that it was paid.

Q And you were subsequently reimbursed by the bank for that?

A When you say "you," I think the check was to Gulf-south Venture Corporation. It is either ^{to it} the Gulfsouth Venture Corporation or to me, but you would have that information, but that was in no way related to any purchase of tickets or political contributions.

Q That is correct. But this memo indicates that it was presented in conjunction with the \$12,500 check for similar treatment by the bank; is that not correct?

A I don't want to seem obstinate on the point, but it ^{says} ~~seems~~ "it should be presented." I don't know whether it was in fact presented. I think if you have the minutes of the board meetings that would be subsequent to the date of this memorandum, ~~and~~ that would tell us whether or not it was presented.

I don't recall that it was formally presented.

Q Did you request that it be presented?

A No, I didn't request that it be formally presented to the board for a decision by the board with respect to the bank assets. Yes, to the individual members who were to reimburse me for purchasing the tickets because some people participated in the banquets and some did not.

Q This would be done in a board meeting?

A It would not be part of the formal meeting of the board, but since the persons would be gathered in the room at the same time either before the meeting or after the meeting, I can't speak for why Mr. Venice would have worded it like that, but my recollection is that this was not the only time that this occurred. And when it did occur, it would occur at the time that the members of the board would be in a room prior to the meeting.

We would talk about the political situations, competition, whatever before there was a formal submission or resolution and the minutes were read from the previous meeting and ^{over} ~~the~~ the official business of the bank.

Q It says, my suggestion to you is to speak to Mr. Aulston before pursuing collection of the total amount. Did Mr. Poree speak with you concerning the payment of the reimbursement of the \$12,400 check?

AN A ~~Mr. Poree, after he discussed that matter,~~ I don't know if he spoke to me in response to that memoranda. I think I was the one doing a lot of the speaking about that particular matter most of the time.

Q Mr. Venice indicates that the total amount due Mr. Aulston is \$15,429.99, which includes a \$100 deposit made to open the special account. Presumably this came about by adding to the \$2,229.99 check number 102 and check number 101, the \$12,400 -- Is there any reason why Mr. Venice should be of the opinion that the bank should be reimbursed for the sum of both checks?

A Yes.

Q What would that be?

A Because he understood that I was extending myself on behalf of the directors of the bank so that they would have been recognized as making a contribution as a body and whatever benefits that would inure to us as a result of helping a friend, would help the institution. That is what we were trying to accomplish.

So that means Mr. Venice was aware of the fact that, as were other directors, that I had written a check to make, to purchase these tickets with their knowledge beforehand.

* TO CLARIFY THE RECORD

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It was not a matter of my purchasing the tickets and telling them after the fact that I had purchased them, that now fellows I want you to make your individual contributions to help reimburse me for this expense. That is what I think the memorandum says.

Q What was Mr. Poree's title at that time?

A Presumably he was chairman of the board of the bank. He would have to make the proper presentation and approvals and recommendations.

Q You stated that prior to buying the tables for the Kelly Knicks dinner that the directors had agreed prior to that that they would buy the tickets ultimately for reimbursement for the tickets; is that correct?

* **A** Yes, but there was no rigid formality. **AM** Other directors made the request originally that we, the group of directors, be represented at the Kelly Knicks testimonial, and he indicated that each director should take a certain number of tickets.

After a little gnashing of the teeth, it was agreed that I would make the contributions and then I would be reimbursed by those who were willing to do that. Those who were not willing to do that would not be held to it. It was an

to clarify the facts

informal situation.

It didn't have any contractual, formal implications.

Q So in other words the \$12,500 check which you wrote for the tables at the Kelly Knicks testimonial would have to be your personal assets, you would be ultimately liable for that?

A You mean my personal assets?

Q Yes.

A Yes. I recognize that, but on many occasions I exposed myself on behalf of the bank directors, seeking to help the institution.

Q But the time you wrote the check you overdrew your joint account with your wife by the amount of the check which was already in overdraft status?

A And she and I were upset about that.

Q To ultimately pay your joint account back, you overdrew your special account by the amount of the check, is that not correct?

A As further evidence of the fact that I was expecting reimbursement, yes.

Q But if the bank had not extended the overdraft status to your account and not carried you along, you would

have no assets with which to pay the bank; is that not correct?

A Well, that statement is not correct. If the bank had returned the check as insufficient, for insufficient funds, then I would have been unable to purchase the tickets to begin with. I think that is the point that you are trying to make, and by approving it there was acknowledgement that this was an attempt to use the bank assets to do this.

It was supposed to be a short-term, temporary situation that became a long-term situation that I ultimately had to clean up by getting a couple of guys to help out and then ~~today~~ pay for the balance of it myself.

Q And the directors of the bank in approving the \$12,500 overdraft knew the purpose of that \$12,500 check? They knew it was for the Kelly Knicks testimonial?

A Well, it is on the check. This had been discussed beforehand but I do not want to ascribe to them any motives that would make them in violation of the regulations. I accept the responsibility for writing the check.

Q You stated previously that prior to your writing the checks other directors had acknowledged that they wished to reimburse subsequently, and it was decided that you would write the check among a group of the directors?

A Yes.

Q So that group at least of directors knew the purpose of the \$12,500 check?

A Can we go off the record for a moment?

Q Sure.

(Brief discussion off the record.)

THE WITNESS: A certain group did know, as individuals, yes. Not acting in their capacity as directors.

BY MR. FEDERMAN:

Q When the directors with you met to determine who would write the checks, who would contribute the money, it was with the feeling that the directors would be represented at the testimonial dinner. Is that correct?

A That is correct. That the individuals who happened to serve on the board would be represented and, therefore, we would like our institution to be recognized.

Q What was your capacity at the bank at that time?

A I don't recall if that was at a time when I was merely a counsel or a director. I don't recall. I would have to be in one of those capacities to have been present to discuss this with them.

Q At that time, during August of 1976, there was a \$100

check for A. L. Davis and a \$25 check on the bank, for Bajoie, was written presumably with the approval of the board of directors.

Why wouldn't they also contribute to the Knicks' testimonial dinner?

A I don't know that those others were with the approval of the board of directors. I don't know who ~~also~~ knew about the Bajoie contributions.

I didn't know about it. Arguably, other directors may not have known about it. It would have been an individual decision as to the A. L. Davis contribution. I don't recall whether everybody knew. Some people knew. I knew ~~that~~ because I was asked. I said, fine. If we are going to buy tickets, fine.

Now why would they not contribute? Some did contribute. On the Kelly Knicks business it took them time to do it. The bank was never intended as the payor or obligator on this particular purchase of tickets.

Evidently from the evidence it appeared that the bank did.

Q For at least a period of six months, the bank was the obligator on a testimonial, is that not correct?

* TO CLARIFY THE RECORD

Q May?

Q We are not certain of the date, but it went through
September and October. I am not sure when it was.

Q I am sort of confused. You mentioned over here a minute ago, out of context I think of this discussion when you said over here and pointed to the other exhibits. Were you meaning to compare the Bajoie and Davis contributions to the Knicks contributions? If not, I think we had better back up and read it again.

Do you remember the statement that I am describing
a few minutes ago?

A Yes. I said that it appears from the copy you have of the check to Diana Bajoie's testimonial committee that the bank apparently, or an officer of the bank apparently used the

bank funds to make that contribution and the bank was not reimbursed.

And the A. L. Davis situation, it appears that the tickets I purchased on behalf of the directors was in fact reimbursed with the bank funds.

In the Kelly Knicks situation, and, again, I don't know how the bank check was written for the A. L. Davis Committee. It was not intended that it would be the bank that would purchase the tickets, but, again, it would happen that I would agree in these instances that we have been discussing to purchase them. And I would say, "I want my money back."

I would ask the individual directors. However, they wanted to handle it was fine with me. And in this particular situation we knew that an overdraft had existed. At least I did, and I was trying to get it cleared up.

When it became apparent to me that it wasn't going to be cleared up, a couple of people did help and I paid off the balance. And I think from the proceeds of the loan took it off the books and the bank didn't incur any loss, unless you have evidence to the contrary.

