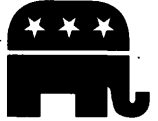




REPUBLICAN PARTY OF NEVADA



Chairman
John Mason

Vice Chairman
Lia Roberts

Secretary
Beverly Willard

Treasurer
Ron Ryan

General Counsel
John Bailey

Finance Chairman
Robert F. List

Chairman,
Rural Caucus
Don Dallas

Executive Director
Ryan Erwin

Northern Nevada
Director
Trudy Hushbeck

May 10, 2000

Commissioners
Federal Election Commission
999 E. Street, NW
Washington, DC

MUR 4999

TAPE

National
Committeeman
Tom Wiesner

National
Committeewoman
Barbara
Vucanovich

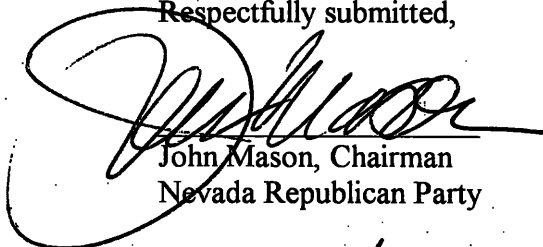
RE: Addendum to Complaint against Edward M. Bernstein, A Lot of People Supporting Ed Bernstein, Michael M. Kern, Treasurer and Edward M. Bernstein and Associates

Dear Commission:

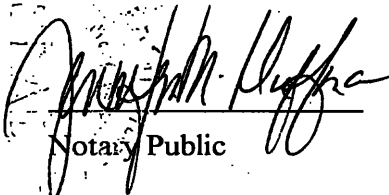
Since filing our original complaint on April 4, 2000, Edward M. Bernstein, the candidate, has not only continued to violate the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. 431, but his law firm has purchased additional air time for additional, new commercials furthering his coordination of excessive and prohibited campaign contributions under 2 U.S.C. 441 b and failing to report such contributions.

Please find the new commercial, in addition to the original complaint, attached.

Respectfully submitted,


John Mason, Chairman
Nevada Republican Party

Sworn to and subscribed before me this 12th day of May, 2000.


Notary Public

My Commission Expires: 3/5/07

24 04 403 599

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 16 11 47 AM '00

Bernstein & Associates commercial
:30 seconds

Ed has a number of qualities that serve
him well no matter what he does.

He's sensitive to the needs of the client,
he's dedicated to his craft.

I've noticed that Ed is also very quick to
hear the opinions of others before he
voices his own.

He takes what seems to be the very best
of those...

and combine them into an opinion that
is, that seems to be the right answer
every single time there is a problem.

Male attorney in office setting

"Ed Bernstein Cares" super

Return to attorney

"Ed Bernstein Listens" super

Return to attorney

24-04-44-39-43

Bernstein Southern Nevada Clips

1. New Bernstein and Associates commercial with "Ed Cares" theme entitled "Maria". Aired on Channel 3 on 2/28/00 at 6 PM.
2. New Bernstein and Associates commercial with "Ed Cares" theme entitled "Paul". Aired on Channel 3 on 2/29/00 at 6 PM.
3. Previously used Bernstein and Associates commercial in Spanish. Bernstein appears and speaks in the commercial, saying "Take the first step" in Spanish. Still airing as of 3/23/00 at 6 PM on Channel 9.
4. Recent episode of Ed Bernstein show with guest Congresswoman Shelley Berkley. Serious political theme and heavy undertones of Bernstein's candidacy and the Senate race. Aired on Channel 3 on 3/12/00 at 7 PM.
5. News story of Bernstein announcement with contrast of old Bernstein commercial and new version. Aired on Channel 13 on 3/13/00.
6. Second phase of new Bernstein and Associates commercial with "Ed Bernstein Cares" and "Ed Bernstein Listens" theme with male attorney. Aired on Channel 3 on 5/4/00.

