



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 597

Date Filmed 3/13/79 Camera No. --- 2

Cameraman bpc



FEDERAL ELECTION COMMISSION

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

January 25, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Holden
Holden's Ambulance and
Wrecker Service
832 E. Boston
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mr. Holden:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78). Accordingly, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act. A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
James Holden

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. James Holden (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- 7 0 0 1 0 1 1 7 7 1
- E. Pursuant to the terms of the counter letter, on December 6, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
 - G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

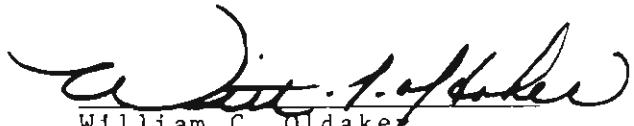
WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/25/79


William C. Oldaker
General Counsel

Date: Dec 29, 1978


James Holden
Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 597 (78)
James Holden)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 25, 1979, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated January 22, 1979, regarding the above-captioned matter:

1. Approve the conciliation agreement attached to the above-named report.
2. Close the file.

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

Attest:

1/25/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 1-23-79, 10:07
Circulated on 48 hour vote basis: 1-23-79, 3:00

January 23, 1979

MEMORANDUM TO: Marga Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached General Counsel's Report on MUR 597 distributed to the Commission on a 48 hour tally basis.

Thank you.

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
CLERK OF THE
COMMISSION

Y

In the Matter of)
James Holden)

79 JAN 23 A10: 07
MUR 597 (78)

GENERAL COUNSEL'S REPORT

On October 23, 1978, the Commission found reasonable cause to believe that Mr. James Holden violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the John R. Rarick Congressional Campaign Committee. A conciliation agreement was sent to Mr. Holden.

The Office of General Counsel has now received a signed conciliation agreement from Mr. Holden, along with the payment by him of the civil penalty assessed. It is, therefore, recommended that the Commission approve the attached conciliation agreement and close the file. Copies of the signed conciliation agreement and the check for the civil penalty are attached to this report.

RECOMMENDATIONS

1. Approve the attached conciliation agreement.
2. Close the file.

Date

1/22/79

William C. Oldaker
General Counsel

Attachments:

Conciliation Agreement (copy)
Check (copy)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

James Holden)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. James Holden (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- O. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: Dec 29, 1978

James Holden
James Holden
Respondent

HOLDEN'S AMBULANCE AND
WRECKER SERVICE

532 E BOSTON PH 592 0436
COVINGTON, LA 70433

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PAY TO THE
ORDER OF

Federal Election Comm.

Dec 29 19 *78*

$\frac{84.89}{654}$

Two Hundred Fifty Dollars & no/100

\$ 250⁰⁰

DOLLARS



First National Bank

COVINGTON, LOUISIANA 70433

FOR

Fine

Jamies Holden

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Martha Dutsch
128 W. 23rd Avenue
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mrs. Dutsch:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Martha Dutsch

)
)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that ^{MRS.} ~~Mr.~~ Martha Dutsch (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

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- E. Pursuant to the terms of the counter letter on December 3, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
 - G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.

- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(1).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- O. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

William C. Oldaker
William C. Oldaker
General Counsel

Date: Nov. 29, 1978

Martha Dutsch
Martha Dutsch
Respondent



FEDERAL ELECTION COMMISSION

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

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Route 5, Box 167D
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Doctor Simpson:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: Mr. William Jones, Jr.
Barranger, Barranger, Jones & Fussell

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Marion G. Simpson

MUR 597(78)

CONCILIATION AGREEMENT

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This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Marion G. Simpson (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid

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out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, from November 23, 1976, to December 6, 1976 five of the signatories paid a 1/8 share of the \$7,130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Candidate Rarick paid \$800 to the Committee. The Respondent did not make such a \$900 payment.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

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- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.
 - F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
 - G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
 - H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan to the extent of the outstanding balance within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
 - I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
 - J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
 - K. On August 11, 1976, the Respondent contributed \$1,000 to the Committee.
 - L. The Respondent contributed a total of \$3,500 to the Committee in 1976.
 - M. Contributions from an individual totalling \$3,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
 - N. Notwithstanding, it is the Respondent's position that since the counter letter had ten (10) signa-

ture lines, and since it was represented to Respondent that ten (10) persons would sign the counter letter, the maximum that Respondent could have been indebted for or could have contributed was \$3,000.

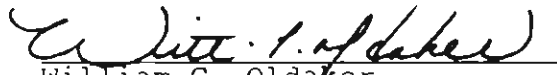
- O. The Respondent has violated 2 U.S.C. §441a(a)(1) (A) by making an excessive contribution to the Committee.
- P. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- Q. The Respondent will pay a civil penalty in the amount of Three Hundred and Fifty Dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

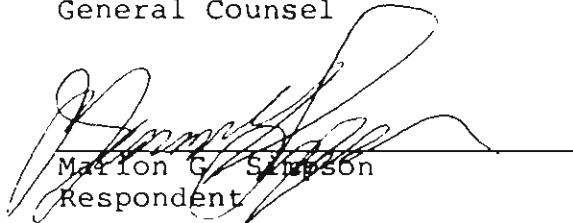
- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that there has been a violation of this agreement arising out of the same transaction or occurrences as set forth in Part IV of this agreement or that the civil penalties as required in Part IV of this agreement have not been paid by Respondent, the Commission may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79


William C. Oldaker
General Counsel

Date: _____


Marion G. Simpson
Respondent



FEDERAL ELECTION COMMISSION

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

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Sam Fuller
Rigolets Road
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Mr. Fuller:

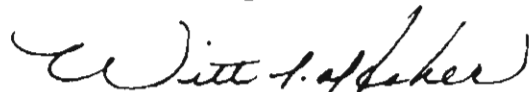
The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,


William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: John R. Rarick

In the Matter of
Sam Fuller

MUR 597(78)

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. Sam Fuller (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, the Respondent made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to the Respondent signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marion G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to the Respondent that could not be liquidated with campaign funds.

- D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to the Respondent as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.
- E. Pursuant to the terms of the counter letter, from November 23, 1976, to December 6, 1976 five of the signatories paid a pro rata share (\$900) of the balance of the Committee obligation owed to the Respondent. Three of those people paid their share directly to the Respondent, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. The Respondent deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the ~~Committee~~ paid \$3,000, \$1,800 and \$2,330.76 respectively, to the Respondent, thereby liquidating the loan to the Committee.
- H. Each counter letter signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, the Respondent made an unsecured loan to the Committee for the purpose of influencing the election of Candidate Rarick to Federal Office.
- B. That a loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- C. The Respondent's total contribution to the Committee in 1976 was \$20,000.

- D. Contributions from an individual totalling \$20,000 are excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- E. The Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- F. That the Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- G. That the Respondent will pay a civil penalty in the amount of ~~one~~ ^{FIVE} ~~HUNDRED~~ ^{\$500.87} ~~THOUSAND~~ Dollars (~~\$1000~~) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

William C. Oldaker
William C. Oldaker
General Counsel

Date: 11/19/78

Sam Fuller
Sam Fuller
Respondent



FEDERAL ELECTION COMMISSION

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

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. William J. Mitchell
Box 1345
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Doctor Mitchell:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: Mr. William Jones, Jr.
Barranger, Barranger, Jones & Fussell

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
William Mitchell

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. William Mitchell (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid

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date a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.
- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan to the extent of the outstanding balance within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. Notwithstanding, it is the Respondent's position that since the counter letter had ten (10) signa-

ture lines, and since it was represented to Respondent that ten (10) persons would sign the counter letter, the maximum that Respondent could have been indebted for or could have contributed was \$2,000.

- N. The Respondent has violated 2 U.S.C. §441a(a)(1) (A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Two Hundred and Fifty Dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that there has been a violation of this agreement arising out of the same transaction or occurrences as set forth in Part IV of this agreement or that the civil penalties as required in Part IV of this agreement have not been paid by Respondent, the Commission may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

William C. Oldaker
William C. Oldaker
General Counsel

Date: 11/21/78

William Mitchell
William Mitchell
Respondent

10810101801

7 0 0 1 0 1 8 7 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
William Mitchell

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. William Mitchell (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid

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out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, on November 23, 1976, the Respondent paid the Committee a 1/8 share of the \$7,130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; three of those people paid their share directly to Sam Fuller, and one paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liqui-

- date a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.
 - F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
 - G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
 - H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan to the extent of the outstanding balance within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
 - I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
 - J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
 - K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
 - L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
 - M. Notwithstanding, it is the Respondent's position that since the counter letter had ten (10) signa-

ture lines, and since it was represented to Respondent that ten (10) persons would sign the counter letter, the maximum that Respondent could have been indebted for or could have contributed was \$2,000.

- N. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Two Hundred and Fifty Dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that there has been a violation of this agreement arising out of the same transaction or occurrences as set forth in Part IV of this agreement or that the civil penalties as required in Part IV of this agreement have not been paid by Respondent, the Commission may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

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

D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

William C. Oldaker
William C. Oldaker
General Counsel

Date: 11/21/78

William Mitchell
William Mitchell
Respondent



FEDERAL ELECTION COMMISSION

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

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John R. Rarick Congressional
Campaign Committee
320 West Hall Street
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Sir:

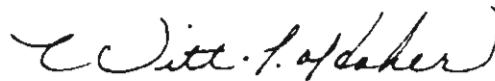
The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,


William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: John R. Rarick

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

John R. Rarick Congressional Campaign)
Committee)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the John R. Rarick Congressional Campaign Committee (hereinafter "the Respondent") has violated 2 U.S.C. §441a(f):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the Respondent.
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marion G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Respondent's debt to Sam Fuller that could not be liquidated with campaign funds.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Respondent.
- B. On October 20, 1976, the Candidate, Sam Fuller, William Mitchell, James Holden, Marion G. Simpson, Jack Diamond, Martha Dutsch, and Daniel Christian (deceased) signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, each signatory became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Respondent that the Respondent could not retire.
- E. That the eight signatories signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Respondent's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, each person who signed the counter letter was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Respondent, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e), 11 CFR 100.4(a)(1)(1).
- I. Each of the eight persons who signed the counter letter, by sharing the risk of non-payment of the \$20,000 loan with the Respondent, made a loan, within the terms of the Act, to the Respondent to the extent of \$2,500 each.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).

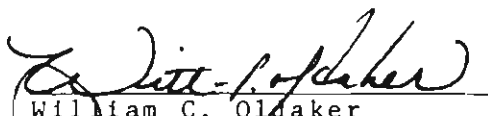
- K. Jack Diamond contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Respondent in July, 1976.
- L. On August 11, 1976, Marion G. Simpson contributed \$1,000 to the Respondent.
- M. On August 13, 1976, Bonnie Christian contributed \$1,000 to the Respondent, and on November 1, 1976, made three in-kind contributions to the Respondent totalling \$274.
- N. Sam Fuller's total contribution to the Respondent in 1976 was \$20,000.
- O. William Mitchell, James Holden, and Martha Dutsch each contributed a total of \$2,500 to the Respondent in 1976.
- P. Jack Diamond and Marion G. Simpson each contributed a total of \$3,500 to the Respondent in 1976.
- Q. Bonnie Christian contributed a total of \$1,274 to the Respondent in 1976.
- R. Contributions from an individual in excess of \$1,000 per political committee/candidate per election constitute a violation of 2 U.S.C. §441a(a)(1)(A) by the individual involved.
- S. Acceptance by a committee of contributions from individuals which are in violation of 2 U.S.C. §441a(a)(1)(A) place the committee in violation of 2 U.S.C. §441a(f).
- T. The Respondent is in violation of 2 U.S.C. §441a(f) for having accepted excessive contributions from Mr. James Holden, Dr. William Mitchell, Mr. Sam Fuller, Ms. Martha Dutsch, Dr. Jack Diamond, Dr. Marion G. Simpson, and Ms. Bonnie Christian.
- U. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- V. The Respondent will pay a civil penalty in the amount of ~~\$2,000~~ ^{\$500.} pursuant to 2 U.S.C. §437g(a)(5)(B).

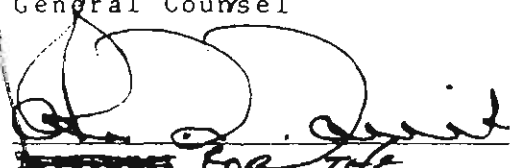
V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this Agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

Date: 11/14/78


William C. Oldaker
General Counsel


~~John R. Rarick~~ For the
John R. Rarick Congressional
Campaign Committee
Respondent



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Doctor Diamond:

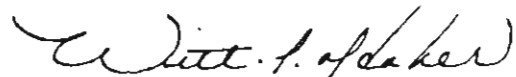
The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,


William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

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MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. Jack Diamond (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, on November 29, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Respondent (the Candidate only received \$80) when additional campaign funds became available to the Committee.
- I. On July 20, 1976, Diamond Medical Corp. issued a check for \$500 to the Committee, and on July 23, 1976 another check for \$500 to the Committee as salary advances to the Respondent.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

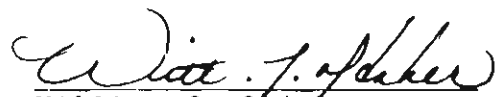
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Committee in July, 1976.
- L. The Respondent contributed a total of \$3,500 to the Committee in 1976.
- M. Contributions from an individual totalling \$3,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).

- N. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Three hundred and fifty dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

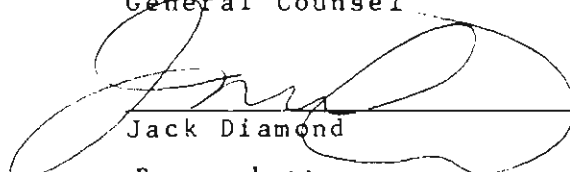
V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 11/10/79


William C. Oldaker
General Counsel

Date: 11/78


Jack Diamond
Respondent



FEDERAL ELECTION COMMISSION

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

January 11, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bonnie Christian
Unneedus Road
Folson, Louisiana 70437

Re: MUR 597 (78)

Dear Ms. Christian:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Bonnie Christian

)
)
)

MUR 597(78) NOV 9 11:33

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Ms. Bonnie Christian (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On August 13, 1976, the Respondent contributed \$1,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On November 1, 1976, the Respondent made expenditures of \$26, \$48, and \$200, totalling \$274, to pay for radio time for the Committee.

WHEREFORE, the Respondent agrees:

- A. That on August 13, 1976, Respondent contributed \$1,000 to the Committee.
- B. That on November 1, 1976, the Respondent paid \$274, total, to three radio stations for spot time for the Committee.

Contributions to the Committee in 1976

C. ~~The~~ Individual totalling \$1,274 constitute
Contributions in violation of 2 U.S.C. §441a(a)(1)(A).

D. Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an
excessive contribution to the Committee.

F. That the Respondent will now, and in the future, comply in all
respects with the Federal Election Campaign Act of 1971, as
amended.

G. That Respondent will pay a civil penalty in the amount of One
hundred and twenty dollars (\$120) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter 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 civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

- C. The Respondent's total contributions to the Committee in 1976 were \$1,274.
- D. Contributions from an individual totalling \$1,274 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- E. The Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- F. That the Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- G. That Respondent will pay a civil penalty in the amount of One hundred and twenty dollars (\$120) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter 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 civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 1/10/79

William C. Oldaker

William C. Oldaker
General Counsel

Date: 10-5-78

Bonnie Christian

Bonnie Christian
Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 597 (78)
John R. Rarick Congressional)
Campaign Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 9, 1979, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the General Counsel's Report dated January 2, 1979, regarding the above-captioned matter:

1. Continue compliance action with Mr. James Holden.
2. Approve the conciliation agreements attached to the above-named report.
3. Send the letters attached to the above-named report to the seven respondents who have signed the conciliation agreements in this matter.
4. Close the file as to Mr. Sam Fuller, Ms. Martha Dutsch, Ms. Bonnie Christian, Dr. William Mitchell, Dr. Jack Diamond, Dr. Marion Simpson, and the John R. Rarick Congressional Campaign Committee.