Q For clarification, let's briefly go over from the beginning the Kelly Knicks banquet testimonial. In May of 1976

on your joint account with your wife, you wrote a check in the amount of \$12,500 to the Kelly Knicks testimonial dinner. That is FEC Exhibit No. 3.

Now, which directors did you discuss this with?

A The ones I have named. I think I named Mr. Mason, Mr. Fulton, Mr. Marshall, Mr. Parker -- because it was Mr. Parker who was the friend of Mr. Knicks who brought it to our attention to begin with.

Q Mr. Venice?

A Presumably.

Q Now, when was the dinner held?

A I don't recall.

Q Which directors attended?

A I don't recall. I did not.

Q You did not?

A No.

Q On May 7th the \$12,500 check was written and subsequently on August 30th you wrote the \$12,400 check to yourself on your special account and subsequently deposited it in your joint account. What was the purpose of that check?

A Again, to segregate the purchase of tickets as a group obligation from my personal account and personal obligations.

Q What group would be obligated?

A Certain individuals heretofore named.

Q So in other words the special account was simply to reflect those expenses which you incurred for which you would ultimately be reimbursed by the board of directors of the bank?

A By individuals of the bank who happened to be members of the board with the exception of the expense checks which was from the bank as approved by the board of directors.

Q From May until August of 1976, what was the reason that that gap existed between writing a special account check which ultimately may cover the check in your joint account?

A Because I became irritated that the persons who had promised to help with that particular obligation had not done so, and I wanted to have some record separate and apart from my personal records of the contribution.

Q When was the special account established?

A You would have that date, when the \$100 was deposited I suspect.

Q It was August 23, 1976 you started the special account with the deposit of the \$100. Subsequent to that date you wrote a check for \$12,400 to your own account, \$500 to your own account, and \$2,929.99 to your own account, as well as

another \$500 check to your own account creating an overdraft of \$16,129.99. Is that correct?

A That is correct.

Q Prior to the opening of the special account did you discuss this special account, or the possibility of such a special account with the directors of the bank?

A Yes.

Q What did you discuss with them concerning the special account?

A I told Mr. Venice and other directors that these funds were due me by a number of them and that I had carried it for as long as I could, and that I wanted this to serve as some evidence of what was owed by certain individual directors.

Q So not being reimbursed by the individual directors from May until September, you established a special account with the bank in the amount of \$16,000 in overdrafts thereby transferring the obligation from yourself to the bank?

A No. I did not transfer it from myself to the bank. I would have preferred to have transferred it from myself to the individual accounts that the directors maintained at the bank. It was merely to serve as a record for my purposes of what had been done, what was owed to me.

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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20535
FORM 100-10
MAY 1962 EDITION
GPO : 1962 O - 370-002

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Tom's Been I would not say it was with the bank's approval. It ~~was not~~ *Formerly* submitted.

* TO CONFORM WITH THE FACTS.

A I can't say that it was done with the bank's approval. I ~~am~~ ^{ED} merely opening ^K the account. I wrote checks on the account and the checks you have in evidence which were paid. And if there were some which were not, you would have evidence of that.

Tom's Been I would not say it was with the bank's approval. It ~~was not~~ *Formerly* submitted.

Q You discussed the opening of a special account and its use prior to the opening of it with the officers of the bank; is that not correct?

A Yes.

Q So presumably the officers knew the purpose of the special account and what the overdrafts were concerned with, what they were for?

A I would rather state that I had an overdraft obligation which perhaps I abused the resources of the bank. I ultimately paid the obligation, the overdraft, to the extent that the period of time covered was unreasonable and created a hardship on the bank.

I am responsible.

MR. FEDERMAN: I don't have any further questions.

MR. PONDER: I don't have any questions.

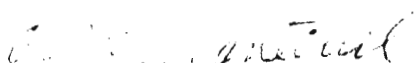
(Whereupon, at 3:20 p.m., the deposition was concluded.)

(I have read the foregoing pages 2 through 48, inclusive, which contain a correct transcript of the answers made by me to the questions therein recorded.)

ROBERT P. AULSTON

CERTIFICATE OF SHORTHAND REPORTER

I, John Dauteuil, shorthand reporter, do hereby certify that the testimony of the witness appearing in the foregoing deposition at pages 2 through 48, inclusive, was taken by me in shorthand and thereafter reduced to typewriting under my direction; that the said deposition at said pages is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.


Shorthand Reporter



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert P. Aulston
6941 Lake Willow Drive
New Orleans, Louisiana 70126

Re: MUR 497 (77)

Dear Mr. Aulston:

In furtherance of its investigation in the above referenced matter, the Commission has issued a subpoena requiring your appearance for a deposition and the production of certain documents. The subpoena is enclosed herewith.

We call your attention to 2 U.S.C. §437g(a) (3) (B) which prohibits any person from making public any notification or investigation of the Commission without the written consent of the person with respect to whom the investigation is made.

If you intend to be represented by counsel in this matter, please so notify us prior to the time of the deposition. If you have any questions concerning this matter, please contact Andrew Athy, Jr. of my staff at (202) 523-4075.

Sincerely yours,

A handwritten signature in cursive script, reading "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosure

FEDERAL ELECTION COMMISSION

130 p. 101

In the Matter of
Republic National Bank;

SUBPOENA

To Appear ~~for~~ Deposition
Upon Oral Examination
And to Produce Documents

MUR 497 (77)

↓
To: Robert P. Aulston
~~6941 Lake Willow Drive~~
New Orleans, Louisiana 70126

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for the purpose of being deposed. Notice is hereby given that the deposition is to be taken at the offices of Dietrich and Bendix, 333 St. Charles Street, New Orleans, Louisiana, on May 9, 1978 at 3:30 p.m. and at any and all adjournments thereof.

You are hereby subpoenaed to appear for this deposition and, pursuant to §437d of Title 2, United States Code, to produce at the time of the deposition:

(a) All correspondence, memoranda, or other relevant documents pertaining to any political contributions made by Robert P. Aulston and/or the Republic National Bank; any reimbursements made by the bank for political contributions; any requests made to obtain reimbursement(s) from the bank; any memoranda regarding political contributions, or reimbursements; including

also any contemporaneous memoranda, including telephone logs, and any other records under your control regarding phone calls or other oral communications.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at the office of the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, this *25th* day of *April*, 1978.

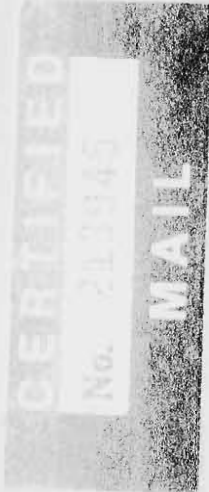
Thomas E. Harris
Thomas E. Harris, Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

61710043626

FIRST CLASS MAIL



Milton & Greenwood Reporting Associates, Inc.

General Stenotype Reporting

Suite 301

1601 Connecticut Avenue, N.W.

Washington, D.C. 20009

Phone: (202) 833-3598

Official
Transcript

Mr. David Federman, Esq.
Federal Election Commission
4th Floor
1325 K St., N. W.,
Washington, D. C. 20463

FIRST CLASS MAIL

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Return Receipt requested

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August 24, 1978

Mr. Robert P. Aulston,
5054 South Woodlawn Avenue
Chicago, Illinois 60615

Re: BEFORE THE FEDERAL ELECTION COMMISSION, in the matter of:
REPUBLIC NATIONAL BANK - MUR 497 (77)

Dear Mr. Aulston:

The court copy of your deposition in the above-captioned case taken August 8, 1978, is submitted herewith for your reading and signing as requested.

Enclosed herewith are instructions for reading and signing.

Upon completion of the reading and signing it is requested that the court copy be returned to this office as soon as possible for filing.

Sincerely yours,

MILTON & GREENWOOD
REPORTING ASSOCIATES, INC.

D. S. George
Administrative Assistant

cc:
David Federman, Esq. ✓
file

BEFORE THE FEDERAL ELECTION COMMISSION

----- X
:
In the Matter of: :
:
REPUBLIC NATIONAL BANK :
:
----- X

MUR 497 (77)

Washington, D.C.