2004.04.23 14:40:39

National Republican Senatorial Committee

CRAIG M. ENGLE
GENERAL COUNSEL

R. BRIAN LEWIS
DEPUTY GENERAL COUNSEL

March 29, 2000

TO: Ryan Erwin, Executive Director, Nevada Republican Party
FR: Craig M. Engle, General Counsel
R. Brian Lewis, Deputy General Counsel
RE: Commercial Advertisements as Campaign Contributions

Under established Federal Election Commission ("FEC") precedent, a law firm and a campaign will violate federal election law when a candidate is a name sponsor of a law firm which is running advertisements controlled by the candidate that echo a theme of the candidate's campaign.

For example, in 1997 Joel Hyatt for Senate and his law firm, Hyatt Legal Services, signed a conciliation agreement with the Federal Election Commission ("FEC") admitting violations of federal election law. (copy enclosed). The FEC found that because the law firm's ads echoed Hyatt's campaign themes and the candidate, campaign or campaign consultants were in control of the medium, timing and content of ads, the firm's payment for the ads were excessive campaign contributions to Hyatt's campaign. The law firm and the campaign agreed to pay a \$11,000 civil penalty for their violations.

Prior to his declaration of candidacy, Hyatt Legal Services aired straight-forward advertisements in which Joel Hyatt personally appeared as the firm's spokesman.

Shortly after declaring his candidacy for U.S. Senate, Joel Hyatt determined that his candidacy necessitated changes to the firm's advertisements. He directed that the firm's ads in which he appeared be pulled and replaced with new ones in which he would not appear.

The new ads were based on actual client histories from his firm and blended in new public policy themes of health care and crime: two issues which Hyatt and his consultants knew were likely to be raised in the campaign. While the ads were up, health care and crime were raised by Hyatt's campaign.

Because Joel Hyatt controlled the content and themes of the firm's ads which were likely to, and in fact did become campaign issues, the FEC determined the ads were "for the purpose of influencing" Hyatt's election. Further, because the ads were coordinated with Joel Hyatt and paid for by the firm, the value of the ads constituted an excessive contribution from the firm to the campaign committee.

In reviewing Mr. Bernstein's new billboards, his law firm's new television commercials and his announcement speech, it is likely the FEC would treat the cost of those billboards and commercials as excessive contributions from his law firm to his U.S. Senate campaign. If the law firm is incorporated, the violation would be of the more serious prohibition against corporate contributions to federal campaigns.

Violations of federal election law may carry civil penalties up to 300% the amount of the contribution, referral to the Attorney General, permanent or temporary injunction, or restraining order.

I recommend a review of Mr. Bernstein's law firm's television ads prior to his becoming a candidate and an inquiry into connections between the parties involved with these ads and his campaign organization.

RONALD REAGAN REPUBLICAN CENTER
425 SECOND STREET, N.E. • WASHINGTON, D.C. 20002 • (202) 675-6000

PAID FOR AND AUTHORIZED BY THE NATIONAL REPUBLICAN SENATORIAL COMMITTEE

Edward M. Bernstein & Associates
:60 TV ad

Audio

Paul Haire: One day Ed overheard a telephone conversation I was having...

where there was a problem and the client who was expected to be in Las Vegas for a court proceeding that would last most of the day. He also had two small children and there was no one to watch them. When I hung up the phone Ed asked what the problem was and I told him ...

and he simply said have the client bring his kids here. When the client did show up with his kids Ed assigned...

an employee of the firm to watch over the kids. There were toys in the room and they were both taken care of so that the father could...

concentrate on what he needed to concentrate on for the court proceeding.

Nancy Bernstein: Edward M. Bernstein and Associates the first step in getting the care you need.

Paul Haire: What I learned that day about Ed was that our firm was more about helping the family every bit as much as helping the individual client. And indeed he instilled in me that day to treat the client's family the way I would my very own.

Video

Paul Haire on camera in office with super: "Paul Haire, Attorney

Black screen white super: "Ed Bernstein is Different"

Black screen white super: "Ed Bernstein Cares"

Two young girls playing with toys

Paul Haire on camera in same office setting

Nancy Bernstein in leather office chair behind desk with Bernstein's logo supered bottom right

Paul Haire back on camera in office with Bernstein logo supered bottom right.

1997-04-04 14:43