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

Attest:

1/9/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 1-5-79, 11:05
Circulated on 48 hour basis: 1-5-79, 3:00

January 5, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached General Counsel's Report on MUR 597 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040101823

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSIONER

In the Matter of)
John R. Rarick Congressional)
Campaign Committee)

MUR 597(78)

79 JAN 5 11: 05

GENERAL COUNSEL'S REPORT

On October 23, 1978, the Commission found reasonable cause to believe that Dr. William Mitchell, Dr. Jack Diamond, Dr. Marion G. Simpson, Mr. James Holden, Ms. Martha Dutsch, Ms. Bonnie Christian, and Mr. Sam Fuller violated 2 U.S.C. §441a(a)(1)(A) by making excessive contributions to the John R. Rarick Congressional Campaign Committee("the Committee"), and that the Committee violated 2 U.S.C. § 441a(f) by accepting such excessive contributions. The Commission also voted to send conciliation agreements to the respondents.

The Office of General Counsel has now received a signed conciliation agreement from the Committee, Mr. Fuller, Dr. Diamond, Dr. Mitchell, Dr. Simpson, Ms. Dutsch, and Ms. Christian. The agreements of Drs. Mitchell and Simpson reflect a few minor changes from the original conciliation agreements sent to them, but the essential terms and the civil penalty are the same as was approved by the Commission. A proposal to reduce the civil penalties assessed against the Committee and Mr. Fuller by \$500 each was made as a result of negotiations with these respondents. The two conciliation agreements have been modified to reflect this proposal.

Mr. Holden did not respond because he has been in the hospital. In a phone conversation of December 26, 1978, with a staff attorney, Mr. Holden informed this Office that he has retained an attorney in this matter and will reach a decision as to his course of action by

December 28, 1978, at which time he will be contacted again by this Office if he or his attorney have not responded in the interim.

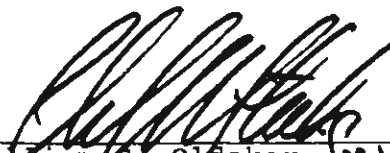
As the General Counsel's Office has received signed conciliation agreements from the other seven respondents, along with payment by each of a civil penalty, it is recommended that the Commission approve the seven attached conciliation agreements and close the investigation in this matter as to these seven respondents. Compliance action will still be continued with Mr. Holden.

Copies of the signed conciliation agreements received are attached to this report.

RECOMMENDATIONS

1. Continue compliance action with Mr. James Holden.
2. Approve the attached conciliation agreements.
3. Send the attached letters to the seven respondents who have signed the conciliation agreements in this matter.
4. Close the file as to Mr. Sam Fuller, Ms. Martha Dutsch, Ms. Bonnie Christian, Dr. William Mitchell, Dr. Jack Diamond, Dr. Marion Simpson, and the John R. Rarick Congressional Campaign Committee.

2 January 1979
Date



William C. Oldaker
General Counsel

Attachments:
7 Signed Conciliation Agreements
7 Letters

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

John R. Rarick Congressional Campaign)
Committee)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the John R. Rarick Congressional Campaign Committee (hereinafter "the Respondent") has violated 2 U.S.C. §441a(f):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the Respondent.
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marion G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Respondent's debt to Sam Fuller that could not be liquidated with campaign funds.

- D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Respondent campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.
- E. Pursuant to the terms of the counter letter, from November 23, 1976 to December 6, 1976 five of the signatories paid a 1/8 share of the \$7,130.76 balance of the Respondent's loan from Sam Fuller, in the amount of \$900. Three of those people paid their share directly to Sam Fuller, and two paid the Respondent. Candidate Rarick paid \$800 to the Respondent.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Respondent.
- G. On November 24, December 4, and December 22, 1976, the Respondent paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Respondent.
- H. Each signatory was subsequently "refunded" \$180.67 by the Respondent (the Candidate only received \$80) when additional campaign funds became available to the Respondent.
- I. On August 11, 1976, Marion G. Simpson made a \$1,000 contribution to the Respondent.
- J. On July 20, 1976, Diamond Medical Corp. issued a check for \$500 to the Respondent, and on July 23, 1976 another check for \$500 to the Respondent as salary advances to Dr. Jack Diamond.
- K. On August 13, 1976, Ms. Bonnie Christian contributed \$1,000 to the Respondent.
- L. On November 1, 1976, Bonnie Christian made expenditures of \$26, \$48, and \$200 to three radio stations for spot time for the Respondent.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Respondent.
- B. On October 20, 1976, the Candidate, Sam Fuller, William Mitchell, James Holden, Marion G. Simpson, Jack Diamond, Martha Dutsch, and Daniel Christian (deceased) signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, each signatory became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Respondent that the Respondent could not retire.
- E. That the eight signatories signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Respondent's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, each person who signed the counter letter was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Respondent, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e), 11 CFR 100.4(a)(1)(i).
- I. Each of the eight persons who signed the counter letter, by sharing the risk of non-payment of the \$20,000 loan with the Respondent, made a loan, within the terms of the Act, to the Respondent to the extent of \$2,500 each.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).

- K. Jack Diamond contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Respondent in July, 1976.
- L. On August 11, 1976, Marion G. Simpson contributed \$1,000 to the Respondent.
- M. On August 13, 1976, Bonnie Christian contributed \$1,000 to the Respondent, and on November 1, 1976, made three in-kind contributions to the Respondent totalling \$274.
- N. Sam Fuller's total contribution to the Respondent in 1976 was \$20,000.
- O. William Mitchell, James Holden, and Martha Dutsch each contributed a total of \$2,500 to the Respondent in 1976.
- P. Jack Diamond and Marion G. Simpson each contributed a total of \$3,500 to the Respondent in 1976.
- Q. Bonnie Christian contributed a total of \$1,274 to the Respondent in 1976.
- R. Contributions from an individual in excess of \$1,000 per political committee/candidate per election constitute a violation of 2 U.S.C. §441a(a)(1)(A) by the individual involved.
- S. Acceptance by a committee of contributions from individuals which are in violation of 2 U.S.C. §441a(a)(1)(A) place the committee in violation of 2 U.S.C. §441a(f).
- T. The Respondent is in violation of 2 U.S.C. §441a(f) for having accepted excessive contributions from Mr. James Holden, Dr. William Mitchell, Mr. Sam Fuller, Ms. Martha Dutsch, Dr. Jack Diamond, Dr. Marion G. Simpson, and Ms. Bonnie Christian.
- U. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- V. The Respondent will pay a civil penalty in the amount of ~~\$1,000~~ ^{\$500.} pursuant to 2 U.S.C. §437g(a)(5)(B).

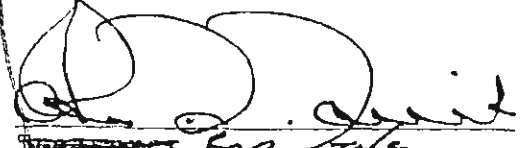
V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this Agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

Date: 11/14/78

William C. Oldaker
General Counsel



~~For the~~
John R. Rarick Congressional
Campaign Committee

Respondent

JOHN R. RARICK
Attorney-at-Law

BOX 236, ROYAL ST. PH. 504 635-3483
ST. FRANCISVILLE, LA. 70775

11/14 1978

11/14 1978

84-431
654

Pay to the order of

Federal Election Commission

\$500.00

Five hundred and no/100

DOLLARS



CAPITAL BANK

CAPITAL BANK & TRUST CO. 801 P.O. BOX 124, 70775

FOR cancellation agreement
MUR 597(78) Comp Committee

0000127

0065404911

02 2478 90

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Sam Fuller

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)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. Sam Fuller (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, the Respondent made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to the Respondent signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marion G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to the Respondent that could not be liquidated with campaign funds.

D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to the Respondent as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

F. The Respondent deposited all payments received by him on the counter letter to the account of the Committee.

H. Each counter letter signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

A. That on October 20, 1976, the Respondent made an unsecured loan to the Committee for the purpose of influencing the election of Candidate Rarick to Federal Office.

C. The Respondent's total contribution to the Committee in 1976 was \$20,000.

- D. Contributions from an individual totalling \$20,000 are excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- E. The Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- F. That the Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- G. That the Respondent will pay a civil penalty in the amount of ~~one~~ ^{FIVE} ~~HUNDRED~~ ^{8500.87} ~~THOUSAND~~ Dollars (~~\$1000~~) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

Date: 11/19/78

William C. Oldaker
General Counsel

Sam Fuller
Sam Fuller
Respondent

7 2 2 4 1 0 1 8



JOHN R. RARICK

Attorney-at-Law

BOX 236, ROYAL ST. PIL 504 635-3483

ST. FRANCISVILLE, LA. 70775

No. 128

11/20 1978

81-491
654

Pay to the order of

Federal Election Commission

\$500

Five hundred and no/100

DOLLARS



CAPITAL BANK

CAPITAL BANK & TRUST CO., 1001 PINE ST., SUITE 100, ST. FRANCISVILLE, LA. 70775

For deposit only
John R. Rarick

John R. Rarick

⑆000128⑆⑆0654⑆0491⑆ 02 2478 9⑆

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Martha Dutsch

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)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that ^{MRS.} ~~Ms.~~ Martha Dutsch (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, on December 3, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.

- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- O. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

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- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: Nov. 29, 1978

Martha Dutsch
Martha Dutsch
Respondent

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8
1
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1
0
0
2

MRS. MARTHA DUTSCH
DR. LIC. 149706
P. O. BOX 1155
COVINGTON, LA 70433

2670

PAY TO THE
ORDER OF

11-29-78 *81.59*
Federal Election Commission *250.00*

Two Hundred Fifty

DOLLARS



First National Bank

COVINGTON, LOUISIANA 70433

FOR

Martha Dutsch

⑆0654⑉0089⑆ ⑆0⑉22⑉143⑉0⑉⑆

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Bonnie Christian

78 NOV 9 11:33
MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Ms. Bonnie Christian (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On August 13, 1976, the Respondent contributed \$1,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On November 1, 1976, the Respondent made expenditures of \$26, \$48, and \$200, totalling \$274, to pay for radio time for the Committee.

WHEREFORE, the Respondent agrees:

- A. That on August 13, 1976, Respondent contributed \$1,000 to the Committee.
- B. That on November 1, 1976, the Respondent paid \$274, total, to three radio stations for spot time for the Committee.

- C. The Respondent's total contributions to the Committee in 1976 were \$1,274.
- D. Contributions from an individual totalling \$1,274 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- E. The Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- F. That the Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- G. That Respondent will pay a civil penalty in the amount of One hundred and twenty dollars (\$120) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter 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 civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: 10-5-78

Bonnie Christian
Bonnie Christian
Respondent

B. M. CHRISTIAN
RT. 1 BOX 10 A
FOLSOM, LA 70437

PAY TO THE
ORDER OF

Federal Election Commission
One Hundred & Twenty & no/100



First National Bank
COVINGTON, LOUISIANA 70433

FOR DEPOSIT ONLY
-00654000891-
10 19 18 3 31

B. M. Christian

103

84.89
654

11-20-1978

DOLLARS

MUR 597
Gentner

BEFORE FEDERAL ELECTION COMMISSION

In the Matter of

Jack Diamond

)
)
)
MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. Jack Diamond (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, on November 29, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Respondent (the Candidate only received \$80) when additional campaign funds became available to the Committee.
- I. On July 20, 1976, Diamond Medical Corp. issued a check for \$500 to the Committee, and on July 23, 1976 another check for \$500 to the Committee as salary advances to the Respondent.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Committee in July, 1976.
- L. The Respondent contributed a total of \$3,500 to the Committee in 1976.
- M. Contributions from an individual totalling \$3,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).

- N. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Three hundred and fifty dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

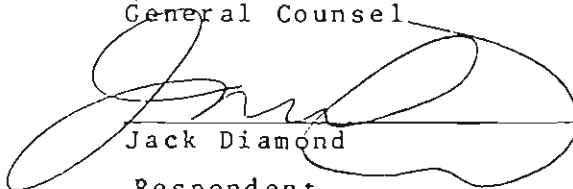
V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

Date: 11/1/78

William C. Oldaker
General Counsel



Jack Diamond
Respondent

700411018

JACK R. DIAMOND, M.D.
120 WESTCHESTER PLACE
SLIDELL, LA 70458

PAY TO THE
ORDER OF



First Bank
SLIDELL, LOUISIANA 70459

FOR

Federal Election Commission
THE SUM 350 DOLLARS

1708

Nov. 9

19 *78* *84,237*
654

\$ *350* %

DOLLARS

JACK R. DIAMOND, M.D.

7:06540237

David H. Chapman
164615

7 0 0 1 7 1 0 1 8 3 1 *Center 5757*
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Marion G. Simpson

MUR 597(78)

76 NOV 30 PM 1:01

CONCILIATION AGREEMENT

000187

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Marion G. Simpson (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid

7 2 0 0 1 0 1 8 1 1

out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, from November 23, 1976, to December 6, 1976 five of the signatories paid a 1/8 share of the \$7,130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Candidate Rarick paid \$800 to the Committee. The Respondent did not make such a \$900 payment.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

- 7 0 0 1 0 1 1 8 ;
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.
 - F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
 - G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
 - H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan to the extent of the outstanding balance within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
 - I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
 - J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
 - K. On August 11, 1976, the Respondent contributed \$1,000 to the Committee.
 - L. The Respondent contributed a total of \$3,500 to the Committee in 1976.
 - M. Contributions from an individual totalling \$3,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
 - N. Notwithstanding, it is the Respondent's position that since the counter letter had ten (10) signa-

ture lines, and since it was represented to Respondent that ten (10) persons would sign the counter letter, the maximum that Respondent could have been indebted for or could have contributed was \$3,000.

- O. The Respondent has violated 2 U.S.C. §441a(a)(1) (A) by making an excessive contribution to the Committee.
- P. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- Q. The Respondent will pay a civil penalty in the amount of Three Hundred and Fifty Dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

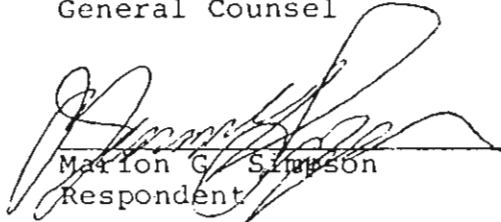
- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that there has been a violation of this agreement arising out of the same transaction or occurrences as set forth in Part IV of this agreement or that the civil penalties as required in Part IV of this agreement have not been paid by Respondent, the Commission may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____



Marion G. Simpson
Respondent

DR. OR MRS. M. G. SIMPSON
RT. 5, BOX 167A 892-1224
COVINGTON, LA. 70133

820

21 Nov 70 19

84-237
654

PAY TO THE
ORDER OF

F E C

\$350.00

DOLLARS

First Bank

COVINGTON, LOUISIANA 70433

[Signature]

0651023711 21089688

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
William Mitchell

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. William Mitchell (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid

out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

- E. Pursuant to the terms of the counter letter, on November 23, 1976, the Respondent paid the Committee a 1/8 share of the \$7,130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; three of those people paid their share directly to Sam Fuller, and one paid the Committee. Candidate Rarick paid \$800 to the Committee.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
- H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liqui-

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date a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.
- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan to the extent of the outstanding balance within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. Notwithstanding, it is the Respondent's position that since the counter letter had ten (10) signa-

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ture lines, and since it was represented to Respondent that ten (10) persons would sign the counter letter, the maximum that Respondent could have been indebted for or could have contributed was \$2,000.

- N. The Respondent has violated 2 U.S.C. §441a(a)(1) (A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Two Hundred and Fifty Dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that there has been a violation of this agreement arising out of the same transaction or occurrences as set forth in Part IV of this agreement or that the civil penalties as required in Part IV of this agreement have not been paid by Respondent, the Commission may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.