Tuesday, August 8, 1978

Deposition of

ROBERT P. AULSTON

a witness in the above-entitled matter, called for examination
by counsel for the Federal Election Commission, pursuant to
notice, at the offices of the Federal Election Commission,
1325 K Street, N.W., Washington, D.C., beginning at 1:30 p.m.,
before Joyce Callahan, when were present on behalf of the
parties:

For the Federal Election Commission

DAVID FEDERMAN, Esq.
Counsel, Federal Election Commission

HAL PONDER, Esq.
Counsel, Federal Election Commission

Milton & Greenwood Associates, Inc.

(NOTARY: D.C. VA. MD.)
OFFICIAL REPORTERS
1028 Connecticut Ave., N.W., Suite 1100
Washington, D.C. 20036
Phones: (202) 833-3598
833-3599

EXHIBITSMarked for identification:Page

FEC Exhibit No.	1 - Check dated 8-8-76	11
" "	2 - Check dated 8-31-76	12
" "	3 - Check dated 5-7-76	13
" "	4 - Check dated 6-4-76	15
" "	5 - Check dated 8-30-76	19
" "	6 - Bank statement dated 9-3-76	20
" "	7 - Cashier's check dated 5-5-77	27
" "	8 - Memo dated 9-7-76	28

1030245629

EXHIBITSMarked for identification:

	<u>Page</u>
FEC Exhibit No. 1 - Check dated 8-8-76	11
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" " 6 - Bank statement dated 9-3-76	20
" " 7 - Cashier's check dated 5-5-77	27
" " 8 - Memo dated 9-7-76	28

Whereupon,

ROBERT P. AULSTON

having been called as a witness in the above-entitled matter, and after having been first duly sworn by Joyce Callahan, a Notary Public in and for the District of Columbia, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR THE COMMISSION

BY MR. FEDERMAN:

Q Would you please state your name and address and occupation?

A Robert P. Aulston. And my address is 1204 East 53rd Street, Chicago, Illinois. And I am an attorney.

Q Where is your business?

A At 1204 East 53rd Street.

Q Do you understand that you have a right to be represented by counsel with respect to this proceeding?

A Yes, I do.

Q You have no counsel with you?

A I do not.

MR. FEDERMAN: I am David Federman, and with me is Hal Ponder, and we are from the office of the Federal Election Commission.

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This is part of an investigation conducted by the Federal Elections Commission who has found reason to believe that a violation of section 441(b) was committed by you and other officers and directors of the Republic National Bank. And the questions shall deal with matters raised on the authority under that investigation.

If at any time you want to go off the record, say so and I will instruct the stenographer to go off the record.

BY MR. FEDERMAN:

Q Have you ever served as an officer, director, employee of the Republic National Bank?

A Yes.

Q Would you please state when and in what capacity you so served?

A I became an organizing director of the bank in June, 1974, a few weeks before it opened. I had not been a part of the organizing group. That was instituted approximately three years before the June, 1974 opening day.

Thereafter, I served as a director until November of 1974, at which time I became a temporary, interim president of the bank while the board searched for a replacement to the president who had resigned in November. While the

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appointment was to have been temporary and only for six months as recorded both in the minutes of the Republic National Bank and in the minutes of the company that I was employed with at that time, my tenure continued until June of 1976, at which time I resigned as president. I don't recall the exact date. Shortly thereafter I resigned as a director as well.

Q Since that time you have had no official position with the bank?

A Well, I served as counsel after my resignation as a director, and I was reappointed to the board. I don't have the date in front of me. That is a matter of record in the minutes of the bank.

Q During 1976 what services and functions did you perform for the bank, you as counsel or as, subsequently, director?

A Well, the services during this period -- I was counsel. I don't recall the exact date because I inherited the responsibility of being the legal counsel because legal counsel resigned to leave town. My services included general corporate legal representative. As a director my responsibilities were those common in particular to all directors

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serving on the board.

Q Did you ever incur expenses on the bank's behalf?

A I would say, yes, I did, in my capacity as president of the bank. And I did have a modest expense account, and on occasion I was reimbursed as I can best recall. I don't have the details.

Q Can you remember what kind of expenses these were?

A The typical breakfast meetings, luncheon meetings, air travel, hotel expense.

Q Once you incurred expenses, how did the reimbursement process operate?

A I submitted an expense statement and submitted it to the board and the cashier of the bank. The cashier upon approval by the board would reimburse me for the out-of-pocket expenses as justified.

Q Would the expenses have to be approved prior to them being incurred?

A I don't recall that they had to be.

Q Did the entire board have to approve them? Was it a vote?

A No.

Q How did that operate?

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A It didn't have that kind of formality. It was a matter of the board being apprised, the Executive Committee being apprised. It was reported in the financial statements as presented on a monthly basis. There was no formal submission each time. It would be cumbersome for the board to approve every expense item for every officer.

I was not the only officer who had expenses reimbursed, business expenses reimbursed.

Q As a director and president of the bank, did the bank extend to you certain privileges that were not extended to regular, say, bankers, excuse the expression, "customers," in terms of checking accounts or drafts, things of that nature?

A Well, first of all, as to overdrafts I had no control over overdrafts, so I didn't extend or approve overdraft privileges to anyone else.

As to the question of whether or not the bank extended to me overdraft privileges, no, there was no formal expression of a benefit but I would suspect on occasion I did have an overdraft. I don't recall with what frequency I had overdrafts. I do know that I covered all of my overdrafts, and upon the demise of the bank, I didn't have any overdrafts

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at that time.

Q How many accounts do you have with the Republic National Bank?

A I really don't recall.

Q Well, do you have one with you and your wife, a joint account?

A That seems possible, yes.

Q Do you have one with your law firm, Sims & Austin?

A Yes.

Q Was there a special account in your name only?

A Yes.

Q What was the special account used for?

THE WITNESS: Can we go off the record?

MR. FEDERMAN: Sure.

(Brief discussion off the record.)

BY MR. FEDERMAN:

Q What was the purpose of the special account?

A The special account was merely as other special accounts, to have a segregation of funds available for business, charitable and other purposes.

Q As an officer-director of the bank, do you have overdraft privileges yourself?

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A I did not have a privilege as expressed or enumerated anyplace. I on occasion had an overdraft, as I would suspect many people did.

Q As president of the bank, did you have the authority to approve overdrafts?

A No, I didn't.

Q Who actually did have authority to approve overdrafts?

A Other officers of the bank, the Executive Committee, and the board itself. I specifically did not have any loan authority or any authority to approve overdrafts.

Q What was the process for overdrafts? Say you overdrafted your account. How long would the bank carry the overdraft?

A I really cannot say with any specificity as to how long. It varied, I guess, from customer to customer. I do know that when overdrafts did occur fees were charged per check and I don't know if there was a per diem. I don't recall if there was a per diem charge or not, but I do recall there was a per check charge which every officer approved the overdraft at that time or he would have the choice of returning the checks.

I also had checks returned on occasion where I might

misjudge my balance or if I write from the wrong account or whatever.

I would like to clarify one thing. I don't think that I had any overdrafts at the time that I was president of the bank. Your record would be the best evidence of whether or not I did. I don't recall that I did, but I recall intermittently at Republic and not only our bank but others, it wasn't something that I was frequently doing.

Q Did you ever have to pay a fee for the overdraft -- for overdrafting your account?

A I recall paying fees.

Q In the overdraft process, if someone overdrafted an account, you mentioned some officers or Executive Board had to okay it, had to approve it, to carry it. Could you elaborate on that? Be more specific in terms of which officers.

A Well, let me start with the process. As a mechanical matter, all checks are paid automatically unless an officer directs the corresponding bank or directs whatever our account is held that the check not be honored. Checks come in in the morning. All of the items are processed and go through transit approval. When they come in, they are all automatically paid until the officer says return.

It is really not a question of approving an overdraft. It is more a question of not returning checks for insufficient funds or uncollected funds.

Q I see.

A As far as who, you would have to look to the initial that would appear on the debit memo item, which is sent to the customers indicating that an overdraft has been created. He has been charged "X" number of dollars, he should come in immediately and cover the overdraft.

Sometimes people would call to bring in money before a certain time, like 11 o'clock. If you don't have the money by 11, your check is going to be returned. If you can cover it, which is the proper term, by 11, then your check will be paid.

