

FEB 12 2002

**FEDERAL ELECTION COMMISSION**

999 E Street, N.W.

Washington, D.C. 20463

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

MUR: 5138

DATE COMPLAINT FILED: 10/31/00

DATE OF NOTIFICATION: 11/7/00

DATE ACTIVATED: 4/9/01

EXPIRATION OF STATUTE OF  
LIMITATIONS: 11/12/02

STAFF MEMBER: Kasandra Robinson

COMPLAINANT:

Thomas P. Giblin, Chairman,  
New Jersey Democratic State Committee

RESPONDENTS:

Ferguson for Congress, and  
William Morrison, as treasurer  
Mike Ferguson for Congress, and  
James J. Flannery, as treasurer  
Representative Michael Ferguson  
Thomas and Roberta Ferguson  
Dan Quinonez

RELEVANT STATUTES:

2 U.S.C. § 434(b)  
2 U.S.C. § 441a  
11 C.F.R. § 110.10

INTERNAL REPORTS CHECKED:

Disclosure Reports

FEDERAL AGENCIES CHECKED:

None

**I. GENERATION OF MATTER**

This matter was initiated by a complaint filed on October 31, 2000, by Thomas P. Giblin

1 ("Complainant"), Chairman of the New Jersey Democratic State Committee. Complainant  
2 alleges that during the 2000 election cycle, Representative Michael Ferguson ("Candidate")  
3 accepted contributions from Thomas and Roberta Ferguson (the "Candidate's parents"), in  
4 excess of the contribution limits permitted by the Federal Election Campaign Act. Complainant  
5 filed what it termed a "supplemental" complaint on November 2, 2000, alleging that the  
6 Candidate continued to illegally fund his campaign with contributions from his parents in excess  
7 of the contribution limits, and that the Committee's campaign manager, Dan Quinonez, was an  
8 active participant in violating the Act by knowingly accepting these illegal contributions and  
9 expending them on behalf of the Candidate and his 2000 campaign.

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9 Dan Quinonez, campaign manager for the Candidate's 2000 campaign, was notified of  
10 the supplemental complaint based on statements attributed to him in the October 29, 2000 article  
11 in the *Newark Sunday Star-Ledger*. The article alleged that he knew that the funds loaned to the  
12 campaign by the Candidate had come from the Candidate's parents. However, there is no  
13 evidence that Mr. Quinonez knew any of the background of the parents' contributions, or that he  
14 personally accepted the funds on behalf of the campaign. Therefore, this Office recommends  
15 that the Commission find that there is no reason to believe that Dan Quinonez violated any  
16 provision of the Act in connection with this complaint, and close the file with respect to him.  
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**IV. RECOMMENDATIONS**

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5. Find no reason to believe that Dan Quinonez violated any provision of the Act in connection with MUR 5138 and close the file as to him.

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7. Approve the appropriate letters.

Date

2/01/02

Lawrence H. Norton  
Lawrence H. Norton  
General Counsel

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