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- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: 11) 21) 78

William Mitchell
William Mitchell
Respondent

1566

DR. OR MRS. WILLIAM J. MITCHELL
PH. 892 7398
P. O. BOX 1060 OR P. O. BOX 1345
COVINGTON, LA 70433

PAY TO THE
ORDER OF

First National Bank
COVINGTON, LOUISIANA 70433

FOR
⑈0654⑈0089⑈

11/21/78
Commission \$250⁰⁰/4x
DOLLARS

William J. Mitchell MD

19810104861



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John R. Rarick Congressional
Campaign Committee
320 West Hall Street
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Sir:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Sam Fuller
Rigolets Road
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Mr. Fuller:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

Re: MUR 597 (78)

Dear Doctor Diamond:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Martha Dutsch
128 W. 23rd Avenue
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mrs. Dutsch:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. William J. Mitchell
Box 1345
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Doctor Mitchell:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: Mr. William Jones, Jr.
Barranger, Barranger, Jones & Fussell



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Route 5, Box 167D
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Doctor Simpson:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

cc: Mr. William Jones, Jr.
Barranger, Barranger, Jones & Fussell



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bonnie Christian
Unedus Road
Folson, Louisiana 70437

Re: MUR 597 (78)

Dear Ms. Christian:

The Commission has voted to accept the conciliation agreement which you signed in connection with MUR 597 (78).

Accordingly, upon my recommendation, the Commission has closed its file on this matter inasmuch as it relates to your violation of the Act.

A copy of the signed conciliation agreement is enclosed for your records.

If you have any questions, please contact Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Conciliation Agreement

HOLDEN'S AMBULANCE AND
WRECKER SERVICE

832 E BOSTON PH 892 0486
COVINGTON, LA 70433

2000

PAY TO THE
ORDER OF

Federal Election Comm.

Dec 29 19*78*

84.69
654

\$ 250⁰⁰

Two Hundred Fifty Dollars & no/100

DOLLARS



First National Bank

COVINGTON, LOUISIANA 70433

FOR

Fine

James Holden

⑆0654⑈0089⑆ 10⑈1⑈630⑈7⑈

HOLDEN'S AMBULANCE SERV.

Rt. 3, Box 300

892-0486 & 892-0487

Covington, La. 70403



Federal Election Commission

1325 K. Street N. W.

Washington, D. C.

20463



FEDERAL ELECTION COMMISSION

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

December 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James W. Holden
Collins Boulevard
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mr. Holden:

On October 30, 1978, you received a letter from this Office notifying you of the Federal Election Commission's finding of reasonable cause to believe you violated 2 U.S.C. § 441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000. That letter was accompanied by a conciliation agreement, to be signed and returned within ten days and implemented within thirty days if you agreed to accept it as settlement of this matter. However, that 30 day period has now expired.

Please be advised that the Commission is under a duty to handle these matters as expeditiously as possible. Therefore, if you intend to comply with the conciliation agreement, you must sign and return it, along with a check in the amount of the civil penalty, within five days. If you do not, the Commission may, upon a finding of probable cause to believe, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

If you have any questions concerning the conciliation agreement, please contact Ms. Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over a horizontal line.

William C. Oldaker
General Counsel

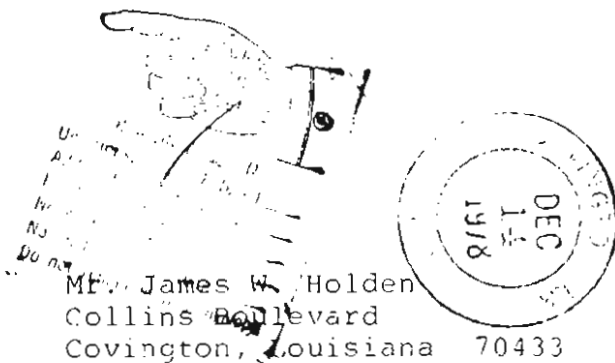
Form 3877, April 1977

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): ☐ Show to whom and date delivered C ☒ Show to whom, date, and address of delivery C RESTRICTED DELIVERY ☐ Show to whom and date delivered C RESTRICTED DELIVERY ☐ Show to whom, date, and address of delivery S (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO _____	
3. ARTICLE DESCRIPTION REGISTERED NO. _____ CERTIFIED NO. _____ INSURED NO. _____ 943235	
(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 <i>Complete only if requested</i> _____	
6. UNABLE TO DELIVER BECAUSE _____	CLERK'S INITIALS _____

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON D.C. 20463

POSTAGE AND FEES PAID



Mr. James W. Holden
Collins Boulevard
Covington, Louisiana 70433

943235



FEDERAL ELECTION COMMISSION

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

December 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James W. Holden
Collins Boulevard
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mr. Holden:

On October 30, 1978, you received a letter from this Office notifying you of the Federal Election Commission's finding of reasonable cause to believe you violated 2 U.S.C. § 441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000. That letter was accompanied by a conciliation agreement, to be signed and returned within ten days and implemented within thirty days if you agreed to accept it as settlement of this matter. However, that 30 day period has now expired.

Please be advised that the Commission is under a duty to handle these matters as expeditiously as possible. Therefore, if you intend to comply with the conciliation agreement, you must sign and return it, along with a check in the amount of the civil penalty, within five days. If you do not, the Commission may, upon a finding of probable cause to believe, institute civil suit. 2 U.S.C. § 437g(a)(5)(B).

If you have any questions concerning the conciliation agreement, please contact Ms. Marsha Gentner, the attorney assigned to this matter, at (202) 523-4060.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over a horizontal line.

William C. Oldaker
General Counsel

78 DEC 4 11 40

Mrs. Martha Dutsch
128 W. 23rd Ave.
Covington, La. 70433
Nov. 29, 1978

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

Re: MUR 597 (78)

808207

Dear Sir:

I am herewith returning the Conciliation Agreement which you sent me, even though I still do not believe that I at any time knowingly and/or willfully violated any part of the Federal Election Code. There was never any intent on the part of myself, or any of the signers of the counter letter to Mr. Sam Fuller, to in any way violate the provisions of the Election Code.

In order that we can close this matter in an expeditious manner, and with the least possible expense to myself, I have signed the Conciliation Agreement and herewith enclose the \$250.00 penalty imposed upon me.

I do respectfully request that this letter be attached to the Conciliation Agreement.

Sincerely,



(Mrs.) Martha Dutsch

70010104873

MRS. MARTHA DUTSCH
DR. LIC. 149706
P. O. BOX 1155
COVINGTON, LA 70433

2670

PAY TO THE
ORDER OF

Federal Election Commission *11-29-78* *84.89*
250.00

Two Hundred Fifty

DOLLARS



First National Bank
COVINGTON, LOUISIANA 70433

FOR

Martha Dutsch

⑆0654⑉0089⑆ 10⑉22⑉143⑉0⑉⑆

128 W. 23rd Ave.
Covington, La. 70433

CERTIFIED

No. 14113

MAIL

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

RECEIVED
FEB 1973



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE

FROM: MARJORIE W. EMMONS *MJE ljs*

DATE: DECEMBER 4, 1978

SUBJECT: MUR 597 (78) - Interim Conciliation
 Report dated 11-30-78
 Received in OCS: 12-1-78,
 2:32

The above-named document was circulated on a 24 hour no-objection basis at 2:35, December 1, 1978.

The Commission Secretary's Office has received no objections to Interim Conciliation Report as of 3:00 this date.

~~November~~
December 1, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached Interim Conciliation
Report on MUR 597 distributed to the Commission.

Thank you.

79040104870

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
MANAGING SECRETARY

In the Matter of)
)
)
John R. Rarick)
Congressional Campaign)

78 DEC 1 P 2: 32

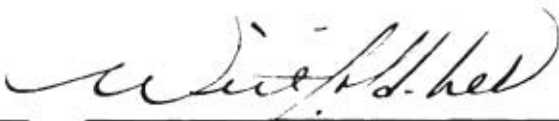
MUR 597 (78)

INTERIM CONCILIATION REPORT

On October 23, 1978, the Commission found reasonable cause to believe that seven respondents violated 2 U.S.C. § 441a(a)(1) (A) by making excessive contributions to the John R. Rarick Congressional Campaign Committee ("the Committee") and that the Committee apparently violated 2 U.S.C. § 441a(f) by accepting such contributions. Presently, this office is in the process of conciliation, having had discussions with all of the respondents or their attorneys. Because of the large number of respondents in this matter, rather than proceed piecemeal, the General Counsel's Office will continue conciliation efforts until negotiations with all respondents have been completed. At that time, this office will present further recommendations for the Commission's consideration.

Date

11/30/78


William C. Oldaker
General Counsel

7 2 0 4 0 1 0 4 8 3 1

Handwritten mark resembling a stylized 'K' or '4'.

DR. OR MRS. M. G. SIMPSON
RT. 5, BOX 167A 892-1224
COVINGTON, LA. 70433

820

21 Nov 78 19

84-237
654

PAY TO THE
ORDER OF

F E C

\$950.00

Three hundred fifty dollars

DOLLARS

First Bank
COVINGTON, LOUISIANA 70433

Handwritten signature.

⑆06540237⑆ 210⑈896⑈8⑆

MUR 597
Gentman

B. M. CHRISTIAN
RT. 1 BOX 10 A
FOLSOM, LA 70137

PAY TO THE ORDER OF *Federal Election Commission*

One Hundred & Twenty & no/100

First National Bank
COVINGTON, LOUISIANA 70431

FOR *Attorney at Law*

11-70 1978 103 84.89 654

1:0654000891: 10 19 183 30

B. M. Christian

DOLLARS

Begonia Christian
Riviera 1 Beach
St. John, St. John, 00852

RETURN RECEIPT
REQUESTED

CERTIFIED

MAIL



JOHN R. RARICK
ATTORNEY AT LAW

CLC # 5767
NOV 22 1978
482 ROMALIST, BOX 236
ST. FRANCISVILLE, LOUISIANA 70776
504 636-3483

Nov. 20, 1978

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

ATTENTION: Ms. Marsha G. Genter

In Re: MUR 597 (78)
John R. Rarick Congressional
Campaign

Dear Ms. Genter,

I enclose the original conciliation agreement signed by Mr. Sam Fuller, and I am enclosing my check in the sum of \$500.00 pursuant to our discussion. I have also amended paragraph IV (G) to read \$500.00.

If this is agreeable with the committee I would appreciate receiving a copy of the signed agreement after Mr. Oldaker has signed and accepted same.

Very truly yours,

JOHN R. RARICK

JRR/mr

enc. Check, No.128, amount \$500.00



JOHN R. RARICK
Attorney-at-Law

BOX 230, ROYAL ST. PH. 501 635-3483
ST. FRANCISVILLE, LA. 70775

No. 128

11/28 1978

84-491
654

Pay to the order of Federal Election Commission \$500
Five hundred and no/100

DUNCAN, B.



CAPITAL BANK

CAPITAL BANK & TRUST CO. BANKING HOUSE, LA. 70001

MUR 397 (78) circulating
W. Morgan

000128 00654 00491 00 2478 90

8 0 1 0 0 0 2

JOHN R. RARICK

ATTORNEY AT LAW

100 N. 2006 ST. FRANKSVILLE, LOUISIANA 70775



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

ATTENTION:
Ms. Marsha G. Genter

7004
5-716

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW
200 NORTH COLUMBIA STREET
P. O. Box 1268
COVINGTON, LOUISIANA 70433

NOV 27 11:33

GARY KENNETH BARRANGER
WILLIAM J. JONES, JR.
HOWARD R. FUSSELL
THOMAS M. DERVELOY, JR.

November 21, 1978

TELEPHONE MUR-4801
DALTON J. BARRANGER

CERTIFIED MAIL RETURN RECEIPT REQUESTED

000000

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

In Re: MUR 597 (78)
Dr. William J. Mitchell
Our File S-7639

Attention: Ms. Marsha G. Gentner

Dear Ms. Gentner:

In connection with the above matter, enclosed please find Conciliation Agreement executed by William Mitchell, respondent, on November 21, 1978, together with the original Dr. Mitchell's check, payable to the order of the Federal Election Commission, dated September 21, 1978, in the amount of \$250.00.

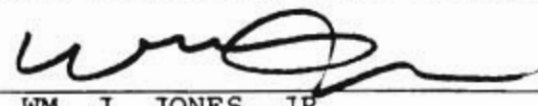
This Conciliation Agreement was re-drafted in accordance with our several telephone conversations.

After the Conciliation Agreement is signed by Mr. William C. Oldaker, please forward me a copy of same showing signatures.

With best regards,

Very truly yours,

BARRANGER, BARRANGER, JONES & FUSSELL

BY: 

WM. J. JONES, JR.

WJJ:abl

c.c. Dr. William J. Mitchell

1566

DR. OR MRS. WILLIAM J. MITCHELL
PH. 892 7398
P. O. BOX 1060 OR P. O. BOX 1345
COVINGTON, LA 70433

PAY TO THE
ORDER OF

11/21 1978 84-89
654
Commission \$250⁰⁰/4X
DOLLARS

Federal Election Commission
Two hundred fifty and no/100

First National Bank
COVINGTON, LOUISIANA 70433

William J. Mitchell MD

FOR *Civil Penalty*
⑈0654⑈0089⑈

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

P. O. BOX 1498

COVINGTON, LOUISIANA 70433



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

Attention: Ms. Marsha G. Gentner



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

November 21, 1978

Mrs. Martha Dutsch
128 W. 23rd Avenue
Covington, Louisiana 70433

Re: MUR 597 (78)

Dear Mrs. Dutsch:

Pursuant to your conversation of November 9, 1978, with one of our staff members, I have enclosed a copy of the Federal Election Campaign Act of 1971, as amended.

Please be advised that this does not extend the 30-day period in which you must act to comply with the conciliation agreement received by you on November 1, 1978.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

79010104891

JOHN R. RARICK
ATTORNEY AT LAW

2004
5642
FEDERAL ELECTION
COMMISSION
482 ROYAL ST. BO 298
ST. FRANCISVILLE, LOUISIANA 70776
504 635-3483
NOV 20 2:11

November 14, 1978

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

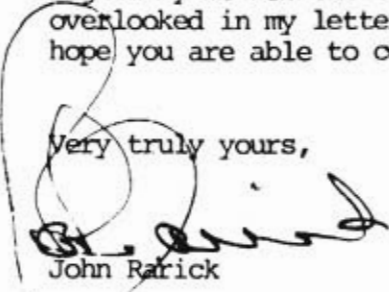
ATTENTION : Ms. Marsha G. Genter

In RE: MUR 597 (78)
John R. Rarick Congressional
Campaign

Dear Ms. Genter,

I enclose the original conciliation agreement
signed by me for the campaign committee which was inadvertantly
overlooked in my letter of this same date to you . I sincerely
hope you are able to consolidate the contents of both.

Very truly yours,


John Rarick

Enc: Concilation agreement.

807916

JOHN R. RARICK

ATTORNEY AT LAW

BOX 206 ST. FRANCISVILLE, LOUISIANA 70773



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

ATT: Ms. Marsha G. Genter

JOHN R. RARICK
ATTORNEY AT LAW

200#
5610

78 NOV 17 P12:15
482 ROYAL ST., BOX 236
ST. FRANCISVILLE, LOUISIANA 70776
504 635-3483

Nov. 14, 1978

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

807878

ATTENTION: Ms. Marsha G. Gentner

In Re: MUR 597 (78)
John R. Rarick Congressional
Campaign

Dear Ms. Gentner,

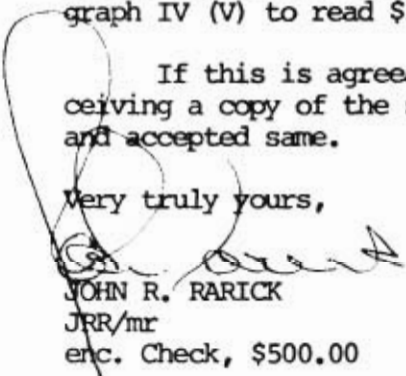
This will confirm our phone conversation and discussion of
November 13, 1978.