On occasion there was some flexibility of someone saying "I can't get there today, I will get there tomorrow or in two days." It varied, and it was in the discretion of the officer handling it.

Again, I didn't handle any overdrafts at any time.

Q Would it be unusual for an overdraft, for an account to remain in an overdraft status for a period of, say, two, three, four, five months?

A I think on occasion we did that. I don't know the specifics, but on occasion I am sure that that may have happened. I don't know the extent of the time, whether it was a month, two, three, four, five months.

Q What criteria was used to determine if an account should be allowed to be in the status for that period of time?

A Well, it varied from situation to situation. One particular overdraft that I am familiar with, the circumstances were such that if we returned checks we would have created a serious problem for a corporation that was suffering from some severe cashflow problems. So we were carrying them through a period of time until they could collect on certain receivables due to them. That is one criteria that I am familiar with.

MR. FEDERMAN: We have some checks here. If you want to mark them. I have a check paid to Robert Aulston III for \$100 made on August 8, 1976. It is an expense check and says two tickets at \$50 apiece, reception for A. L. Davis.

Mark this as FEC No. 1.

(A document was marked FEC Exhibit
1 for identification.)

BY MR. FEDERMAN:

Q I show you a check, Mr. Aulston. Would you please

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explain the purpose of the reimbursement?

A Well, as best I can recall, I apparently purchased tickets on behalf of the directors of the bank for the reception honoring A. L. Davis and asked that I be reimbursed for having purchased the tickets. I don't recall the specifics.

Q A. L. Davis at that time was a candidate for city councilman?

A Yes.

Q How large a reception was it? Was it a fundraising campaign for Mr. Davis?

A Let me see the date on the check. I am not certain whether this was prior to his election or subsequent to his election. It could have been a reception, post-election. You would have to look at the date and tell me. It is either a reception for fundraising or it is a post-election reception. That is very common in New Orleans.

Q There is a check made payable to Diana Baget, Testimonial Committee, for \$25, an expense check for the Republic National Bank dated August 31st, 1976.

MR. FEDERMAN: Would you mark this as Exhibit No. 2?

(A check for \$25 dated August 31, 1976 was marked FEC Exhibit No. 2 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 2, a check. Do you know about this expense?

A No.

Q How would it have been approved?

A An officer of the bank would have had to direct the cashier to prepare a check, or a director may have requested of an officer this contribution to the Baget Testimonial Committee be paid.

Q Did you attend that testimonial?

A No.

MR. FEDERMAN: I have here a check made payable to the Kelly Knicks testimonial dinner dated May 7, 1976, in the amount of \$12,500 on the account of Robert P. or Sylvia Aulston, signed by R. P. Aulston with an annotation, purchase of ten tables.

Can we have this marked as FEC No. 3?

(A check dated May 7, 1976 was marked FEC Exhibit No. 3 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 3. At that time Kelly Knicks was a candidate for the State Board of Education; is that

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correct?

A That is correct.

Q For whom were the tables purchased?

A For myself and business associates.

Q Did any officer or director from the Republic National Bank go to the dinner?

A I don't recall. Perhaps one or two did.

Q Did you seek reimbursement from the Republic National Bank for this expense?

A No, I did not.

Q Was this an overdraft of your account?

A I don't recall. Are you asking did it create an overdraft?

Q Did it create an overdraft?

A I don't recall. I would like to add to your question, did I seek reimbursement from the bank, do I recollect reimbursement from certain directors of the bank -- yes, as individuals.

MR. FEDERMAN: I have here a bank statement from the account of Robert or Sylvia Aulston III, Republic National Bank, a statement dated June 4, 1976.

Mark this as No. 4.

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(A bank statement dated June 4, 1976 was marked FEC Exhibit No. 4 for identification.)

BY MR. FREDERSON:

Q I show you the bank statement, which is Exhibit No. 4. Would this \$12,500 check correspond to the \$12,500 Kelly Knicks check?

A The check is dated May 7th and the \$12,500 item cleared May 12th. I have no reason to believe that it is not the same item.

Q At the time that check cleared, what was the balance prior to it clearing?

A There was an overdraft of \$1,592.59.

Q So at the time that the \$12,500 check to the Kelly Knicks testimonial dinner was paid, it created -- your account was already in the overdraft status at that point?

A That is what the record indicates.

Q Was Mr. Venice at that time president of the bank?

A Yes.

Q Did he have overdraft approval?

A Yes.

Q Were there any policy memos or statements of the position which set out the procedure on overdrafts and reim-

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bursement once Mr. Venice took office as president?

A I don't recall any explicit statement of overdraft procedure, except that the board reserved the right to approve or disapprove overdrafts. Mr. Venice did have the authority on his own as an officer to approve on a day-to-day basis. He alone, and Mr. Emmer approved overdrafts, and they were the only two officers.

Mr. Livermore had overdraft approval authority subject to the approval of the board. When I came in as president, I did not want it. I didn't seek it and did not exercise it.

Mr. Venice, as my successor and during my tenure as president, while I was vice president, did have the authority to disapprove or approve checks. And then Mr. Emmer also had that authority.

I don't recall whether Mr. Cadro did or didn't. He may have exercised that authority. But I think it is a normal bank procedure that the officers in their discretion up to certain limits can approve overdrafts and it must be reported on a regular basis to the board.

Q So the board would be fully apprised of the overdrafts which were approved by the officers?

A Yes. The board should have been apprised. Whether

the board was apprised, I don't recall. I don't recall any overdrafts that they were apprised of. I remember having board meetings and discussing overdrafts, so I would think that in every instance there was full disclosure unless you present something where there was not disclosure.

(Brief discussion off the record.)

BY MR. FEDERMAN:

Q You stated that there were meetings in which overdrafts were discussed and policies. Were minutes kept of these meetings?

A Yes.

Q Who would be in possession of those at this time?

A Presumably the Federal Deposit Insurance Corporation.

Q Going back to the Kelly Knicks check for \$12,500, who were the directors that you sought reimbursement from?

A All of them. What happened on many occasions was that we would be asked as individuals to make political contributions to various candidates. And any individual director might come in with a request from certain political aspirants or officeholders who might say I would appreciate a contribution or I would appreciate your attending my banquet, and we would respond by saying the bank cannot make contributions

but individual directors can.

And in a couple of instances directors would say, all right, I will contribute "X" number of dollars. Another director would say, I will contribute "Y" number of dollars, etc. But this was not a part of the board meetings. It would be either after the meeting or before the meeting or in some other informal setting where we were being asked individually to make contributions.

On a couple of occasions --- and the check to Mr. Knicks was one of those occasions -- one of us would say I will make the contribution because time is of the essence and I would like your check for \$1,000 or your check for \$500 or however much each person committed himself in terms of buying tickets or tables. And it was usually in the banquet situation and not so much a contribution situation that we would have a director say, well, I will put up the \$500 and Director A will be sure to reimburse me, Director B, but not as a director but as Mr. Jones, Mr. Smith, Mr. Whomever.

And in that particular instance it was agreed that I would make the contribution and that I would be reimbursed by certain individuals and individuals who were the directors of the bank as well, I should add.

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Q So prior to your making the \$12,500 contribution you had an agreement from the people who you would be reimbursed from that you would be reimbursed?

A Yes. Several people said you can count me in and I will pay you back, or I will give you a check for "x" number of dollars. I will buy five tickets, for example. Or, I will buy ten tickets. And several people indicated that and several people did in fact honor the commitment.

MR. FEDERMAN: I have here a check made payable to Robert P. Aulston III dated August 30, 1976 for the amount of \$12,400 written on Mr. Robert P. Aulston III's special account and check number 101, and it is for testimonial contributions on behalf of the Republic National Bank directors.

Can we have this marked FEC 57

(A check dated August 30, 1976, was marked FEC Exhibit No. 5 for identification.)

BY MR. FEDERMAN:

Q This check was written from your special account and subsequently deposited in your regular account, your joint account with your wife; is that correct?

A Yes. I don't know if that is correct but it makes sense, because that means that I was reimbursing myself and I

didn't want to hold my account in an overdraft status waiting for reimbursement from other persons.

Q So this \$12,400 check was overdrawing your special account; is that correct?

