

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2003 JUN -5 P 1:38

FEDERAL ELECTION COMMISSION

-----X
In the Matter of

MUR 5180

Dear 2000, Inc.

-----X
COUNTY OF KINGS)

): ss

STATE OF NEW YORK)

Jerry Greenwald, being duly sworn, deposes and says:

1) I submit this affidavit in response to the May 14, 2003 request for further information from the Federal Election Commission in its investigation denoted as MUR 5180.

2) My answers, tracking the questions posed, are as follows:

a) The requests were both written and oral. The written requests were the invoices sent and there were also phone conversations with Mr. Leitstein at Dear 2000 headquarters and with the candidate.

b) No logs were kept of the contacts

c) Invoices have already been provided. See also "b)" above.

d) The form and substance of the assurances were words to the effect that we would be paid.

e) When invoices are not paid, calls are made to advertisers. Unfortunately our "process and practices" are not all that organized. We rarely pursue collection through collection agencies or the courts.

f) I believe it was Mr. Heshy Korenblit who told me at some point that the Dear 2000 Campaign was doubtless "judgment proof" when I discussed with him the fact that we had not been paid. Also, at some point, someone here checked the Internet filing of the Dear

2000 Campaign.

g) We did not pursue the Dear 2000 Campaign for unpaid advertsising in court for several reasons. For one thing, word of legal proceedings would have quickly spread in the Orthodox Jewish community where the candidate was very popular and which constitutes the bulk of our readership. Our business judgment was that such action would be counterproductive. In addition, as noted, we rarely pursue such matters in court. Also, in our view, the loss of advertising revenue is not the same as not being paid for a tangible product or our not receiving something for which we paid for. Also, see "e)" and "f)."

h) Other advertisers have failed to pay for advertisements. We have not always pursued collection, although sometimes we have.

i) This question is too broad to answer.

j) Mr. Dear himself, orally, requested that we run ads for his 2002 NYS Senate campaign. I personally informed him that, in the light of our experience with his 2000 congressional campaign, we would not run the ads unless they were prepaid.

k) We believed that Mr. Leitstein was authorized to place ads for the Dear 2000 Campaign.

l) We based our belief that Mr. Leitstein was authorized to place ads for the Dear 2000 Campaign on his correspondence with us on official campaign stationery and our conversations with him about the ads.

m) Although we dealt with Mr. Leitstein, we assumed that Mr. Dear, as the candidate, was authorized to place ads.

n) See "m)".

o) Noach Dear contacted us several times about getting the ads placed in the front part of the paper. He also assured us that there would be payment and not to worry.

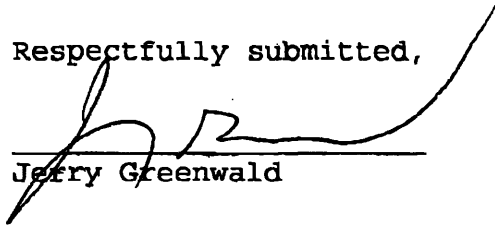
p) Mr. Roth asked to meet with me in my office and I asked Mr. Rapps to attend.

q) Mr. Roth informed us of the investigation and inquired about the ads. He said he knew nothing of them and was not aware of our having billed the campaign.

r) The only time I have spoken with Mr. Roth was at the meeting described in "r)".

s) Enclosed is a copy of the invoice for this ad. I believe we have already provided you the same.

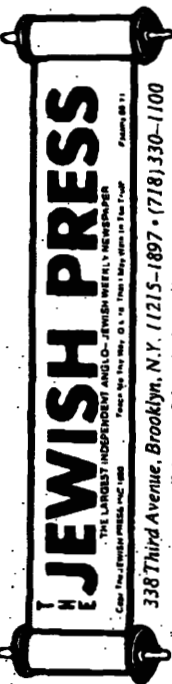
Respectfully submitted,


Jerry Greenwald

Sworn to before me this
4th day of June 2003.

DENNIS RAPPS
Notary Public, State of New York
No. 24-4508394
Qualified in Kings County
Commission Expires June 30, 2003





America's Liveliest and
Fastest Growing
Anglo-Jewish Weekly

Invoice

INV NO. 273467

AS OF:

PLEASE USE YOUR ACCOUNT NUMBER WITH CORRESPONDENCE

ACCOUNT NO: 169248

DEAR 2000
4702 16TH AVENUE
BROOKLYN, NY 11204

PAYMENT AMOUNT

FOR THE
ACCOUNT OF:

TERMS:

START: 10/27/00 END: 11/03/00 WEEKLY

10/27/00	DISPLAY AD: NOACH DEAR FOR CONGRESS PAGE: 27	6X200.00	5.50	6,600.00	6,600.00
----------	--	----------	------	----------	----------

RETURN DUPLICATE COPY
WITH YOUR REMITTANCE OR SHOW INVOICE DATE ON YOUR CHECK

FILE COPY

IF PAID THIS IS YOUR RECEIPT