As I related to you, your notice to the committee was by
the post master referred to me, and I receipted same. The committee
for all practical purposes is defunct, and no longer exists.

In as much as I am interested in placing this matter to rest,
I am signing the conciliatory agreement for the committee and am
enclosing my check made to the Federal Election Committee in the
sum of \$500.00 pursuant to our discussion. I have also amended para-
graph IV (V) to read \$500.00.

If this is agreeable with the committee I would appreciate re-
ceiving a copy of the signed agreement after Mr. Oldaker has signed
and accepted same.

Very truly yours,


JOHN R. RARICK
JRR/mr
enc. Check, \$500.00

100101800

JOHN R. RARICK
Attorney-at-Law
BOX 236, ROYAL ST. PH. 504 635-3483
ST. FRANCISVILLE, LA. 70775

11/14 1978 127

84-491
X 654



Pay to the order of Federal Election Commission \$500.00
Five hundred and no/100 DOLLARS



100 conciliation agreement
NOR 597 (78) Camp Committee
0000127 00654 00491

[Handwritten signature]

02 2478 9

JOHN R. RARICK

ATTORNEY AT LAW

BOX 286, ST. FRANCISVILLE, LOUISIANA 70775



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

ATTENTION:

Ms. Marsha G. Gentner



FEDERAL ELECTION COMMISSION

125 K STREET NW
WASHINGTON, DC 20463

NOV 13 P 2: 54

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

807812

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidel, Louisiana 70458

Re: MUR 597(78)

Dear Dr. Diamond:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



JACK R. DIAMOND, M.D.
120 WESTCHESTER PLACE
SLIDELL, LA 70458

PAY TO THE
ORDER OF

Federal Election Commission
THE SUN 350 DOLLARS
First Bank
SLIDELL, LOUISIANA 70450



First Bank
SLIDELL, LOUISIANA

First Bank
SLIDELL, LOUISIANA 70459

FOR

7:06 540237 1:

JACK R. DIAMOND, M.D.

16 46 5

1708

19 74 $\frac{84.237}{65.4}$

DIAMOND MEDICAL CORP.

JACK R. DIAMOND, M.D.

WILLIAM L. BUFFAT, M.D.

120 WESTCHESTER PLACE

SLIDELL, LOUISIANA 70458



MAIL EARLY
ALWAYS USE
ZIP CODE
153

10 12:54

RETURN RECEIPT
REQUESTED

CERTIFIED

No. 069745

MAIL

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



FEDERAL ELECTION COMMISSION

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

NOV 9 11:33

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

001702

Ms. Bonnie Christian
Unedus Road
Folson, Louisiana 70437

Re: MUR 597(78)

Dear Ms. Christian:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making contributions to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

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Sincerely,

William C. Oldaker
General Counsel

Enclosure

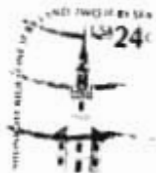
K. Marie Christian
Rt 1 Box 100
Shiloh, Ga. 30080



RETURN RECEIPT
REQUESTED

Attn: William C. Wilkie

Federal Election Commission
1325 K. St. NW
Washington, DC 20543





FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Route 5, Box 167A
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Dr. Simpson:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

cc: William J. Jones, Jr.
Barranger, Barranger,
Jones & Fussell
900 North Columbia Street
P.O. Box 1268
Covington, Louisiana 70433



PS Form 3811, Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

MG. 597

● 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).
☐ 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:
Dr. Maria G. Simpson

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
943773

(Always obtain signature of addressee or agent)

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

4. *Dora L. Simpson*
DATE OF DELIVERY POSTMARK
10/21

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS
65

In the Matter of)
) MUR 597(78)
 Marion G. Simpson)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Marion G. Simpson (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

79040104904

- E. Pursuant to the terms of the counter letter from November 23, 1976, to December 6, 1976 five of the signatories paid a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Candidate Rarick paid \$800 to the Committee. The Respondent did not make such a \$900 payment.
- F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
- G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Respondent.
- H. Each signatory, including the Respondent, was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.
- I. On August 11, 1976, the Respondent made a \$1,000 contribution to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Barlick to federal office.

P. The Respondent will pay a civil penalty in the amount of Three hundred and fifty dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Marion G. Simpson
Respondent

P. The Respondent will pay a civil penalty in the amount of Three hundred and fifty dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Marion G. Simpson
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. William J. Mitchell
Box 1345
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Dr. Mitchell:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Bidaker
General Counsel

Enclosure

cc: William J. Jones, Jr.
Barranger, Barranger,
Jones & Fussell
900 North Columbia Street
P.O. Box 1268
Covington, Louisiana 70433



3-7

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

☒ Show to whom and date delivered c

☐ Show to whom, date, and address of delivery c

RESTRICTED DELIVERY

Show to whom and date delivered c

RESTRICTED DELIVERY

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

CONFIRMED POSTMASTER FOR FEES

2. ARTICLE ADDRESSED TO _____

3. ARTICLE DESCRIPTION _____

RECEIVED NO. **943772** INSURED NO. _____

(Always obtain signature of addressee or agent)

Signature of _____ Addressee _____ Authorized agent _____

DATE OF DELIVERY **OCT 31 1978** POSTMARK **1978**

4. ADDRESS _____

5. UNABLE TO DELIVER BECAUSE _____ CLERK'S INITIALS _____

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 597(78)
)
William Mitchell)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. William Mitchell (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

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- E. Pursuant to the terms of the counter letter, on November 23, 1976, the Respondent paid the Committee a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; three of those people paid their share directly to Sam Fuller, and one paid the Committee. Candidate Rarick paid \$800 to the Committee.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
 - G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan in order to influence the election of Candidate Rarick to federal office.

- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- O. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

William Mitchell
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Martha D. Dutsch
128 W. 23rd Avenue
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Ms. Dutsch:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



161010000

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PS Form 3811, Apr 1977

RETURN RECEIPT BE 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).
☒ 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. Martin Luther King

3 ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943768

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE Addressee Authorized agent
 Martin Luther King

DATE OF DELIVERY POSTMARK
 12-5-78

5 ADDRESS Complete only if requested
 1234567890

6 UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 597(78)
Martha Dutsch)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Ms. Martha Dutsch (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.

G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.

H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(1).

I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.

J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).

K. The Respondent contributed a total of \$2,500 to the Committee in 1976.

L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).

M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.

N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.

0. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

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V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Martha Dutsch
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. James W. Holden
Collins Boulevard
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Mr. Holden:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



116- 597

● 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)
☐ Show to whom and date delivered c
☒ Show to whom, date, and address of delivery c
 RESTRICTED DELIVERY
 Show to whom and date delivered c
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ c
 CONSULT POSTMASTER FOR FEES

2 ARTICLE ADDRESSED TO

3 ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
943769

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE Addressee Authorized agent
James H. Halden

DATE OF DELIVERY POSTMARK
10-30-71

4 ADDRESS (Complete only if requested)

5 UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS
JH

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 597(78)
James Holden)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. James Holden (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

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- E. Pursuant to the terms of the counter letter, on December 6, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
 - G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Committee (the Candidate only received \$80) when additional campaign funds became available to the Committee.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.
- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.

- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(1).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed a total of \$2,500 to the Committee in 1976.
- L. Contributions from an individual totalling \$2,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- M. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- N. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- O. The Respondent will pay a civil penalty in the amount of Two hundred and fifty dollars (\$250) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

James Holden
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Dr. Diamond:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



PS Form 3811, Apr 1977
 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

ML- 597

● 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):

☒ Show to whom and date delivered _____ c

☒ Show to whom, date, and address of delivery _____ c

☐ RESTRICTED DELIVERY Show to whom and date delivered _____ c

☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery, \$ _____ c

(CONSULT POSTMASTER FOR FEES) _____ c

2 ARTICLE ADDRESSED TO

Dr. Jack R. Demard
c/o Bureau Medical Corp

3 ARTICLE DESCRIPTION

REGISTERED NO	CERTIFIED NO	INSURED NO
	943770	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE _____

Addressee

☒ Authorized agent

4 DATE OF DELIVERY

11-1-78

5 ADDRESS (Complete only if requested)

POSTMASTER
 OFFICE

6 UNABLE TO DELIVER BECAUSE _____

CLERK'S
INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Jack Diamond

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Dr. Jack Diamond (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Respondent, the Candidate John Rarick, and six others, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to Sam Fuller that could not be liquidated with campaign funds.
 - D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Committee campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.

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- E. Pursuant to the terms of the counter letter, on November 29, 1976, the Respondent paid Sam Fuller a 1/8 share of the \$7130.76 balance of the Committee loan from Sam Fuller, in the amount of \$900. Four of the other signatories of the counter letter paid a pro rata share of the balance of the Committee obligation owed to Sam Fuller; two of those people paid their share directly to Sam Fuller, and two paid the Committee. Candidate Rarick paid \$800 to the Committee.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Committee.
 - G. On November 24, December 4, and December 22, 1976, the Committee paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Committee.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Respondent (the Candidate only received \$80) when additional campaign funds became available to the Committee.
 - I. On July 20, 1976, Diamond Medical Corp. issued a check for \$500 to the Committee, and on July 23, 1976 another check for \$500 to the Committee as salary advances to the Respondent.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Committee.
- B. On October 20, 1976, Respondent, with six others and the Candidate, signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, the Respondent became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Committee that the Committee could not retire.

- E. That the Respondent signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Committee's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, the Respondent was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Committee, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e) and 11 C.F.R. §100.4(a)(1)(i).
- I. The Respondent, by sharing the risk of non-payment of the \$20,000 loan with the Committee, made a loan, within the terms of the Act, to the Committee to the extent of \$2,500.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).
- K. The Respondent contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Committee in July, 1976.
- L. The Respondent contributed a total of \$3,500 to the Committee in 1976.
- M. Contributions from an individual totalling \$3,500 constitute excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).

- N. The Respondent has violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- O. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- P. The Respondent will pay a civil penalty in the amount of Three hundred and fifty dollars (\$350) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Jack Diamond
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Sam Fuller
Rigolets Road
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Mr. Fuller:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

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

PS Form 3811 Apr 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

10630161002

MG 597

● 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).
☐ 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. Sam Fuller

3 ARTICLE DESCRIPTION
REGISTERED NO. CERTIFIED NO. INSURED NO.
643771

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☒ Authorized agent
E. J. Chilton

4 DATE OF DELIVERY
11 2

5 ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE:

POSTMARK
NOV 2 1977
KATPO

CLERK'S INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Sam Fuller

)
)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Mr. Sam Fuller (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A).

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, the Respondent made an unsecured loan of \$20,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee")
 - B. On October 20, 1976, a counter letter to the Respondent signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marion G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Committee debt to the Respondent that could not be liquidated with campaign funds.

- D. Contributions from an individual totalling \$20,000 are excessive contributions in violation of 2 U.S.C. §441a(a)(1)(A).
- E. The Respondent violated 2 U.S.C. §441a(a)(1)(A) by making an excessive contribution to the Committee.
- F. That the Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- G. That the Respondent will pay a civil penalty in the amount of One Thousand Dollars (\$1000) pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Sam Fuller
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Treasurer
John R. Rarick Congressional
Campaign
320 W. Hall Street
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Sir:

The Federal Election Commission has found reasonable cause to believe that the John R. Rarick Congressional Campaign Committee has violated 2 U.S.C. §441a(f) by accepting a \$20,000 loan from Mr. Sam Fuller, payment guaranteed by eight persons, and by accepting contributions in excess of \$1,000 from Ms. Bonnie Christian.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

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

William C. Oldaker
General Counsel

Enclosure

PS Form 3811, Apr 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

MC 597

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).
☐ 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:
Treasurer
John R. Rorick Congressional
Campaign Committee

3. ARTICLE DESCRIPTION
REGISTERED NO. CERTIFIED NO. INSURED NO.
943767

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
11-10-78

4. DATE OF DELIVERY

5. ADDRESS: Complete only if requested

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

PAID
NOV 10 1978
SAINT FRANCISVILLE LA
USPO

In the Matter of

John R. Rarick Congressional Campaign
Committee

)
)
)
)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that the John R. Rarick Congressional Campaign Committee (hereinafter "the Respondent") has violated 2 U.S.C. §441a(f):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On October 20, 1976, Mr. Sam Fuller made an unsecured loan of \$20,000 to the Respondent.
 - B. On October 20, 1976, a counter letter to Sam Fuller signed by the Candidate John Rarick, and seven others, William Mitchell, Jack Diamond, James Holden, Martha Dutsch, Marlon G. Simpson, Daniel Christian (now deceased), and Sam Fuller himself, was executed.
 - C. Under the terms of the counter letter, each signatory was bound to assume a pro rata or 1/8 share of any amount of the Respondent's debt to Sam Fuller that could not be liquidated with campaign funds.

- 116700100
- D. On October 27, November 1, and November 5, 1976, \$3,000, \$5,000, and \$5,000 respectively, was paid out of Respondent campaign funds to Sam Fuller as partial payment on the loan, leaving a balance of \$7,000 principal and \$130.76 interest.
 - E. Pursuant to the terms of the counter letter, from November 23, 1976 to December 6, 1976 five of the signatories paid a 1/8 share of the \$7,130.76 balance of the Respondent's loan from Sam Fuller, in the amount of \$900. Three of those people paid their share directly to Sam Fuller, and two paid the Respondent. Candidate Rarick paid \$800 to the Respondent.
 - F. Sam Fuller deposited all payments received by him on the counter letter to the account of the Respondent.
 - G. On November 24, December 4, and December 22, 1976, the Respondent paid \$3,000, \$1,800 and \$2,330.76 respectively, to Sam Fuller, thereby liquidating the loan to the Respondent.
 - H. Each signatory was subsequently "refunded" \$180.67 by the Respondent (the Candidate only received \$80) when additional campaign funds became available to the Respondent.
 - I. On August 11, 1976, Marion G. Simpson made a \$1,000 contribution to the Respondent.
 - J. On July 20, 1976, Diamond Medical Corp. issued a check for \$500 to the Respondent, and on July 23, 1976 another check for \$500 to the Respondent as salary advances to Dr. Jack Diamond.
 - K. On August 13, 1976, Ms. Bonnie Christian contributed \$1,000 to the Respondent.
 - L. On November 1, 1976, Bonnie Christian made expenditures of \$26, \$48, and \$200 to three radio stations for spot time for the Respondent.

WHEREFORE, the Respondent agrees:

- A. That on October 20, 1976, Sam Fuller made a \$20,000 loan to the Respondent.
- B. On October 20, 1976, the Candidate, Sam Fuller, William Mitchell, James Holden, Marion G. Simpson, Jack Diamond, Martha Dutsch, and Daniel Christian (deceased) signed a counter letter to Sam Fuller.
- C. A counter letter is binding between the parties to it.
- D. Pursuant to the terms of the counter letter, each signatory became bound to Sam Fuller to liquidate a 1/8 share of the balance of the \$20,000 loan to the Respondent that the Respondent could not retire.
- E. That the eight signatories signed the counter letter and thereby incurred liability for repayment of 1/8 of the \$20,000 balance of the loan. The purpose of the loan was to influence the election of Candidate Rarick to federal office.
- F. The Respondent's first payment on the loan was made to Sam Fuller on October 27, 1976.
- G. From October 20 to October 27, 1976, each person who signed the counter letter was liable for 1/8 of the \$20,000 balance of the loan by Sam Fuller to the Respondent, or \$2,500.
- H. A guarantee, endorsement or any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee or other primary obligor is a loan within the terms of 2 U.S.C. §431(e), 11 CFR 100.4(a)(1)(i).
- I. Each of the eight persons who signed the counter letter, by sharing the risk of non-payment of the \$20,000 loan with the Respondent, made a loan, within the terms of the Act, to the Respondent to the extent of \$2,500 each.
- J. A loan made for the purpose of influencing the election of a candidate to federal office constitutes a contribution under 2 U.S.C. §431(e)(1).