A I don't know. Can you show me?

MR. FEDERMAN: I have a bank statement of Robert P. Aulston III, a statement dated September 3, 1976. This is a special account. We should mark this as Exhibit No. 6

(A bank statement dated September 3, 1976 was marked FEC Exhibit No. 6 for identification.)

BY MR. FEDERMAN:

Q So then did this \$12,400 check create an overdraft in your special account?

A The regular indicates that it did, yes.

Q How much was in your account at the time the check was written?

A \$100.

Q And this check for \$12,400 was written from the special account and subsequently deposited in your joint account. That was to cover the previous overdraft; is that correct, of \$12,500 of the Kelly Knicks check?

A Yes.

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Q All right. So then your account, your joint account was in an overdraft status in upwards of 12,000 from May through September 3, 1976?

A I don't know. If that is what the record indicates. I do know that this check was written -- perhaps the better wordage would be not to cover but to separate out from the special account those amounts due me from individuals as a result of these tickets being bought.

So I don't know if any other accounts remained overdrawn. I don't recall if the joint account was overdrawn during this period of time, during the entire period of time.

Q Did you seek reimbursement of this \$12,400 check from the Republic National Bank?

A No, not from the bank.

Q From whom did you seek reimbursement?

A From several individuals who had committed themselves that they would participate in buying tickets to the banquet for Kelly Knicks.

Q Were these the same individuals whom you sought reimbursement from previously for the \$12,500 Kelly Knicks testimonial?

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A It is all the same transaction, yes.

Q Which officers or directors of the bank did you specifically request reimbursement from?

A Nolan Marshall, Lewis Mason, Jack Parker, Elroy Venice, Leon Fulton. I don't recall but there may be others. Again, it was a matter of someone approaching me personally and asking for a contribution, and I indicated that I could not afford it but perhaps together we could do that. And I broached the subject to other individuals and I said, we have been asked to make a contribution and how much can each person contribute because I certainly can't afford \$12,500 on my own.

Q So in May you first wrote the check for \$12,500 to Kelly Knicks?

A Yes.

Q And in September you wrote a check on your special account to yourself for \$12,400, which would actually cover the overdraft status in your regular account?

A Yes. And the special account then became evidence of what was owed with respect to these particular tickets and there may have been some other contributions made that were also owed.

Q Wasn't this \$12,400 check made payable to you and

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overdrawing your special account by almost the entire amount of the check? It is a reimbursement from the bank for the Kelly Knicks testimonial dinner?

A No, because this overdraft was ultimately covered. So it was not a reimbursement.

Q How was the overdraft covered eventually?

A I deposited monies in the account which eliminated the overdraft, and you would probably have the records of when that took place.

Q Do you have a record of the reimbursement by the individual directors to you?

A No.

Q Were you eventually reimbursed by the individual directors for this?

A Not all of it. Some did make reimbursement. Some did not. I ultimately had to pay the majority of the contributions.

Q I have a check number 104 drawn on Robert P.

Aulston III's special account made payable to Robert P.

Aulston in the amount of \$500 for the A. L. Davis campaign for the Republic National Bank, and this is part of the FEC Exhibit No. 5.

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If you will look at that.

A Yes.

Q Would you explain the purpose of that check?

A Well, to the best of my recollection it was a contribution to the A. L. Davis campaign.

Q Presumably this created a further overdraft in your special account?

A If that is what the record indicates.

Q Showing you FEC Exhibit No. ---

A The statement dated September 3rd shows a check in the amount of \$500 in conjunction with the other checks resulted in an overdraft.

Q I have before me check number 102 drawn on the account of Robert P. Aulston III's special account dated August 30, 1976 and made payable to Robert P. Aulston III in the amount of \$2,929.99 for reimbursement due from the Republic National Bank.

This is part of FEC Exhibit No. 5. Showing you this--

A Yes.

Q Would you explain the purpose of that check?

A I really don't recall, but I believe that it was in conjunction with an expense statement that I submitted and

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does not have any relationship to campaign contributions as noted.

As you have indicated, I noted on the checks what these checks were for so that there would be a permanent record. I do recall, and the bank directors could recall, what the checks were for. But the third check does not relate to any political contributions I don't believe, unless you have something that indicates it.

I think you will find a corresponding expense statement covering a period of four or five months or more that I submitted all at once, and the check had not been paid to me. And, again, the purpose of this check was to segregate it out so that it would be easily identifiable as an amount due to me for having incurred expenses on behalf of the bank.

And here, when it says campaign for Republic National Bank, it doesn't mean for the bank. That means that one of the directors in that instance either A. L. Davis or some other director asked informally, said we ought to do something as has been the case in a lot of this.

I would agree to make the contribution, or to incur the expense provided that I get reimbursed and I wanted to

make sure that I noted it that way all the time.

Q By writing it on your special account this was to ensure that it was segregated, that you were due reimbursement from the directors?

A Well, the special account description doesn't accomplish that as much as my notations on the check, but, yes, the special account was an account to segregate it from my personal account.

I don't know if there were other checks as well in that account or not. I think there were some other checks drawn for other purposes similar to an escrow account that would be maintained by an attorney.

Q So on this account after September 2nd there was a \$12,400 check for the testimonial contributions and the \$500 check for A. L. Davis campaign resulting in a \$12,900 contribution to candidates with the intention of being reimbursed. Is that correct?

A Yes, by individual persons. I want to stress that.

Q At the time these checks were written which officers would approve these overdrafts?

A I don't know.

Q Before you wrote the check for \$12,400 and the \$500

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check, did you see if they would be carrying overdrafts?

A No, I didn't.

Q You simply assumed it would be okay?

A They could have been returned, but since the officers who would be approving the overdrafts were familiar with the commitments which I would reluctantly call an arrangement and not in the majority, since arrangements --- but they knew that I had incurred this liability on behalf of certain directors, all of the directors of the bank, and I had reason to believe that the check would be cleared until such time as I received funds from the persons who were to reimburse me.

MR. FEDERMAN: I have in front of me a cashier's check in the amount of \$25,000 made payable to the Republic National Bank of Louisiana written on the Whitney National Bank dated May 5, 1977.

Mark this FEC Exhibit No. 7.

(A cashier's check dated May 5, 1977 was marked FEC Exhibit No. 7 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 7.

A Yes.

Q Are you familiar with this check?

A No, I am not.

Q Do you recall when the overdraft status of your special account was eliminated?

A No, I am not.

MR. FEDERMAN: We will take a short break for a minute.

(Brief recess.)

MR. FEDERMAN: Can we mark this memo from Hiram Venice to Mr. Edgar Poree dated September 7, 1976, subject Robert P. Aulston's expenses, as FEC Exhibit No. 8, please?

(A memo dated September 7, 1976 was marked FEC Exhibit No. 8 for identification.)

BY MR. FEDERMAN:

Q I show you Exhibit No. 8.

A Yes.

Q We were discussing the overdraft status of the special account in Mr. Aulston's name. Could you please explain how you sought reimbursement of the \$12,400 expense, please?

A Well, number one, as indicated in the memorandum I agreed to hold back certain expenses I incurred on behalf of

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the bank until the bank was in a better financial position, and it was not Robert Aulston but the Gulfsouth Venture Corporation and there should be some backup record someplace indicating that these expenses were incurred partly by me and partly by Gulfsouth Venture Corporation on behalf of the Republic National Bank during its formative stages.

Q Let's deal with the second one, the \$12,400.

A I don't know how to deal with it other than reading the memorandum. It says the account, the above items are drawn presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400 expense incurred on behalf of the Republic National Bank directors should be presented to the board of directors for payment.

Q Did you seek reimbursement from Edgar Poree regarding the \$12,400 incurred?

A I may have. It would seem that I did because he had a lot of contact with the politicians involved at that time. He was chairman of the bank, and Mr. Venice was president. And a lot of requests would come through them and then come to me, as it would go to other directors.

I would also like to add that other directors made

contributions and they were reimbursed individually.

Q We are dealing with a fairly substantial sum of money. Is that a sum of money which you are ordinarily accustomed to dealing with in your everyday business goings on?

A Well, my bank statements which apparently you have a copy of at this point would indicate that, what amounts of money I handle in either my company account or personal account.

