

REPORTS ANALYSIS REFERRAL  
TO  
THE OFFICE OF GENERAL COUNSEL

Date: October 30, 2000

Analyst: Lisa J. Simpson

- I. COMMITTEE: Friends of Dave Eshleman  
(C00348094)  
Joe Rodriguez, Treasurer  
10840 Bennett Drive  
Fontana, CA 92337
- II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)  
11 CFR §104.5(f)
- III. BACKGROUND:

Friends of Dave Eshleman ("the Committee") failed to file two (2) of the required 48-Hour Notifications ("48-Hour Notices") for two (2) contributions from the candidate totaling \$60,000 received prior to the 1999 Special General Election.

The candidate was involved in the 1999 Special General Election held on September 21, 1999. Prior Notice dated August 16, 1999 was sent to the Committee on August 20, 1999 (Attachment 2). The Notice includes a section entitled "48 Hour Notices on Contributions." This section reads: "Notices are required if the committee receives contributions **(including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee)** of \$1,000 or more, during the period:

**General: 09/02/99 - 09/18/99**

The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF	IMAGE
			PRIMARY	GENERAL	PRIMARY	GENERAL		PAGES	LOCATION
TYPE OF FILER									
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ESHLEMAN, DAVID R	HOUSE 42	DEMOCRATIC PARTY			CALIFORNIA		1999 ELECTION	ID# HOCA42118	
1. STATEMENT OF CANDIDATE									
1999 STATEMENT OF CANDIDATE							23AUG99	2	99FEC/479/0357
STATEMENT OF CANDIDATE - AMENDMENT							7SEP99	2	99FEC/480/4242
2. PRINCIPAL CAMPAIGN COMMITTEE									
FRIENDS OF DAVE ESHLEMAN							ID #C00348094	HOUSE	
1999 STATEMENT OF ORGANIZATION							23AUG99	2	99FEC/479/0355
STATEMENT OF ORGANIZATION - AMENDMENT							7SEP99	2	99FEC/480/4244
48 HOUR CONTRIBUTION NOTICE							10SEP99	2	99FEC/480/4685
48 HOUR CONTRIBUTION NOTICE							16SEP99	2	99FEC/481/1843
48 HOUR CONTRIBUTION NOTICE							20SEP99	2	99FEC/481/3151
48 HOUR CONTRIBUTION NOTICE							22SEP99	3	99FEC/483/0236
PRE-SPECIAL			49,200		33,028	1JUL99 - 1SEP99	7	99FEC/480/4246	
PRE-SPECIAL - AMENDMENT						1JUL99 - 1SEP99	3	99FEC/490/0981	
OCTOBER QUARTERLY			102,818		118,912	2SEP99 - 11OCT99	11	99FEC/489/0473	
OCTOBER QUARTERLY - AMENDMENT			102,818		118,912	2SEP99 - 11OCT99	7	20FEC/593/0454	
OCTOBER QUARTERLY - AMENDMENT						2SEP99 - 11OCT99	3	20FEC/604/4989	
1ST LETTER INFORMATIONAL NOTICE						2SEP99 - 11OCT99	2	99FEC/490/1572	
REQUEST FOR ADDITIONAL INFORMATION						2SEP99 - 11OCT99	2	20FEC/572/3907	
REQUEST FOR ADDITIONAL INFORMATION 2ND						2SEP99 - 11OCT99	3	20FEC/592/3588	
YEAR-END			100		0	12OCT99 - 31DEC99	3	20FEC/527/2244	
2000 MID-YEAR REPORT			10,746		1,329	1JAN00 - 30JUN00	7	20FEC/593/0461	
TOTAL			0	162,864	0	153,269	61	TOTAL PAGES	
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All Reports except for 2000 Mid-Year Report have been reviewed.