- K. Jack Diamond contributed \$1,000, in the form of salary advances from Diamond Medical Corp., to the Respondent in July, 1976.
- L. On August 11, 1976, Marion G. Simpson contributed \$1,000 to the Respondent.
- M. On August 13, 1976, Bonnie Christian contributed \$1,000 to the Respondent, and on November 1, 1976, made three in-kind contributions to the Respondent totalling \$274.
- N. Sam Fuller's total contribution to the Respondent in 1976 was \$20,000.
- O. William Mitchell, James Holden, and Martha Dutsch each contributed a total of \$2,500 to the Respondent in 1976.
- P. Jack Diamond and Marion G. Simpson each contributed a total of \$3,500 to the Respondent in 1976.
- Q. Bonnie Christian contributed a total of \$1,274 to the Respondent in 1976.
- R. Contributions from an individual in excess of \$1,000 per political committee/candidate per election constitute a violation of 2 U.S.C. §441a(a)(1)(A) by the individual involved.
- S. Acceptance by a committee of contributions from individuals which are in violation of 2 U.S.C. §441a(a)(1)(A) place the committee in violation of 2 U.S.C. §441a(f).
- T. The Respondent is in violation of 2 U.S.C. §441a(f) for having accepted excessive contributions from Mr. James Holden, Dr. William Mitchell, Mr. Sam Fuller, Ms. Martha Dutsch, Dr. Jack Diamond, Dr. Marion G. Simpson, and Ms. Bonnie Christian.
- U. The Respondent will now, and in the future, comply in all respects with the Federal Election Campaign Act of 1971, as amended.
- V. The Respondent will pay a civil penalty in the amount of \$1,000 pursuant to 2 U.S.C. §437g(a)(5)(B).

V. General Conditions

- A. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1), concerning the matter at issue herein, or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirements thereof have been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this Agreement, unless violated, shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this Agreement.
- C. It is mutually agreed that this Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.
- D. It is agreed that the Respondent shall have no more than thirty (30) days from the date of this Agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Treasurer
John R. Rarick Congressional
Campaign Committee
Respondent



FEDERAL ELECTION COMMISSION

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

October 26, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bonnie Christian
Unedus Road
Folson, Louisiana 70437

Re: MUR 597(78)

Dear Ms. Christian:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making contributions to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

46 597

● 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):
☐ Show to whom and date delivered c
☒ Show to whom, date, and address of delivery c
☐ RESTRICTED DELIVERY
Show to whom and date delivered c
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
Ms Bonnie Kriston

3. ARTICLE DESCRIPTION
REGISTERED NO. CERTIFIED NO. INSURED NO.
943766

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
4. *Bonnie Kriston*

DATE OF DELIVERY POSTMARK
11-2-78

5. ADDRESS: (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Bonnie Christian

)
)
)

MUR 597(78)

CONCILIATION AGREEMENT

This matter having been initiated by the Commission in the ordinary course of carrying out its supervisory responsibilities, and, after an investigation, the Commission having found reasonable cause to believe that Ms. Bonnie Christian (hereinafter "the Respondent") has violated 2 U.S.C. §441a(a)(1)(A):

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

- I. The Federal Election Commission has jurisdiction over the Respondent and subject matter in this case.
- II. The Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Respondent enters into this agreement with the Commission voluntarily.
- IV. The pertinent facts in this matter are as follows:
 - A. On August 13, 1976, the Respondent contributed \$1,000 to the John R. Rarick Congressional Campaign Committee (hereinafter "the Committee").
 - B. On November 1, 1976, the Respondent made expenditures of \$26, \$48, and \$200, totalling \$274, to pay for radio time for the Committee.

WHEREFORE, the Respondent agrees:

- A. That on August 13, 1976, Respondent contributed \$1,000 to the Committee.
- B. That on November 1, 1976, the Respondent paid \$274, total, to three radio stations for spot time for the Committee.

D. It is agreed that the Respondent shall have no more-than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: _____

William C. Oldaker
General Counsel

Date: _____

Bonnie Christian
Respondent

7 2 3 1 0 1 0 1 9 4 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
John R. Rarick Campaign)
Committee, et al)

MUR 597 (78)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 23, 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 18, 1978, regarding the above-captioned matter:

1. Find reasonable cause to believe that Sam Fuller, Dack Diamond, Marion G. Simpson, James Holden, Martha Dutsch, William Mitchell, and Bonnie Christian violated 2 U.S. C. §441a(a)(1)(A) by making contributions in excess of \$1,000 to the John R. Rarick Congressional Campaign Committee.
2. Find reasonable cause to believe that the John R. Rarick Congressional Campaign Committee violated 2 U.S.C. §441a(f) by accepting excessive contributions from eight individuals.
3. Find no reasonable cause to believe that the Diamond Medical Corp. contributed to the John R. Rarick Congressional Campaign Committee.
4. Take no further action against Louis Shaw and Howard T. Casey.
5. Send the letters attached to the above-named report.

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

10/23/78
Date

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

Received in Office of Commission Secretary: 10-19-78, 12:08
Circulated on 48 hour vote basis: 10-19-78, 3:30

October 19, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached General Counsel's Report
on MUR 597 distributed to the Commission on a 48 hour
tally basis.

Thank you.

70040104951

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSIONER

78 OCT 19 PM 12:08

In the Matter of)
)
John R. Rarick Campaign) MUR 597(78)
Committee, et at)

GENERAL COUNSEL'S REPORT

Summary of Allegations and Commission Action

During their examination of the records of the John R. Rarick Congressional Campaign Committee ("the Committee"), the Audit Division discovered that the Committee had obtained a loan from respondent Sam Fuller in the sum of \$20,000 which was guaranteed by eight persons, including the candidate, John Rarick. The auditors also found that the seven non candidate guarantors had each made additional payments to the Committee. Another contributor donated \$1,000, then subsequently made three contributions in kind totaling \$274. These facts raised the possibility that these eight people had exceeded individual contribution limits in violation of 2 U.S.C. § 441a(a)(1)(A), and the Committee had accepted such contributions in violation of 2 U.S.C. § 441a(f).

The auditors also discovered that the Committee had received two contributions apparently from Diamond Medical

Corporation thus raising the possibility of a corporate contribution in violation of 2 U.S.C. § 441b(a).

A further investigation revealed two cash contributions of \$200 and one of \$900 to the Committee in possible violation of 2 U.S.C. § 441g.

On June 5, 1978 the Commission found reason to believe that Ms. Bonnie Christian, Mr. Daniel H. Christian, Dr. Jack R. Diamond, Ms. Martha Dutsch, Mr. Sam Fuller, Mr. James Holden, Dr. William Mitchell, and Dr. Marion G. Simpson may have violated 2 U.S.C. § 441a(a)(1)(A), that Diamond Medical Corporation may have violated 2 U.S.C. § 441b(a), and that the John R. Rarick Congressional Campaign Committee may have violated 2 U.S.C. § 441a(f) by accepting excessive contributions and 2 U.S.C. § 441b(a) by accepting corporate contributions. On September 13, 1978, the Commission found reason to believe Mr. Louis Shaw, Mr. Howard Casey and Ms. Martha Dutsch may have violated 2 U.S.C. § 441g by making excessive cash contributions.

Evidence

I. The \$20,000 Loan

According to information obtained by the auditors, and reports and supporting documents filed by the Committee, Sam Fuller, Chairman of the Committee obtained a \$20,000

bank loan from the Federal Bank and Trust Company, Slidell, Louisiana. On October 20, 1976, he in turn made a loan of \$20,000 to the John R. Rarick Congressional Campaign Committee ("the Committee"). A letter confirming this loan by Sam Fuller was sent on behalf of the Committee to the Clerk of the House of Representatives on October 22, 1976. Under 2 U.S.C. § 431(e)(1)(A) such a loan is a "contribution" within the meaning of the Federal Election Campaign Act of 1971, as amended ("the Act"). Because the loan was for \$20,000, the Office of General Counsel recommends the Commission find reasonable cause to believe Sam Fuller has made a contribution to a federal candidate in excess of \$1,000 per election, in violation of 2 U.S.C. § 441a (a)(1)(A).

On the same day that Sam Fuller made the \$20,000 loan to the Committee, a "counter letter" to Sam Fuller, signed by eight people ^{1/} John R. Rarick, Mr. Daniel Christian,

1/ At the bottom of the counter letter there were ten blank spaces, each with a name typed beneath it, but only eight of those ten people actually signed the letter. However, the counter letter clearly states that the "undersigned" assume responsibility for their "pro rata share", putting the parties on notice that their obligation would be determined by the number of people who actually signed the agreement. The presence of the two blank spaces has no effect, then, on the outcome of this matter.

Dr. Jack Diamond, Ms. Martha Dutsch, Mr. Sam Fuller, Mr. James Holden, Dr. William Mitchell, and Dr. Marion Simpson, was executed.^{2/} This agreement provided that the signers were underwriting the loan of \$20,000 made in the name of Sam Fuller to the Committee, that it was understood that the loan was made in Sam Fuller's name only to expedite processing, and that each party assumed responsibility for his pro rata share of the obligation. The counter letter further provided that the loan would be repaid out of campaign contributions to the Committee, having first priority over other Committee debts,^{3/} but if contributions

^{2/} A counter letter is an instrument which embodies a secret or unrecorded agreement relating to another transaction by the recipient of the counter letter. Under Louisiana law (where the counter letter was executed and all parties reside) a counter letter is binding and enforceable upon the parties to it, but has no effect on third parties. LSA-C.C. Art. 2239, LSA-R.S. 9:2721, Republic Petroleum Co. v. United States, 397 F. Supp 900, 922-23 (1975).

^{3/} Sam Fuller did not, in his capacity as an individual contributor, have the authority to pledge the Committee campaign funds. In fact, the Committee reports filed with the Commission refer to the loan as "unsecured".

were insufficient to retire the debt, the parties would each pay a pro rata share of the remaining outstanding balance. Thus, only Sam Fuller was liable to the bank for the loan to him, while the eight co-signers of the counter letter were obligated to Sam Fuller to pay off the balance of the \$20,000 loan to the Committee for which the Committee had insufficient funds to cover.

It is the opinion of the Office of General Counsel that at the time the counter letter was entered into each of the eight co-signers had made a contribution equal to his pro rata share of the unpaid balance of the loan to the Committee, or \$2,500 each. 2 U.S.C. § 431(e)(1) (A) includes loans within the definition of a contribution under the Act. According to 11 C.F.R. § 100.4(a)(1)(i), a loan is a contribution to the extent that the obligation remains outstanding, and the "term 'loan' includes a guarantee, endorsement, and any other form of security where the risk of non-payment rests with the surety, guarantor, or endorser as well as with a political committee, candidate, or other primary obligor". By virtue of the counter letter, the eight co-signers shared in the risk of nonpayment of the Committee loan, since the obligee, Sam Fuller, had legal recourse against both the

eight counter letter signatories and the Committee, for the unpaid balance of the loan.

The conclusion that the signing of the counter letter was the equivalent of a contribution by the eight co-signers is substantiated when 2 U.S.C. § 431(e)(1)(A) and 11 C.F.R. § 104(a)(1)(i) are considered in conjunction with 11 C.F.R. § 110.6 concerning earmarked contributions. 11 C.F.R. § 110.6 states that a contribution by a person made on behalf of a candidate, including a contribution which is earmarked or otherwise directed through an intermediary, is a contribution from the person to the candidate. Although their legal obligation was only to Sam Fuller, the promise and intent of the eight co-signers of the counter letter was to guarantee a debt of the Committee. The commitment made to Sam Fuller to liquidate the unpaid balance of the loan to the Committee was done on behalf of the candidate, John R. Rarick, though it was not made directly to the candidate or the Committee. That the guarantee to assure payment of a Committee loan was a contribution, although indirect, to the Committee is further evidenced by the fact that Sam Fuller was himself one of the signers of the counter letter. It hardly seems likely that

Mr. Fuller would obligate himself to himself. A more reasonable assumption would be that Sam Fuller, as well as the others, viewed their signatures on the counter letter as formalizing their commitment to the Committee to help liquidate the \$20,000 debt.

The manner of repayment by the Committee of the loan also supports the conclusion that all the parties concerned considered the agreement to be a transaction with the Committee. On October 27, November 1, and November 5 of 1976, \$3,000, \$5,000 and \$5,000, respectively, was paid out of Committee campaign funds to Sam Fuller as repayment of part of the principal. This left a balance of \$7,000 plus \$130.76 interest on the loan--approximately \$900 each--for which the eight co-signers were responsible to Sam Fuller under the terms of the counter letter. However, only three of the six ^{4/} signers who paid this \$900 made

^{4/} Dr. Simpson and Mr. Daniel Christian did not make payments subsequent to the loan and counter letter to retire their pro rata share of the debt. Both of these respondents made \$1,000 contributions to the Committee in August 1976, and it appears these contributions were "credited" to their obligation as guarantors of the loan to the Committee, although there was never any agreement to that effect. However, both of these respondents did receive the \$180 refund the other counter letter signers were paid when it was discovered the Committee had additional funds to use for repayment of the loan. See text infra, concerning the refunds.

their payments to Sam Fuller; Dr. Diamond paid his share by a check from his wife on November 29, 1976, Mr. Holden paid by check on December 6, 1976, and Ms. Dutsch gave cash to Sam Fuller on December 3, 1976. The other three made their payments to the Committee. John Rarick (who, as the candidate, is not a respondent here since the violations concern excessive individual contributions) paid his pro rata share on November 23, 1976, Dr. Mitchell paid his share with a check for \$400 and a check from his wife for \$500, and, most notably, Sam Fuller paid a share, by check, on December 6, 1976, rather than just crediting himself with the payment. Sam Fuller did not keep the payments given to him by the three co-signers of the counter letter but instead deposited these funds in the Committee's account. Then the balance of the loan to the Committee was paid by the Committee, on Committee checks to Sam Fuller in increments of \$3,000, \$1,800, and \$2,330.76 on November 24, December 4, and December 22 of 1976. All six of the payments by the co-signers were reported as contributions in the Committee reports to the FEC, and all of the loan repayments, including the \$2,130.76 from the co-signers of the counter letter, were reported as

Committee expenditures to Sam Fuller. Also, when it was discovered the Committee had additional funds to use to retire the debt to Sam Fuller, each of the counter letter signers was "refunded" \$180.63^{5/} by the Committee. These payments were reported by the Committee as loan refunds. Thus it seems clear that although the counter letter was only to Sam Fuller, the Committee, the eight co-signers and Sam Fuller himself considered the agreement to be a commitment to the Committee, through Sam Fuller, to guarantee a pro rata share of the Committee \$20,000 debt. The Office of the General Counsel concludes that when the counter letter was entered into, each co-signer in effect made a \$2,500 contribution to the Committee, and therefore it is recommended that the Commission find reasonable cause to believe that Dr. Jack Diamond, Ms. Martha Dutsch, Mr. James Holden, Dr. William Mitchell, and Dr. Marion G. Simpson^{6/} violated 2 U.S.C. § 441a (a) (1) (A) by making excessive contributions, and that the

^{5/} Candidate John R. Rarick only received \$80.63 because his additional payment had only been for \$800 instead of the \$900 the others paid.

^{6/} This recommendation is made as to only five of the co-signers of the counter letter because one of the co-signers was the candidate, John Rarick, another, Mr. Daniel Christian is now deceased, and the third, Mr. Sam Fuller is the subject of the first recommendation of this report to find reasonable cause to believe he violated 2 U.S.C. § 441a(a) (1) (A) because of his \$20,000 loan to the Committee.