I would not say that \$12,000 is a regular daily expense.

Q It seems unusual that that expense you would not remember seeking reimbursement from particular individuals from whom you sought reimbursement of such a sum in that you seem to have been seeking reimbursement since it was made in May and this was on into September.

Do you remember seeking reimbursement from Elray Venice?

A I think I mentioned him already, yes.

Q Did you seek reimbursement from Jacob Emmer?

A No.

Q Did you seek reimbursement from Ernest Cadro?

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A No.

Q From Rebecca Marshall?

A I doubt it, no.

Q E. W. Bashful, did you seek reimbursement from?

A I don't think he was on the board at that time.

Q Milton Becknel?

A No.

Q James R. Bobo?

A Perhaps, I don't recall.

Q Dennis Cross?

A I don't recall.

Q Wilfred Dialett?

A I don't believe so.

Q Did you seek reimbursement from A. L. Davis?

A Most definitely.

Q Did you seek reimbursement from Joseph Epps?

A No.

Q Did you seek reimbursement from Mortimore Evans?

A No.

Q Did you seek reimbursement from Leon Fulton?

A I didn't seek reimbursement from Leon Fulton, but

he did commit to make a contribution, that he was to be part

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of the consortium.

Q Did you seek reimbursement from Nolan Marshall?

A Nolan made a commitment. When you say did I seek reimbursement, I don't recall saying Nolan was part of this but I recall -- you see, before the contribution was made there was an informal agreement as to who could be counted on to put up a portion of the purchase of the tickets.

Q Did you seek reimbursement from Lewis Mason, Jr.?

A Lewis said that he would put it up.

Q Did you seek reimbursement from John R. Pitts?

A I doubt it.

Q Did you seek reimbursement from Robert Redfern?

A No.

Q Charles C. Teamer, did you seek reimbursement from him?

A I don't recall.

Q Did you seek reimbursement from Lloyd Villavaso?

A I don't recall. I would say that Lloyd would have been part of the group.

Q Returning to Exhibit No. 8, which is the memo from Elray Venice to Edgar Poree. This memo indicates that you sought reimbursement directly from the bank for the \$12,400

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expense?

A Correction, it says that I sought reimbursement from the directors not from the bank.

Q We can read it again. This is Mr. Venice's statement.

A That was incurred on behalf of the Republic National Bank directors.

Q I agree with you there, but it was presented it seems that -- this memo indicates that it was presented to the board for reimbursement along with the 2,929.99 and the \$12,400, and it seems they were presented together to the board for reimbursement by the bank?

A Well, the wording here is, should be presented. I don't see any indication that it was presented, and the minutes would be the best evidence of whether or not it was presented.

That memorandum is merely one communication from Mr. Venice. It doesn't indicate that it be presented at any formal meeting of the board but to the members of the board.

Q Was it presented to the members of the board?

A I don't recall that it was. Do you have the minutes?

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Q Was not item number one, check 102, in the amount of \$2,929.99 presented to the board for reimbursement by the bank?

A This memorandum does not indicate that it was. I don't recall whether it was. I do recall that it was paid.

Q And you were subsequently reimbursed by the bank for that?

A When you say "you," I think the check was to Gulf-south Venture Corporation. It is either the Gulfsouth Venture Corporation or to me, but you would have that information, but that was in no way related to any purchase of tickets or political contributions.

Q That is correct. But this memo indicates that it was presented in conjunction with the \$12,500 check for similar treatment by the bank; is that not correct?

A I don't want to seem obstinate on the point, but it seems it should be presented. I don't know whether it was in fact presented. I think if you have the minutes of the board meetings that would be subsequent to the date of this memorandum and that would tell us whether or not it was presented.

I don't recall that it was formally presented.

Q Did you request that it be presented?

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A No, I didn't request that it be formally presented to the board for a decision by the board with respect to the bank assets. Yes, to the individual members who were to reimburse me for purchasing the tickets because some people participated in the banquets and some did not.

Q This would be done in a board meeting?

A It would not be part of the formal meeting of the board, but since the persons would be gathered in the room at the same time either before the meeting or after the meeting, I can't speak for why Mr. Venice would have worded it like that, but my recollection is that this was not the only time that this occurred. And when it did occur, it would occur at the time that the members of the board would be in a room prior to the meeting.

We would talk about the political situations, competition, whatever before there was a formal submission or resolution and the minutes were read from the previous meeting and the official business of the bank.

Q It says, my suggestion to you is to speak to Mr. Aulston before pursuing collection of the total amount. Did Mr. Poree speak with you concerning the payment of the reimbursement of the \$12,400 check?

A Mr. Porse, after he discussed that matter, I don't know if he spoke to me in response to that memoranda. I think I was the one doing a lot of the speaking about that particular matter most of the time.

Q Mr. Venice indicates that the total amount due Mr. Aulston is \$15,429.99, which includes a \$100 deposit made to open the special account. Presumably this came about by adding to the \$2,229.99 check number 102 and check number 101, the \$12,400 -- Is there any reason why Mr. Venice should be of the opinion that the bank should be reimbursed for the sum of both checks?

A Yes.

Q What would that be?

A Because he understood that I was extending myself on behalf of the directors of the bank so that they would have been recognized as making a contribution as a body and whatever benefits that would inure to us as a result of helping a friend, would help the institution. That is what we were trying to accomplish.

So that means Mr. Venice was aware of the fact that, as were other directors, that I had written a check to make, to purchase these tickets with their knowledge beforehand.

It was not a matter of my purchasing the tickets and telling them after the fact that I had purchased them, that now fellows I want you to make your individual contributions to help reimburse me for this expense. That is what I think the memorandum says.

Q What was Mr. Poree's title at that time?

A Presumably he was chairman of the board of the bank. He would have to make the proper presentation and approvals and recommendations.

Q You stated that prior to buying the tickets for the Kelly Knicks dinner that the directors had agreed prior to that that they would buy the tickets ultimately for reimbursement for the tickets; is that correct?

A Yes, but there was no rigid formality. Other directors made the request originally that we, the group of directors, be represented at the Kelly Knicks testimonial, and he indicated that each director should take a certain number of tickets.

After a little knashing of the teeth, it was agreed that I would make the contributions and then I would be reimbursed by those who were willing to do that. Those who were not willing to do that would not be held to it. It was an

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informal situation.

It didn't have any contractual, formal implications.

Q So in other words the \$12,500 check which you wrote for the tables at the Kelly Knicks testimonial would have to be your personal assets, you would be ultimately liable for that?

A You mean my personal assets?

Q Yes.

A Yes. I recognize that, but on many occasions I exposed myself on behalf of the bank directors, seeking to help the institution.

Q But the time you wrote the check you overdrew your joint account with your wife by the amount of the check which was already in overdraft status?

A And she and I were upset about that.

Q To ultimately pay your joint account back, you overdrew your special account by the amount of the check, is that not correct?

A As further evidence of the fact that I was expecting reimbursement, yes.

Q if the bank had not extended the overdraft status to your account and not carried you along

have no assets with which to pay the bank; is that not correct?

A Well, that statement is not correct. If the bank had returned the check as insufficient, for insufficient funds, then I would have been unable to purchase the tickets to begin with. I think that is the point that you are trying to make, and by approving it there was acknowledgement that this was an attempt to use the bank assets to do this.

It was supposed to be a short-term, temporary situation that became a long-term situation that I ultimately had to clean up by getting a couple of guys to help out and then today pay for the balance of it myself.

Q And the directors of the bank in approving the \$12,500 overdraft knew the purpose of that \$12,500 check? They knew it was for the Kelly Knicks testimonial?

A Well, it is on the check. This had been discussed beforehand but I do not want to ascribe to them any motives that would make them in violation of the regulations. I accept the responsibility for writing the check.

Q You stated previously that prior to your writing the checks other directors had acknowledged that they wished to reimburse subsequently, and it was decided that you would write the check among a group of the directors?

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A Yes.

Q So that group at least of directors knew the purpose of the \$12,500 check?

A Can we go off the record for a moment?

Q Sure.

(Brief discussion off the record.)

THE WITNESS: A certain group did know, as individuals, yes. Not acting in their capacity as directors.