Cash on hand as of 6/30/00: \$9,543.11

Debts owed by the Committee: \$0

Debts owed to the Committee: \$0

# SPECIAL ELECTION REPORT NOTICE

## FEDERAL ELECTION COMMISSION

**CALIFORNIA SPECIAL ELECTION**  
42nd Congressional District

1999

**IF ONLY THE SPECIAL GENERAL IS HELD (09/21/99), COMMITTEES MUST FILE:**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT.	FILING
		MAILING DATE <sup>2</sup>	DATE
Pre-General	07/01/99 - 09/01/99	09/07/99 <sup>3</sup>	09/09/99
----48 Hour Notices----			
Post-General	09/02/99 - 10/11/99	10/21/99	10/21/99

**FOR COMMITTEES INVOLVED IN THE SPECIAL GENERAL (09/21/99) AND SPECIAL RUNOFF (11/16/99):**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT.	FILING
		MAILING DATE <sup>2</sup>	DATE
Pre-General	07/01/99 - 09/01/99	09/07/99 <sup>3</sup>	09/09/99
----48 Hour Notices----			
Pre-Runoff	09/02/99 - 10/27/99	11/01/99	11/04/99
----48 Hour Notices----			
Post-Runoff	10/28/99 - 12/06/99	12/16/99	12/16/99

**IF TWO ELECTIONS ARE HELD, BUT A COMMITTEE IS INVOLVED ONLY IN THE SPECIAL GENERAL (09/21/99):**

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT.	FILING
		MAILING DATE <sup>2</sup>	DATE
Pre-General	07/01/99 - 09/01/99	09/07/99 <sup>3</sup>	09/09/99
----48 Hour Notices----			
Year End	09/02/99 - 12/31/99	01/31/00	01/31/00

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered and, if applicable, before the individual became a candidate.

<sup>2</sup>Reports sent registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

<sup>3</sup> The mailing date has been adjusted because the computed mail date would have fallen on a federal holiday.

(over)

21-04-405-3330

FOR LINE NUMBER  
11 (d)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

FRIENDS OF DAVE ESHLEMAN

<b>A. Full Name, Mailing Address and ZIP Code</b> DAVID R. ESHLEMAN 10840 BENNETT FONTANA CA 92337	<b>Name of Employer</b> ESHLEMAN MEAT CO <b>Occupation</b> OWNER <b>Aggregate Year-to-Date</b> > \$ 78,600.00	<b>Date (month, day, year)</b> 09/02/99 09/15/99 10/05/99	<b>Amount of Each Receipt this Period</b> 20,000.00 40,000.00 16,000.00 3,600.00
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): SPECIAL			
<b>B. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
<b>C. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
<b>D. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
<b>E. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
<b>F. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
<b>G. Full Name, Mailing Address and ZIP Code</b>	<b>Name of Employer</b>  <b>Occupation</b>  <b>Aggregate Year-to-Date</b> > \$	<b>Date (month, day, year)</b>	<b>Amount of Each Receipt this Period</b>
<b>Receipt For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			

SUBTOTAL of Receipts This Page (optional) .....

TOTAL This Period (last page this line number only) .....

79,600.00

21-04-405-3331



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-5

Joe Rodriguez, Treasurer  
Friends of Dave Eshleman  
10840 Bennitt Dr.  
Fontana, CA 92337

NOV 5 1999

Identification Number: C00348094

Reference: 30 Day Post Special General Report (9/2/99-10/11/99)

Dear Mr. Rodriguez:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the Pre-General report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to provide concerning this matter will be considered. (11 CFR §104.5(f))

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 694-1130.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa J. Simpson".

Lisa J. Simpson  
Reports Analyst  
Reports Analysis Division

21 "04" 405 "3332"

Lisa Simpson  
Reports Analyst

Telecon Friends of David Eshleman

Date 11/15/99

I attempted to contact Joe Rodriguez, the Treasurer of the Friends of David Eshleman Campaign Committee. His number is unpublished.

Date 11/15/99

Information has a listing for David and Richard Eshleman. I spoke with Richard Eshleman who identified himself as a nephew of the candidate. I left a message with Richard Eshleman requesting the candidate call me. All other David Eshleman are unpublished.

Date 11/18/99

I received a call from a Mrs. Pace. She said she was a campaign volunteer that did the reporting and she was not aware that a contribution from the candidate had to be reported as a "last minute contribution."