Committee violated 2 U.S.C. § 441a(f) by accepting such contributions.

II. Additional Contributions

The auditors also found that the Committee received a check for \$500 on July 20, 1976 and another for \$500 on July 23, 1976, both from Diamond Medical Corp. These payments were refunded to Diamond Medical Corp. by the Committee on December 5, 1977, after Dr. Diamond had sent the Committee a \$1,000 check on November 30, 1977 to cover the refund. The payments, however, were not corporate contributions but rather salary advances to Dr. Diamond, making them individual contributions from respondent Diamond. This determination is in accordance with the Commission's policy statement on July, 1978 concerning personal drawing accounts. Also, as noted previously (See n.3) Dr. Simpson and Mr. Christian each made \$1,000 contributions to the Committee on August 11, 1976. These additional contributions by respondents Diamond and Simpson,^{1/} when taken with the loan guarantee, increase the amount by which their individual contributions exceed the permissible limits of 2 U.S.C. § 431a(a)(1))A) and thus compound each respondent's violation.

^{1/} Mr. Christian is no longer a respondent since he is deceased. See n. 5, supra.

During the audit it was also discovered that on August 13, 1976, Ms. Bonnie Christian made a \$1,000 contribution to the Committee. Then on November 1, 1976; Ms. Christian made payments of \$26, \$48 and \$200 to three local radio stations as advance payments, authorized by the Committee, for spot time for the Committee. These three contributions in kind, totalling \$274, along with the earlier \$1,000 contribution exceed the allowable amount an individual may contribute to a candidate in a federal election. The Office of General Counsel therefore recommends the Commission find reasonable cause to believe Ms. Bonnie Christian has violated 2 U.S.C. § 441a(a)(1)(A). The \$274 was refunded to Ms. Christian by the Committee on December 5, 1977.

II. Cash Contributions

On December 6, 1976, Mr. Sam Fuller, Chairman of the Committee, made a deposit of \$500 in the Committee's account at the Fidelity Bank and Trust Company, Slidell, Louisiana. The deposit was made by a check payable to cash, drawn on the account of Sam Fuller. At that time a second deposit of \$900 in cash was also made by Sam Fuller into the Committee account.

On February 17, 1978, the Audit Division sent a letter and report to E. G. Brandt, Treasurer of the Committee noting that the apparant \$500 "contribution" of December 6, 1976, from Sam Fuller was not itemized on the Committee reports to the Commission, nor was the source of the \$900 cash deposit. In response to the Audit Division Report, John Rarick (Mr. Brandt was out of the country) sent a letter dated March 31, 1978, explaining that the \$500 deposit was not an unreported contribution from Sam Fuller, but rather represented cash contributions of \$200 each from Mr. Louis Shaw and Mr. Howard T. Casey (and a third cash contribution of \$100 from another contributor) paid to Sam Fuller as Chairman of the Committee. These contributions were reported as itemized contributions on the January 31, 1977 report of the Committee. Mr. Rarick further explained that the \$900 cash deposit of December 6, 1976 could "only be reconciled with the \$900 cash contribution of Mrs. Martha Dutsch...as received December 3, 1976."

The \$900 cash from Ms. Dutsch represented the amount she had to pay to liquidate her obligation to Sam Fuller by virtue of the aforementioned loan and counter letter. This money was paid to Sam Fuller, not the Committee, and though Sam Fuller deposited it in the Committee fund, the

money subsequently went back to Sam Fuller as a repayment of the loan to the Committee by Sam Fuller and guaranteed under the terms of the counter letter by Ms. Dutsch and seven others. Inasmuch as the money ended up being used for the same purpose for which it was given to Sam Fuller-to liquidate Ms. Dutsch's legal obligation to him under the counter letter, and not as an additional contribution to the Committee-the Office of the General Counsel recommends that no further action be taken against Respondent Dutsch as to the alleged excessive cash contribution.

As to the other two respondents, there is no documentation to refute Sam Fuller's and the Committee's assertion that these contributions by Mr. Shaw and Mr. Casey were made in cash. However, an attorney, Mr. Max Murcer, calling on behalf of Mr. Shaw as a friend, informed the General Counsel's Office that Mr. Shaw is 80 years old and senile, that his neighbors handle his affairs for him, and that no useful response could be expected from him. Mr. Casey has not responded and no return receipt of delivery of the letter of notification of reason to believe has been received by this Office.

In view of the fact that the aforementioned cash contributions exceed permissible limits under the Act

by only \$100, along with the fact that much difficulty is being encountered in communicating with Mr. Shaw and Mr. Casey in this matter, the Office of General Counsel recommends that no further action be taken against these respondents.

Recommendations

Find reasonable cause to believe that Sam Fuller, Jack Diamond, Marion G. Simpson, James Holden, Martha Dutsch, William Mitchell, and Bonnie Christian violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 to the John R. Rarick Congressional Campaign Committee.

Find reasonable cause to believe that the John R. Rarick Congressional Campaign Committee violated 2 U.S.C. § 441a(f) by accepting excessive contributions from eight individuals.

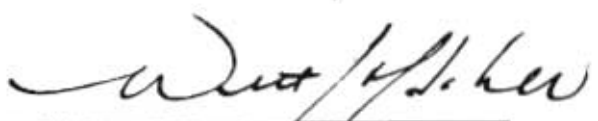
Find no reasonable cause to believe that the Diamond Medical Corp. contributed to the John R. Rarick Congressional Campaign Committee.

Take no further action against Louis Shaw and Howard T. Casey.

Send the attached letters.

DATE:

10/18/78


William C. Oldaker
General Counsel

Attachments:
Conciliation Agreements
Letters to Respondents



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bonnie Christian
Unneedus Road
Folson, Louisiana 70437

Re: MUR 597(78)

Dear Ms. Christian:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making contributions to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Treasurer
John R. Rarick Congressional
Campaign
320 W. Hall Street
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Sir:

The Federal Election Commission has found reasonable cause to believe that the John R. Rarick Congressional Campaign Committee has violated 2 U.S.C. §441a(f) by accepting a \$20,000 loan from Mr. Sam Fuller, payment guaranteed by eight persons, and by accepting contributions in excess of \$1,000 from Ms. Bonnie Christian.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

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Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Sam Fuller
Rigolets Road
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Mr. Fuller:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

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Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidel, Louisiana 70458

Re: MUR 597(78)

Dear Dr. Diamond:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

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Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. James W. Holden
Collins Boulevard
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Mr. Holden:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Martha D. Dutsch
128 W. 23rd Avenue
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Ms. Dutsch:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1,000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. William J. Mitchell
Box 1345
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Dr. Mitchell:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

cc: William J. Jones, Jr.
Barranger, Barranger,
Jones & Fussell
900 North Columbia Street
P.O. Box 1268
Covington, Louisiana 70433





FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Route 5, Box 167A
Covington, Louisiana 70433

Re: MUR 597(78)

Dear Dr. Simpson:

The Federal Election Commission has found reasonable cause to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by guaranteeing a pro rata share of a loan to the John R. Rarick Congressional Campaign Committee in excess of \$1000.

Please be advised that the Commission is under a duty to make every endeavor for a period of not less than thirty (30) days to correct such a violation by informal methods of conference, conciliation and persuasion, and to enter into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach agreement during that period, the Commission may, upon a finding of probable cause to believe a violation has occurred, institute civil suit. 2 U.S.C. §437g(a)(5)(B).

Enclosed please find a conciliation agreement which this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of this agreement, please sign it and return it to the Commission within ten days of your receipt of this letter. If not, please contact Ms. Marsha G. Gentner at (202) 523-4178 to discuss your objections to the agreement.

Sincerely,

William C. Oldaker
General Counsel

cc: William J. Jones, Jr.
Barranger, Barranger,
Jones & Fussell
900 North Columbia Street
P.O. Box 1268
Covington, Louisiana 70433



LAW OFFICE
MAX MERCER
2254 FIRST STREET
SLIDELL, LOUISIANA 70459

TELEPHONE 643-7111

RECEIVED
FEDERAL ELECTION
COMMISSION

92C5703
18 OCT 10 AM 1:52
P. O. DRAWER K

September 29, 1978

806778

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

Re: 1) MR. LOUIS SHAW
3216 Effie Street
Slidell, Louisiana 70458
2) MR. HOWARD T. CASEY
685 Dale Drive
Slidell, Louisiana 70458

My File No. 78-2603
Your Reference # MUR 597 (78)

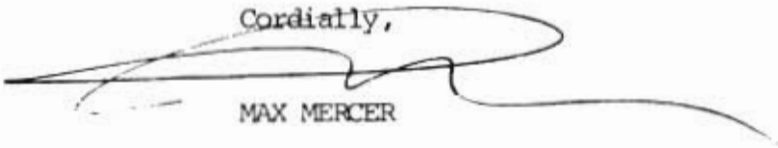
Attention: Mr. William C. Oldaker, General Counsel
Ms Marsha Gentner, Staff Member

Gentlemen:

Friends and neighbors of Mr. Louis Shaw, age 82, and Mr. Howard T. Casey, age 70, have asked me to represent these two (2) gentlemen in the matter concerning the alleged illegal cash contributions of \$200.00 on December 6, 1976, as referred to in your letters dated September 15, 1978 to each of these men.

Please furnish me with any statements, admissions, and/or confessions, together with any other documentary evidence which you might release, in order that I might confront these two (2) gentlemen with the Commission's charges and hopefully respond, or refuse to respond, according to their desires.

Cordially,


MAX MERCER

MM:acc

SLIDELL OFFICE
MARK MERCER
224 FIRST STREET
P.O. DRAWER K
SLIDELL, LOUISIANA 70459

ZIP CODE



2159
OLIVER
WENDELL
HOLMES

52
11/130
FEDERAL ELECTION COMMISSION
1325 K Street, N/W
Washington, D.C. 20463

Attention:

Mr. William C. Oldaker, General Counsel
Ms Marsha Gentner, Staff Member

806815

2001#
5723

RECEIVED
FEDERAL ELECTION
COMMISSION

'78 OCT 10 PM 5:12

Mrs. Martha Dutsch
128 W. 23rd Ave.
Covington, La. 70433
Oct. 5, 1978

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

Re: MUR 597 (78)

Dear Sir:

This is in reply to your letter of recent date.

As stated in my previous communication with you, I wish to again advise that I am not now nor have I ever been knowingly and/or willfully in violation of 2 U. S. C. § 441a (a) (1) (A) of the Federal Election Campaign Act of 1971. Neither, am I now or ever have been knowingly and/or willfully in violation of 2 U. S. C. § 441g by making a cash contribution on Dec. 3, 1976.

Since Mr. John R. Rarick was defeated in the Nov. 1976 general election, there was no campaign being conducted in Dec. 1976. Therefore, I could not have possibly given a campaign contribution on Dec. 3, 1976.

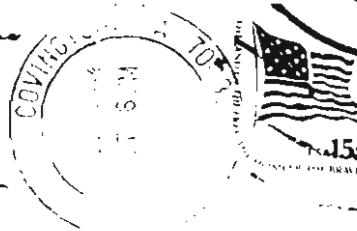
I do hope that this will finally clear up the confusion in this matter.

Sincerely yours,

Martha Dutsch
(Mrs.) Martha Dutsch

P.S. Kindly correct my name in your records. I am Mrs. Martha Dutsch not Ms.

rs. Martha Dutsch
28 W. 23rd Ave.
ovington, La. 70433



'73 OCT 10 PM 5:12

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

September 19, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William J. Jones, Jr.
Barranger, Barranger, Jones and Fussell
200 North Columbia Street
Covington, LA 20433

RE: MUR 597(78)
Dr. Marion G. Simpson
Dr. William J. Mitchell

Dear Mr. Jones:

We are in receipt of your letter of August 29, 1978 concerning the above referred matter. The Federal Election Commission is primarily an investigatory body with the power to find probable cause to believe there has been a violation of the Federal Election Campaign Act; however it does not adjudicate, hold trials or determine civil or criminal liability. Accordingly, our investigative files are not available for copying or inspection. Therefore, we can only supply a copy of Title 11 of the Code of Federal Regulations, which is enclosed. It is noted that in your representation of Dr. Mitchell, you sent Ms. Anne Weissenborn of the General Counsel's Office, a copy of the document to which you refer in part four of your letter. (See Exhibit A, letter of July 5, 1978, to Ms. Anne Weissenborn).

The status of this matter, for both Dr. Mitchell and Dr. Simpson, is still in the investigative stage. You will be notified of further action on the Commission's part concerning this matter. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over a horizontal line.

William C. Oldaker
General Counsel

Enclosure

026101010000

PS Form 3811 Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

577 *dentures*

● 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).
☐ 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:
William J. Jones, Jr.

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
943269

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Kenn M. Ruffra

4. DATE OF DELIVERY *9-22-78* POSTMARK

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

September 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Howard T. Casey
685 Dale Drive
Slidell, LA 70459

Re: MUR 597(78)

Dear Mr. Casey:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act:). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441g by making a cash contribution of \$200 on December 6, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick

MG 597

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)

Show to whom and date delivered ☐ c

☒ Show to whom, date, and address of delivery ☐ c

RESTRICTED DELIVERY

Show to whom and date delivered ☐ c

RESTRICTED DELIVERY

Show to whom, date, and address of delivery ☐ c

CONSULT POSTMASTER FOR FEES

2 ARTICLE ADDRESSED TO

Howard T. Casey

3 ARTICLE DESCRIPTION

REGISTERED NO. CERTIFIED NO. INSURED NO.

943233

(Always obtain signature of addressee or agent)

I have received the article described above

SIGNATURE Addressee Authorized agent

DATE OF DELIVERY POSTMARK

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

September 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Martha Dutsch
128 W. 23rd Avenue
Covington, LA 70433

Re: MUR 597(78)

Dear Ms. Dutsch:

On June 19, 1978, you were notified that the Federal Election Commission had found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971 as amended ("the Act"). In relation to this same matter under review, the Commission has found reason to believe that you have committed an additional violation of the Act. Specifically, the Commission has found reason to believe that you violated 2 U.S.C. § 441g by making a cash contribution of \$900 on December 3, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

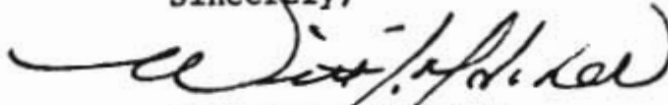
Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to

be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarick
Box 236
St. Francisville, LA 70775

MG 597

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). ☐ 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: Ms. Martha Dutsch		
3. ARTICLE DESCRIPTION: REGISTERED NO. CERTIFIED NO. INSURED NO. 943236		
(Always obtain signature of addressee or agent)		
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent Ms. Martha Dutsch		
DATE OF DELIVERY 9/21/78		POSTMARK
5. ADDRESS (Complete only if requested) 128 W. 73rd Covington, LA 70433		
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS EL



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

September 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Louis Shaw
3216 Eaie Street
Slidell, LA 70459

Re: MUR 597(78)

Dear Mr. Shaw:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441g by making a cash contribution of \$200 on December 6, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick

PS Form 3811, Apr. 1971

RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

MG 597

● 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).
 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. Louis Shaw

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943235

(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: Complete only if requested

6. UNABLE TO DELIVER BECAUSE

☆GPO 1971



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 597 (78)
John R. Rarick Campaign)
Committee et al)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on September 13, 1978, the Commission determined by a vote of 5-0 to adopt the recommendations of the General Counsel to take the following additional actions in the above captioned matter.

1. Find reason to believe that Mr. Louis Shaw, Mr. Howard T. Casey, and Ms. Martha Dutsch violated 2 U.S.C. §441g by making excessive cash contributions to the John R. Rarick Congressional Campaign Committee.
2. Send the letters attached to the General Counsel's Report dated August 30, 1978.