BY MR. FEDERMAN:

Q When the directors with you met to determine who would write the checks, who would contribute the money, it was with the feeling that the directors would be represented at the testimonial dinner. Is that correct?

A That is correct. That the individuals who happened to serve on the board would be represented and, therefore, we would like our institution to be recognized.

Q What was your capacity at the bank at that time?

A I don't recall if that was at a time when I was merely a counsel or a director. I don't recall. I would have to be in one of those capacities to have been present to discuss this with them.

Q At that time, during August of 1976, there was a \$100

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check for A. L. Davis and a \$25 check on the bank, for Bajcin, was written presumably with the approval of the board of directors.

Why wouldn't they also contribute to the Knicks' testimonial dinner?

A I don't know that these others were with the approval of the board of directors. I don't know who else knew about the Bajcin contributions.

I didn't know about it. Arguably, other directors may not have known about it. It would have been an individual decision as to the A. L. Davis contribution. I don't recall whether everybody knew. Some people knew. I knew that because I was asked. I said, fine. If we are going to buy tickets, fine.

Now why would they not contribute? Some did contribute. On the Kelly Knicks business it took them time to do it. The bank was never intended as the payer or obligator on this particular purchase of tickets.

Evidently from the evidence it appeared that the bank did.

Q For at least a period of six months, the bank was the obligator on a testimonial, is that not correct?

44-38861-45670

12

A I think it mentioned that the overdraft was created in August.

Q May?

A And when was it ultimately covered?

Q We are not certain of the date, but it went through September and October. I am not sure when it was.

A If the overdraft existed that long, there was an overdraft in my account for that period of time. And at that point, I guess, I would have to accept responsibility for having made a contribution to purchase tickets and the bank allowed me an overdraft.

Q I am sort of confused. You mentioned over here a minute ago, out of context I think of this discussion when you said over here and pointed to the other exhibits. Were you meaning to compare the Bajoie and Davis contributions to the Knicks contributions? If not, I think we had better back up and read it again.

Do you remember the statement that I am describing a few minutes ago?

A Yes. I said that it appears from the copy you have of the check to Diana Bajoie's testimonial committee that the bank apparently, or an officer of the bank apparently used the

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bank funds to make that contribution and the bank was not reimbursed.

And the A. L. Davis situation, it appears that the tickets I purchased on behalf of the directors was in fact reimbursed with the bank funds.

In the Kelly Knicks situation, and, again, I don't know how the bank check was written for the A. L. Davis Committee. It was not intended that it would be the bank that would purchase the tickets, but, again, it would happen that I would agree in these instances that we have been discussing to purchase them. And I would say, I want my money back.

I would ask the individual directors. However, they wanted to handle it was fine with me. And in this particular situation we knew that an overdraft had existed. At least I did, and I was trying to get it cleared up.

When it became apparent to me that it wasn't going to be cleared up, a couple of people did help and I paid off the balance. And I think from the proceeds of the loan took it off the books and the bank didn't incur any loss, unless you have evidence to the contrary.

Q For clarification, let's briefly go over from the beginning the Kelly Knicks banquet testimonial. In May of 1976

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on your joint account with your wife, you wrote a check in the amount of \$12,500 to the Kelly Knicks testimonial dinner. That is FEC Exhibit No. 3.

Now, which directors did you discuss this with?

A The ones I have named. I think I named Mr. Mason, Mr. Fulton, Mr. Marshall, Mr. Parker -- because it was Mr. Parker who was the friend of Mr. Knicks who brought it to our attention to begin with.

Q Mr. Venice?

A Presumably.

Q Now, when was the dinner held?

A I don't recall.

Q Which directors attended?

A I don't recall. I did not.

Q You did not?

A No.

Q On May 7th the \$12,500 check was written and subsequently on August 30th you wrote the \$12,400 check to yourself on your special account and subsequently deposited it in your joint account. What was the purpose of that check?

A Again, to segregate the purchase of tickets as a group obligation from my personal account and personal obligations.

B I O 3 0 2 4 5 6 7 3

Q What group would be obligated?

A Certain individuals heretofore named.

Q So in other words the special account was simply to reflect those expenses which you incurred for which you would ultimately be reimbursed by the board of directors of the bank?

A By individuals of the bank who happened to be members of the board with the exception of the expense checks which was from the bank as approved by the board of directors.

Q From May until August of 1976, what was the reason that that gap existed between writing a special account check which ultimately may cover the check in your joint account?

A Because I became irritated that the persons who had promised to help with that particular obligation had not done so, and I wanted to have some record separate and apart from my personal records of the contribution.

Q When was the special account established?

A You would have that date, when the \$100 was deposited I suspect.

Q It was August 23, 1976 you started the special account with the deposit of the \$100. Subsequent to that date you wrote a check for \$12,400 to your own account, \$500 to your own account, and \$2,929.99 to your own account, as well as

another \$500 check to your own account creating an overdraft of \$16,129.99. Is that correct?

A That is correct.

Q Prior to the opening of the special account did you discuss this special account, or the possibility of such a special account with the directors of the bank?

A Yes.

Q What did you discuss with them concerning the special account?

A I told Mr. Venice and other directors that these funds were due me by a number of them and that I had carried it for as long as I could, and that I wanted this to serve as some evidence of what was owed by certain individual directors.

Q So not being reimbursed by the individual directors from May until September, you established a special account with the bank in the amount of \$16,000 in overdrafts thereby transferring the obligation from yourself to the bank?

A No. I did not transfer it from myself to the bank. I would have preferred to have transferred it from myself to the individual accounts that the directors maintained at the bank. It was merely to serve as a record for my purposes of what had been done, what was owed to me.

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Q But in your discussions with Mr. Venice and the other directors at the establishment of the time that account was established was not the understanding that we are not going to carry the obligation any longer, that it was now on your shoulders as directors that this special account would be created, and knowing that the checks would be written to your joint account with your wife having no funds in the special account?

A No, I would disagree with you.

Q Is that not what happened?

A No. I just merely transferred an overdraft from one account to another account.

Q Transferred one overdraft from your joint account with your wife to your special account, and this was done with the bank's approval?

A I can't say that it was done with the bank's approval. I am merely opening the account. I wrote checks on the account and the checks you have in evidence which were paid. And if there were some which were not, you would have evidence of that.

I would not say it was with the bank's approval. It was not submitted.

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Q You discussed the opening of a special account and its use prior to the opening of it with the officers of the bank; is that not correct?

A Yes.

Q So presumably the officers knew the purpose of the special account and what the overdrafts were concerned with, what they were for?

A I would rather state that I had an overdraft obligation which perhaps I abused the resources of the bank. I ultimately paid the obligation, the overdraft, to the extent that the period of time covered was unreasonable and created a hardship on the bank.

I am responsible.

MR. FEDERMAN: I don't have any further questions.

MR. PONDER: I don't have any questions.

(Whereupon, at 3:20 p.m., the deposition was concluded.)

(I have read the foregoing pages 2 through 48, inclusive, which contain a correct transcript of the answers made by me to the questions therein recorded.)

810130345677

CERTIFICATE OF SHORTHAND REPORTER

I, John Dautenil, shorthand reporter, do hereby certify that the testimony of the witness appearing in the foregoing deposition at pages 2 through 48, inclusive, was taken by me in shorthand and thereafter reduced to typewriting under my direction; that the said deposition at said pages is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Shorthand Reporter

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CERTIFICATE OF NOTARY PUBLIC

I, Joyce Callahan, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Notary Public in and for the District
of Columbia

My commission expires

April 14, 1983.

8193045679

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42

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General Handtype Reporting

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Phone (202) 833-3595

Official
Transcript

David Federman, Esq.
Federal Election Commission
1325 K St., N.W. - Fourth Floor
Washington, D.C.