Voting for these determinations were Commissioners Harris, Springer, Tiernan, Staebler, and Thomson.

9/15/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in the Office of the Commission Secretary: 9-8-78, 5:06
Circulated on 48 hour vote basis: 9-11-78, 4:00
Report signed by the General Counsel: 9-8-78

September 8, 1978

MEMORANDUM TO: Marge Hanson
FROM: Elissa T. Carr
SUBJECT: MUR 597

Please have the attached General Counsel's Report on MUR 597 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040104987

BEFORE THE FEDERAL ELECTION COMMISSION

AUGUST 30, 1978

In the Matter of

John R. Rarick Campaign
Committee, et al

)
)
)
)

MUR 597(78)

GENERAL COUNSEL'S REPORT

Summary of Allegations

During the examination of the records of the John R. Rarick Congressional Campaign Committee ("the Committee"), the Audit Division discovered that the Committee had obtained a loan in the sum of \$20,000 which was guaranteed by eight persons, including the candidate. The auditors also found that the seven non-candidate guarantors had each made additional payments to the Committee and that an eighth contributor had donated \$1000 and made three contributions-in-kind totaling \$274.00, thus placing all eight contributors in apparant violation of 2 U.S.C. § 441a(a)(1)(A) and the Committee in apparant violation of 2 U.S.C. § 441a(f). In addition, the auditors discovered evidence that the Committee had received two contributions from an apparant corporation in violation of 2 U.S.C. § 441b(a). On June 5, 1978, the Commission found reason to believe that these violations had occurred.

While investigating this matter, an examination of the audit division fieldwork on the Committee revealed information that the auditors received from John Rarick, which leads to the suspicion that three persons have apparantly made cash contributions in excess of the \$100 limitation established by 2 U.S.C. § 441g.

Evidence

On December 6, 1976, Mr. Sam Fuller, Chairman of the Committee, made a deposit of \$500 in the Committee's account at the Fidelity Bank and Trust Company, Slidell, Louisiana. The deposit was made by a check, payable to cash, drawn on the account of Sam Fuller. At that time a second deposit of \$900 in cash was also made by Sam Fuller into the Committee account.

On February 17, 1978, the Audit Division sent a letter and report to E. G. Brandt, Treasurer of the Committee noting that the apparent \$500 "contribution" of December 6, 1976, from Sam Fuller was not itemized on the Committee reports to the Commission, nor was the source of the \$900 cash deposit. In response to the Audit Division Report, John Rarick (Mr. Brandt was out of the country) sent a letter dated March 31, 1978, explaining that the \$500 deposit was not an unreported contribution from Sam Fuller, but rather represented cash contributions of \$200 each from Mr. Louis Shaw and Mr. Howard T. Casey (and a third cash contribution of \$100 from another contributor) paid to Sam Fuller as Chairman of the Committee. (These contributions were reported as itemized contributions on the January 31, 1977 report of the Committee.) Mr. Rarick further explained that the \$900 cash deposit of December 6, 1976 could "only be reconciled with the \$900 cash contribution of Mrs. Martha Dutsch ... as received December 3, 1976." As 2 U.S.C. § 441g limits cash contributions to \$100, the Office of General Counsel recommends that the Commission find reason to believe that Mr. Shaw, Mr. Casey, and Ms. Dutsch have violated this provision.

1. Find reason to believe that Mr. Louis Shaw, Mr. Howard T. Casey, and Ms. Martha Dutsch violated 2 U.S.C. § 441g by making excessive cash contributions to the John R. Rarick Congressional Campaign Committee.

9/8/18
Date


William C. Oldaker
General Counsel

Packet Contains:
1. Two letters
2. Certification



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Martha Dutsch
128 W. 23rd Avenue
Covington, LA 70433

Re: MUR 597(78)

Dear Ms. Dutsch:

On June 19, 1978, you were notified that the Federal Election Commission had found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971 as amended ("the Act"). In relation to this same matter under review, the Commission has found reason to believe that you have committed an additional violation of the Act. Specifically, the Commission has found reason to believe that you violated 2 U.S.C. § 441g by making a cash contribution of \$900 on December 3, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to

be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick
Box 236
St. Francisville, LA 70775

70040171902



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Howard T. Casey
685 Dale Drive
Slidell, LA 70459

Re: MUR 597(78)

Dear Mr. Casey:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act:). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441g by making a cash contribution of \$200 on December 6, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Louis Shaw
3216 Eaie Street
Slidell, LA 70459

Re: MUR 597(78)

Dear Mr. Shaw:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441g by making a cash contribution of \$200 on December 6, 1976, to the John R. Rarick Congressional Campaign Committee. 2 U.S.C. § 441g prohibits cash contributions in excess of \$100.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
DATE: SEPTEMBER 8 1978
SUBJECT: MUR 597 - Interim Status Report dated
8-30-78; Signed: 9-6-78;
Received in Office of Commission
Secretary: 9-7-78, 11:18

The above-named document was circulated on a 24
hour no-objection basis at 4:00 p.m., September 7, 1978.

The Commission Secretary's Office has received
no objections to Interim Status Report as of 4:00 p. m.
this date.

September 7, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached Interim Status Report on
MUR 597 distributed to the Commission..

Thank you.

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While awaiting these responses, the issues raised by the responses already received are being studied.

9/6/78
Date

William C. Oldaker
General Counsel

700:417:900

RECEIVED
FEDERAL ELECTION
COMMISSION

William C. Aldaker
General Counsel
Federal Election Comm.
1325 K Street N.W.
Washington, D.C. 20463

SEP 5 9:13:12

Dear Sir -

000941

This is a reply to your letter of June 1978 received by me.

In regard to 2 USC 441A I wish to advise that I have not now or have I ever been knowingly or willfully violating Federal Election Campaign Act of 1971 as was in letter.

Since my total contribution was under and below the limit of \$1,000 I feel that your Commission are in error I feel that further action by your Commission has no reason.

Hoping that this meets with your satisfaction.

Sincerely,
James W. Aldaker Sr.
For God & Country

James C. Holden

Rt 3 Box 310

Co. 2, 1st Airborne

70433



SEP 5 4 12

William C. Alder
General Counsel
Federal Election Comm.
1325 K Street N.W.
Washington D.C. 20565

360 #
4709

BARRANGER, BARRANGER, JONES & FUSSELL,

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

P. O. Box 1268

COVINGTON, LOUISIANA 70433

August 29, 1978

SEP 1 AM 11:49

GABRIEL KENNETH BARRANGER
WILLIAM J. JONES, JR.
HOWARD R. FUSSELL
THOMAS M. DERYKIV, JR.

TELEPHONE 802-4801
DALTON J. BARRANGER

Ms. Anne A. Weissenborn
Federal Election Commission
1325 K. Street N/W
Washington, D.C. 20463

805860

In Re: MUR 597 (78)
Dr. William J. Mitchell
Our file # S-7639

Dear Ms. Weissenborn:

On July 5, 1978, I sent you a detailed response to your letter to Mr. William J. Mitchell (Dr. William J. Mitchell), dated June 15, 1978. Could you please respond thereto and advise with respect to the status of this matter?

With best regards,

Very truly yours,

BARRANGER, BARRANGER, JONES & FUSSELL

BY:


WILLIAM J. JONES, JR.

WJJ:rel

c.c. Dr. Marion G. Simpson

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW

200 NORTH COLLEGE STREET

COVINGTON, LOUISIANA 70431

COVINGTON, LOUISIANA 70431



16 SEP 1 1970

Mrs. Anne A. Weissenborn
Federal Election Commission
1325 K. Street
Washington, D.C. 20463

600*
4730

FEDERAL ELECTION

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW
200 NORTH COLUMBIA STREET
P. O. Box 1268
COVINGTON, LOUISIANA 70433

August 29, 1978

78 SEP 1 AM 11:49

GARY KENNETH BARRANGER
WILLIAM J. JONES, JR.
HOWARD H. FUSSELL
THOMAS M. DERYELOY, JR.

TELEPHONE 892-4801
DALTON J. BARRANGER

805868

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

Re: MUR 597 (78)
Dr. Marion G. Simpson
Our file S-7638

Dear Mr. Oldaker:

Dr. Marion G. Simpson has referred to me, as his attorney, your letter of August 21, 1978. I will proceed to investigate this matter, and will respond to you as soon as my investigation of the facts is complete.

In the meantime, it is respectfully requested that you forward to me the following:

- (1) Copies of the regulations promulgated by the Federal Election Commission (the Code of Federal Regulations is not available anywhere in Covington nor in this Parish or County).
- (2) Copies of the audit report and all work papers, and all other documents made or collected in connection with this matter.
- (3) Copies of all reports and other documents that your agency has accumulated which in anyway bear on or relate to this matter.
- (4) The document which Dr. Simpson allegedly co-signed, whereby he allegedly assumed a pro-rata share of an obligation arising from a \$20,000.00 loan obtained by the John R. Rarick Congressional Campaign Committee on October 20, 1978.

Mr. Wm. C. Oldaker
Federal Election Commission
August 29, 1978
Page two

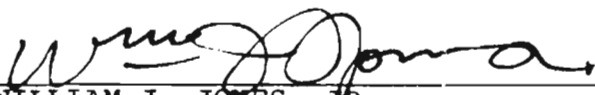
We are anxious to cooperate with the Commission in any way possible to reach an early resolution of this matter.

With best regards,

Very truly yours,

BARRANGER, BARRANGER, JONES & FUSSELL

BY:


WILLIAM J. JONES, JR.

WJJ:rel

c.c. Marion G. Simpson
Rt. 5, Box 167-A
Covington, La. 70433

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

P.O. BOX 1908

COVINGTON, LOUISIANA 70433



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

August 21, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Route 5 Box 167A
Covington, LA 70433

Re: MUR 597(78)

Dear Dr. Simpson:

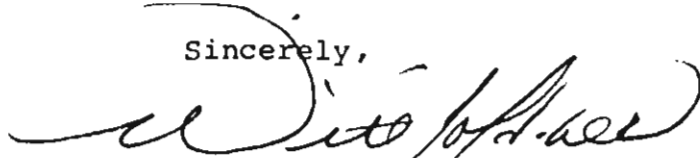
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$1000 to the John R. Rarich Congressional Campaign Committee on August 11, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Marsha Gentner, the staff member assigned to this matter, at (202) 523-4178.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", written over a horizontal line.

William C. Oldaker
General Counsel

cc: John R. Rarich

7004010301



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS
DATE: JULY 31, 1978
SUBJECT: MUR 597 - Interim Status Report, undated
 Received by the Office of
 Commission Secretary: 7-28-78, 11:40

The above-named document was circulated on a 24 hour no-objection basis at 3:00 p.m. on July 28, 1978.

The Commission Secretary's Office has received no objections to the Interim Status Report as of 4:00 p.m. this date.

Commissioners Harris, Springer, Staebler, Thomson, and Tiernan returned their papers by the deadline.

July 28, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached Interim Status Report on
MUR 597 distributed to the Commission.

Thank you.

79040103000

BEFORE THE FEDERAL ELECTION COMMISSION

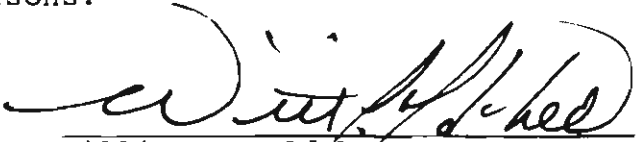
In the Matter of)
)
John R. Rarich) MUR 597(78)
Campaign Committee et al)

INTERIM STATUS REPORT

On June 5, 1978, the Commission found reason to believe that Ms. Bonnie Christian, Mr. Daniel H. Christian, Dr. Jack R. Diamond, Ms. Martha D. Dutsch, Mr. Sam Fuller, Mr. James W. Holden, Mr. William J. Mitchell, and Dr. Marion G. Simpson had each violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to the John R. Rarich Campaign Committee ("the Committee") in excess of \$1000 per election. In addition to Commission found reason to believe that the Diamond Medical Corporation had violated 2 U.S.C. § 441b(a), by making an apparent corporate contribution to the Committee and that the Committee had violated 2 U.S.C. § 441b(a) and 2 U.S.C. § 441a(f) by accepting the above corporate and excessive contributions. Letters were sent to all respondents on June 15.

Responses have been received from all respondents except two, one of the letters was returned unclaimed. Efforts are being made to contact the latter two persons.

7/20/78
Date


William C. Oldaker
General Counsel

RECEIVED
FEDERAL ELECTION
COMMISSION

'78 JUL 12 AM 9:09
July 3, 1978

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

004391

Attention: Miss Annie A. Weissenborn
Attorney

In Re: MUR 597 (78)
John R. Rarick, Campaign Committee

Dear Miss Weissenborn,

I hope that you will excuse my delay in answering the commission's letter of June 15th from Mr. Oldaker in as much as I am bedfast and disabled and unable to even go to the post office anymore, so I must rely on friends and neighbors for help.

I did sign some papers back in 1976 to try to help my good friend, John R. Rarick, get re-elected to Congress. I also contributed to help pay off the campaign debt after the election.

This was the limit of my contribution and I'm writing this letter to let you know, that I did not give contribution of \$1,000.00 or more and certainly I didn't break any law that I know of. I am a law abiding citizen.

I don't know what else I can tell you since I don't have all the records from that far back.

Very truly yours,

Sam Fuller
Sam Fuller

Sam Fuller
Rigolet Rd.
Slidell, La.
70458



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

804220

FEDERAL ELECTION COMMISSION

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

P. O. Box 1268

COVINGTON, LOUISIANA 70433

78 JUL 10 AM 9:49

GARY KENNETH BARRANGER
WILLIAM J. JONES, JR.
HOWARD R. FUSSELL
THOMAS S. DERYEY, JR.

July 5, 1978

TELEPHONE 884-4801
DALTON J. BARRANGER

Ms. Anne A. Weissenborn
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

In Re: MUR 597 (78)
Dr. William J. Mitchell

Dear Ms. Weissenborn:

I

INTRODUCTION

In response to yours of June 15, 1978, I have investigated on behalf of Dr. Mitchell certain facts that bear on the question raised in the letter of June 15th. Some of these facts do not represent first hand information since I had nothing to do with the election campaign, nothing to do with the campaign committee, and have had to rely on hearsay sources of information to a certain extent.

II

THE "COUNTER LETTER"

My client believes that he executed the document annexed as Exhibit A and styled "Counter Letter" which provides generally that ten persons are to pay back the Fidelity Bank and Trust Company their prorata of the "remaining outstanding balance" on the loan made by Fidelity Bank and Trust Company, a State Chartered Louisiana Bank.

The Counter Letter provides for 10 signatories, and it was represented to Dr. Mitchell that there would be 10 signatories, and under the Louisiana Community Property regime, Dr. Mitchell and his wife could only have been liable jointly for one tenth of the indebtedness which would have been \$1,000.00 each.

The annexed copy of the "Counter Letter", Exhibit A, is unsigned and undated, but you advised by phone that you had a signed

Ms. Anne A. Weissenborn
July 5, 1978
Page 2

copy of same which was dated October 20, 1976, and that said "Counter Letter" was only signed by 8 persons. Even though the Counter Letter was signed by only eight persons, Dr. and Mrs. Mitchell jointly could only have been liable for one tenth of the debt at most since the "Counter Letter" called for ten signatures. It could even be argued (although we have not taken this position) that since ten signatures were not obtained, the "Counter Letter" was null and void, and the "Counter Letter" could not give rise to any liability on the part of Dr. and Mrs. Mitchell whatsoever.