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(202) 833-3598 / 3599 / 3593

Q



REPUBLIC NATIONAL BANK OF LOUISIANA

1570

New Orleans, Louisiana August 6, 1956

REMITTER Republic National Bank of La.
5300583100

PAY TO THE ORDER OF Robert P. Aulston, III



\$ 100.00

REPUBLIC NATIONAL BANK OF LA. \$100 AND 00/100 CTS

EXPENSE CHECK

2 tickets @ \$50.00

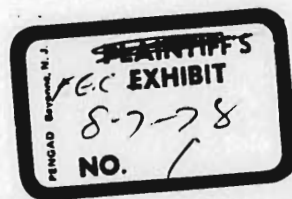
Reception A.L. Davis

Donnell

AUTHORIZED SIGNATURE

⑆0650⑉0228⑆ 2002230100⑈ 3693 ⑈0000010000⑈

Robert P. Aulston





REPUBLIC NATIONAL BANK OF LOUISIANA

1566

New Orleans, Louisiana

August 3,

19 76

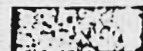
REMITTER

Republic National Bank of La.
5300583100

PAY TO THE

ORDER OF

Eliana Bajole Testimonial Committee



\$ 25.00

REPUBLIC NATIONAL BANK OF LA. \$25.00 AND 00 CTS

EXPENSE CHECK

Marshall

AUTHORIZED SIGNATURE

006500002281

2002230100

3693

00000002500

0590

0590

0590



for deposit only

01000138

15

PAY TO THE ORDER OF

Kelly Nid

Twelve Thousand and Five Hundred and 00/100

12,500.00

12 May 76

ROBERT P. OR SYLVIA AULSTON, III
821 GRAVIER ST. SUITE 150
NEW ORLEANS, LA 70112

309

14570

600

REPUBLIC NATIONAL BANK
NEW ORLEANS, LA 70112

FOR DEPOSIT ONLY

050610002810 0500401030

0001250000

PLAINTIFF'S
EXHIBIT
F.E.C. 3
NO. 8-3-78

010111683

FOR DEPOSIT IN
AMERICAN BANK & TRUST CO.
TO THE CREDIT OF
THE KELLY NIX COMMITTEE
Account # 12 0268

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ACCOUNT NUMBER
05-0401-3

821 G. VILL ST-SUITE 1100
NEW ORLEANS, LA 70112

STATEMENT DATE JUN 04, 1976

PAGE 1

438-70-7600

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
05-05-76	843.2600	1	220.82	11	19,218.77	3.00	19,844.2100

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
13,492.5700	.00	13,492.5700	NO. 9	NO. 1	NO.	.00	3.00

CHECKS AND OTHER CHARGES			DEPOSITS & OTHER CREDITS	DATE	BALANCE
47.00				MAY 10 76	890.2600
702.33				MAY 11 76	1,592.5900
12,500.00				MAY 12 76	14,092.5900
03.1714	506.6700	120.00	220.82	MAY 17 76	14,591.6100
80.00				MAY 19 76	14,671.6100
15.30				MAY 24 76	14,687.5100
1,879.49				MAY 25 76	16,567.0000
2,236.32				MAY 31 76	19,803.3200
37.89				JUN 02 76	19,841.2100
3.0050				JUN 04 76	19,844.2100



00650 02281 08-0202-50 10000050000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

101

30 August 1976

14-228
650

Pay to the order of

Robert P. Aulston, III

812,400.00

Twelve hundred, Four Hundred

no/100 thousand



REPUBLIC NATIONAL BANK

THE REPUBLIC NATIONAL BANK OF NEW ORLEANS

00650 02281 08-0202-50

Signature
00001240000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

104

2 September 1976

14-228
650

Pay to the order of

Robert P. Aulston, III

6500.00

Five thousand

no/100 thousand



REPUBLIC NATIONAL BANK

THE REPUBLIC NATIONAL BANK OF NEW ORLEANS

00650 02281 08-0202-50

Signature

0000050000



ROBERT P. AULSTON, III
SPECIAL ACCOUNT
821 GRAVIER ST. SUITE 1100
NEW ORLEANS, LA 70112

102

30 August 1976

14-228
650

Pay to the order of

Robert P. Aulston, III

62,929.99

Two Thousand, Nine Hundred and Twenty-nine and 99/100

no/100 thousand



REPUBLIC NATIONAL BANK

THE REPUBLIC NATIONAL BANK OF NEW ORLEANS

00650 02281 08-0202-50

Signature

000002929999

PLAINTIFF'S
EXHIBIT
F.E.C.
8-7-78
NO.

ANY BANK, PAGE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert P. Phillips

PAY ANY BANK, PAGE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert P. Phillips

PAY ANY BANK, PAGE
Republic National Bank
of Louisiana
NEW ORLEANS, LA.

Robert P. Phillips

IN ACCOUNT
WITH

REPUBLIC NATIONAL BANK OF LOUISIANA
New Orleans, Louisiana



ROBERT P. AUSTON III
821 GRAYSON ST. SUITE 1100
NEW ORLEANS, LA 70112

ACCOUNT NUMBER

08-0202-5

STATEMENT DATE

SEP 03, 1976

PAGE

1

438-70-7600

STATEMENT OF YOUR ACCOUNT

ON	YOUR BALANCE WAS	DEPOSITS & OTHER CREDITS ADDED		CHECKS & OTHER CHARGES SUBTRACTED		SERVICE CHARGE	RESULTING BALANCE
		NUMBER	AMOUNT	NUMBER	AMOUNT		
08-23-76	.00	1	100.00	4	16.329.99	1.10	16.231.0900

ACCOUNT ANALYSIS FOR COMMERCIAL AND VERY ACTIVE PERSONAL ACCOUNTS

AVERAGE LEDGER BALANCE	LESS AVERAGE FLOAT	AVERAGE COLLECTED BALANCE	CHECKS AND OTHER CHARGES	DEPOSITS AND OTHER CREDITS	ITEMS DEPOSITED	MISCELLANEOUS SERVICES	TOTAL CHARGES
5.343.3300	.00	5.343.3300	NO. 4	NO. 1	NO.	.00	.00

CHECKS AND OTHER CHARGES			DEPOSITS & OTHER CREDITS	DATE	BALANCE
<i>ch# 103</i> 500.00	<i>ch# 104</i> 500.00	<i>ch# 102</i> 2.929.99	100.00	AUG 23 76	100.00
<i>ch# 101</i> 12.400.00				SEP 02 76	16.229.9900
				SEP 03 76	16.231.0900
<i>Defaced from Robert P. Auston Acct No 05-0401-3</i>					

PLAINTIFF'S
EXHIBIT

F.F.C.
8-2-78
NO. 6

PLAINTIFFS
EXHIBIT
F.E.C.
8-7-78
NO. 7

1



FIRST NATIONAL BANK
OF NEW ORLEANS

WHITNEY NATIONAL BANK

1417 OF NEW ORLEANS 1417

NEW ORLEANS, LA

14-17
050

NO 051897

PAY TO THE
ORDER OF

WHITNEY
NAT'L BANK

\$325.00

DOLLARS

CASHIER'S CHECK

[Signature]

00000000000000000000

00000000000000000000

Inter-Office Memorandum

Mr. Edgar F. Poree

Date: September 7, 1976

From: Elray Venice

Copies: Mr. Robert P. Aulston, III

Subject: Robert P. Aulston's Expenses

The attached expenses statements were submitted by Mr. Aulston in the month of June. It was agreed at that time to hold back the payment until such time Republic National Bank could afford to make the payment. However, I have also enclosed a photostat of the items processed for credit to Mr. Aulston's personal account of which includes the following:

1. Check # 102 in the amount of \$2,929.99 for reimbursement of expenses incurred on behalf of Republic National Bank from April 3, 1974 thru February 1, 1976.
- ✓ 2. Check # 101 in the amount of \$12,400.00 for reimbursement of expenses incurred on behalf of Republic National Bank directors.

The account the above items are drawn on is presently in an overdraft status and I would like to clear up the \$2,929.99 payment to Mr. Aulston immediately. However, the \$12,400.00 expense incurred on behalf of Republic National Bank directors should be presented to the Board of Directors for payment. May I suggest to you to speak to Mr. Aulston before pursuing collection of the total amount.

The total amount due Mr. Aulston is \$15,429.99 of which includes of \$100.00 deposit made to open the special account.

EV/rmm

Attachments





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20543

THIS IS THE BEGINNING OF MUR # 497

Date Filmed May 13, 1981 Camera No. --- 2

Camcraman LPC

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MICROFILM ROLL #

24

15

8106024693