III

LOUISIANA COMMUNITY PROPERTY LAW

Exhibit B hereto is a reproduction of Louisiana Civil Code Article 2398 through 2404 with certain portions thereof underlined. The husband is head and master of the community (See CC 2404), and the husband has the administration of the community (CC 2402), and any debts contracted by the husband during the marriage constitute community debts to be acquitted out of the community property (See CC 2403), and although the husband cannot donate community immovables (real property), the husband may donate community movables (personal property) as provided in CC 2404. Thus, any debt arising out of the "Counter Letter" or any other instrument constitutes a community debt attributable one half to Dr. Mitchell as husband and one half to Mrs. Mitchell as wife.

IV

THE BANK LOAN AND PAYMENTS THEREON

As I understand it from copies of certain portions of certain reports which were apparently filed with your commission, and from verbal conversations I have had with Dr. Mitchell which he bases on verbal representations to him, \$20,000.00 was actually borrowed from the Fidelity Bank & Trust Company, \$13,000.00 of which was paid back by virtue of campaign contributions made prior to 11/22/76. After the payment of the \$13,000.00, apparently Dr. Mitchell and his wife and other signers of the counter letter, and perhaps even others, were requested to make additional contributions to the campaign committee in order that the Fidelity Bank & Trust Company then balance of \$7,000.00 could be paid and satisfied. As I understand it, pursuant to this request, Mrs. Mitchell made a check payable to the Rarick campaign fund, dated 2/22/76, being Check No. 371 (copy annexed as Exhibit C) on the account of Dr. William J. Mitchell or Mrs. Delores M. Mitchell, and Dr. William J. Mitchell made a check on the same account, No. 372, on the same date to the Rarick campaign fund, in the amount of \$400.00 (copy annexed as Exhibit D).

Ms. Anne A. Weissenborn
July 5, 1978
Page 3

Apparently funds received from Dr. and Mrs. Mitchell, and from other contributors was used to pay off the balance on the Fidelity Bank loan, thereby paying off the loan in full.

Also, apparently, as I understand it from discussing the matter with Dr. Mitchell (who bases his comments on verbal representations from others), the Rarick campaign fund collected more campaign contributions than it needed to pay off the then balance of \$7,000 due on the Fidelity Bank loan.

Apparently based on my conversation with Dr. Mitchell (which he bases on verbal representations for others) and based on copies of portions of reports which were apparently filed with your commission, the contributions of Dr. and Mrs. Mitchell and others exceeded the \$7,000 necessary to pay off the Fidelity Bank loan, and apparently a refund of \$180.69 was made to Dr. Mitchell about 12/23/76.

V

INTERPRETATION OF FEDERAL ELECTION CAMPAIGNS LAW

Under 2 USCA 441a a (1) (A) the maximum aggregate "contribution" by Dr. and Mrs. Mitchell is \$1,000 each. However, the term "contribution" as defined in 2 USCA 431 (e) (5) (G) specifically excludes a "loan of money by a national or State Bank made in accordance with the applicable banking laws and regulations in the ordinary course of business", and, the \$20,000 loan by Fidelity Bank was such a loan.

2 USCA 431 (e) (5) (G) (ii) provides as follows with respect to such loans by State and National Banks as described in the preceding paragraph:

"(ii) shall be considered a loan by each endorser or guarantor, in that proportion of the unpaid balance thereof that each endorser or guarantor bears to the total number of endorsers or guarantors."

The key question is the meaning of the term "unpaid balance".

Webster's New Twentieth Century Unabridged Dictionary, Second Edition (1960) defines balance (as it applies to the instant use of the word) as follows:

"12. The excess of credits over debits or of debits over credits."

Ms. Anne A. Weissenborn
July 5, 1978
Page 4

"13. The amount still owed after a partial settlement."

I enclose as Exhibit E the first two pages from the definition of Balance in Words and Phrases.

In the instant case, the first partial settlement or credit was \$13,000 being the amount paid on the loan from campaign funds collected prior to 11/12/76, and apparently the second partial settlement or credit was the payment of the loan in full from campaign funds. Thus there was apparently no "unpaid balance" that had to be satisfied by the endorsers or guarantors. Neither Dr. Mitchell or his wife ever paid any money whatsoever to the Fidelity Bank.

That is to say, the use of the term "unpaid balance" in subsection (ii) must contemplate that partial settlement or credits will be made. Otherwise the Statute would have used the term "principal" in subsection (ii) to indicate the amount of money borrowed.

Since partial settlements and credits are clearly contemplated, who is envisioned as making these partial settlements? Clearly the campaign committee or any person other than the endorsers or guarantors are so envisioned as making the partial payments. Therefore, the term "unpaid balance" means the "unpaid balance" that must be paid by the endorsers or guarantors after partial settlement of the loan by the campaign committee or others.

VI

CONCLUSION

I do not see where my client has violated any law whatsoever. My client is in the unfortunate position of having made a very small campaign contribution which may be greatly exceeded by the legal fees he will have to pay to defend his right to participate in our American Democracy in a nominal but tangible way.

We respectfully request that you submit to us the following:

- (1) Copies of the Regulations promulgated by the Federal Election Commission (the Code of Federal Regulations is not available anywhere in Covington nor in this Parish (County)).
- (2) Copies of the Audit Report, and all work papers, and all other documents made or collected in con-

Ms. Anne A. Weissenborn
July 5, 1978
Page 5

nection with this matter.

- (3) Copies of all reports and other documents that your agency has accumulated which in any way bear on or relate to this matter.
- (4) An analysis similar to the one contained in this letter which outlines the agency's position in connection with this matter.

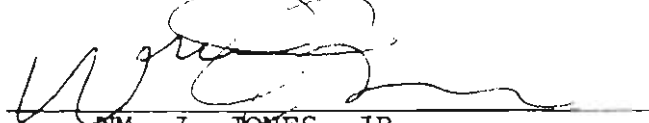
We are anxious to cooperate with the commission in anyway possible to reach an early resolution of this matter.

With best regards,

Very truly yours,

BARRANGER, BARRANGER, JONES & FUSSELL

BY:


WM. J. JONES, JR.

WJJ:abl

COUNTER LETTER

UNITED STATES OF AMERICA

BY

STATE OF LOUISIANA

JAMES W. HOLDEN,
DANIEL H. CHRISTIAN,
MARION G. SIMPSON,
WILLIAM J. MITCHELL,
JOHN RICHARD RARICK,
A. D. GEOGHEGAN,
JACK R. DIAMOND,
GERRY E. HINTON,
MARTHA D. DUTCHE AND
SAM FULLER

PARISH OF JEFFERSON

Exhibit A

TO

SAM FULLER

We, the undersigned, do hereby agree and bind ourselves to underwrite a loan of Twenty Thousand Dollars (\$20,000.00) which is being made in the name of Sam Fuller from the Fidelity Bank and Trust Company, Tammany Mall Shopping Center, Slidell, Louisiana for and on behalf of the John Rarick Campaign for Congress. It is expressly understood that said loan is being made in the name of Sam Fuller so as to expedite processing and that each party hereto assumes responsibility for his pro-rata share of said obligation.

It is further understood on the part of parties hereto that the above referenced loan will be paid out of campaign contributions as received, having first priority over any other incurred debts of the John Rarick Campaign for Congress. However, if said campaign contributions are insufficient to liquidate the above referenced loan, parties hereto agree to pay pro-rata the remaining outstanding balance.

James W. Holden

X Daniel H. Christian

Marion G. Simpson

William J. Mitchell

John Richard Rarick

1626
A. D. Geoghegan

Jack R. Diamond

X
Gerry E. Hinton

Sam Fuller

1220
Martha D. Dutche

John David Cassanova, Notary Public

CHAPTER 3—OF THE COMMUNITY OR PART-
NERSHIP OF ACQUETS OR GAINS

Section 1—Of Legal Partnership

*Exhibit B
Pt. I*

Art. 2398. Each spouse owns a present undivided one-half share in the community property subject to the management of the community by the husband in accordance with the rights and restrictions provided by law. (*Added by Acts 1976, No. 444, § 1.*)

Former Article 2398 was repealed by Acts 1974, No. 89, § 2; and present Article 2398 was added for insertion in the following Chapter, preceding Article 2399.

Art. 2399. Every marriage contracted in this State, superinduces of right partnership or community of acquets or gains, if there be no stipulation to the contrary.

CC—1907, 2392, 2393, 2394, 2400 *et seq.*, 2806, 2807.

Art. 2400. All property acquired in this State by non-resident married persons, whether the title thereto be in the name of either the husband or wife, or in their joint names, shall be subject to the same provisions of law which regulate the community of acquets and gains between citizens of this State.

CC—2399, 2400.

Art. 2401. A marriage, contracted out of this State, between persons who afterwards come here to live, is also subjected to community of acquets, with respect to such property as is acquired after their arrival.

Art. 2402. This partnership or community consists of the profits of all the effects of which the husband has the administration and enjoyment, either of right or in fact, of the produce of the reciprocal industry and labor of both husband and wife, and of the estate which they may acquire during the marriage, either by donations made jointly to them both, or by purchase, or in any other similar way, even although the purchase be only in the name of one of the two and not of both, because in that case the period of time when the purchase is made is alone attended to, and not the person who made the purchase. But damages resulting from personal injuries to the wife shall not form part of this community, but shall always be and remain the separate property of the wife and recoverable by herself alone; "provided where the injuries sustained by the wife result in her death, the right to recover damages shall be as now provided for by existing laws." (*As amended by Acts 1974, No. 48, § 1.*)

CC—1907, 2399, 2400, 2401, 2402, 2806, 2807, 2808, 2809, 2810, 2811, 2812.

Ex B.
Cont.

pt II

Art. 2103. In the same manner, the debts contracted during the marriage enter into the partnership or community of gains, and must be acquitted out of the common fund, whilst the debts of both husband and wife, anterior to the marriage, must be acquitted out of their own personal and individual effects.

CC—2325, 2331, 2339, 2355, 2402, 2404, 2409, 2422. RS—5:161-165.

Art. 2101. The husband is the head and master of the partnership or community of gains; he administers its effects, disposes of the revenues which they produce, and may alienate them by an onerous title, without the consent and permission of his wife.

He can make no conveyance inter vivos, by a gratuitous title, of the immovables of the community, nor of the whole, or of a quota of the movables, unless it be for the establishment of the children of the marriage. A gratuitous title within the contemplation of this article embraces all titles wherein there is no direct, material advantage to the donor.

Nevertheless he may dispose of the movable effects by a gratuitous and particular title, to the benefit of all persons.

But if it should be proved that the husband has sold the common property, or otherwise disposed of the same by fraud, to injure his wife, she may have her action against the heirs of her husband, in support of her claim in one-half of the property, on her satisfactorily proving the fraud. (As amended by Acts 1926, No. 96.)

CC—156, 159, 168, 170, 171, 172 *et seq.*, 173, 174, 187 *et seq.*, 2350, 2352, 2357, 2359, 2387, 2398, 2402, 2403, 2409, 2419, 2523. CCP—680, 737, RS—5:201.

DR. WILLIAM J. MITCHELL
OR MRS. DEBORAH M. MITCHELL
P.O. BOX 1345 892-7398
COVINGTON, LA. 70433

Exhibit D

EDUCATION OF INDEPENDENCE

372

PAY TO THE
ORDER OF

Ralph B. ...
from ...

1976 84-237
654

\$400.00

DOLLARS



FIRST BANK
COVINGTON, LOUISIANA 70433

W. Mitchell, M.D.

MEMO

⑈0654⑈0237⑈ 210⑈829⑈1⑈

⑈00000040000⑈

10207

FOR CASH TO ACCOUNT
OF WITHDRAWAL PAYEE
ABSENCE OF ENDORSEMENT GUARANTEED
FIDELITY BANK & TRUST CO.
SLIDELL, LA.
84-127
654

FOR CASH TO ACCOUNT
OF WITHDRAWAL PAYEE
ABSENCE OF ENDORSEMENT GUARANTEED
FIDELITY BANK & TRUST CO.
SLIDELL, LA.

84-127
654

NEW ORLEANS
00021

166-900

Exhibit C

DR. WILLIAM J. MITCHELL
OR MRS. DELORIS M. MITCHELL
P. O. BOX 1345 892-7398
COVINGTON, LA. 70333

8173-ROSS

371

84-237
654

PAY TO THE
ORDER OF

Ralph [unclear] 10/26 1976 \$500⁰⁰/₁₀₀

Five hundred and no/100



FIRST BANK
COVINGTON, LOUISIANA 70433

DOLLARS

Mrs. Deloris M. Mitchell

MEMO

⑆0654⑉0237⑆

210⑉629⑉1⑆

⑈0000050000⑈

SECURITY BANK & TRUST CO.
SLIDELL, LA.

84-127
654

84-127
654

ORLEANS

21

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

MOBILE, ALABAMA

LOUISIANA 70401

JUL 10 AM 3:47

Ms. Anne A. Weissenborn
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

80412

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GARR

weissbarben

norn

804129

6-00#1
FEDERAL ELECTION
COMMISSION

Mrs. Martha Dutsch
128 W. 23rd Avenue
Covington, La. 70433'78 JUL 3 PM 1:02
June 26, 1978

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

Re: MUR 597 (78)

Dear Sir:

This is is reply to your letter of June 15, 1978, received by me on June 19, 1978.

In regard to 2 U.S.C. § 441a(a), I wish to advise that I am not now nor ever have been knowingly and/or willfully in violation of the Federal Election Campaign Act of 1971, as amended.

Since my total contribution was well below the limit of \$1,000.00, I feel that your Commission is in error. I, therefore, see no reason for further action by the Commission.

Hoping that this meets with your satisfaction, I remain

Sincerely yours,

Martha Dutsch

(Mrs.) Martha Dutsch

rs. Martha Dutsch
28 W. 23rd Avenue
ovington, La. 70433

CERTIFIED

No. 849384

MAIL

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

RETURN RECEIPT
REQUESTED

78 JUL 1 1:52

600#37

FEDERAL ELECTION COMMISSION

BARRANGER, BARRANGER, JONES & FUSSELL

ATTORNEYS AT LAW
200 NORTH COLUMBIA STREET
P. O. Box 1268
COVINGTON, LOUISIANA 70433

JUN 29 AM 9:59

June 26, 1978

GARY KENNETH BARRANGER
WILLIAM J. JONES, JR.
HOWARD R. FUSSELL
THOMAS M. BERRYLOVE, JR.

TELEPHONE 882-4801
DAVID J. BARRANGER

804032

Ms. Anne A. Weissenborn
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

In Re: MUR 597 (78)
Dr. William J. Mitchell

Dear Ms. Weissenborn:

As attorney for Dr. William J. Mitchell, I had two long conversations with you today regarding the letter to Dr. Mitchell of June 15, 1978, concerning the above captioned matter.

As we discussed in those telephone conversations, I will be sending you a letter stating in detail the facts as we are able to ascertain the facts which we hope will aid you in reaching a conclusion.

With best regards,

Very truly yours,

BARRANGER, BARRANGER, JONES & FUSSELL

BY: 
WM. J. JONES, JR.

WJJ:abl

c.c. Dr. Wm. J. Mitchell

BARRANGER, BARRANGER, JONES & PUSSELL

ATTORNEYS AT LAW

200 NORTH COLUMBIA STREET

MOBILE, ALA. 36682

COVINGTON, LOUISIANA 70421

110A

JUN 29 1983

Ms. Anne A. Weissenborn
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

3

G.C.C. # 3764

DIAMOND MEDICAL CORPORATION
120 WESTCHESTER PLACE
SLIDELL, LOUISIANA 70458

FEDERAL ELECTION
COMMISSION

JACK R. DIAMOND, M.D.
WILLIAM L. BUFFAT, M.D.

'78 JUN 29 AM 9:58

TELEPHONE
643-5780

June 26, 1978

804035

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

Attn: Ms. Anne A. Weissenborn

Dear Ms. Weissenborn:

In response to Mr. Oldaker's certified letter of June 15, 1978 in regard to political contributions, I wish to inform you unequivocally that the Diamond Medical Corporation has never made a political contribution. All such contributions are made directly from our personal check books or, if our personal accounts are depleted and a check is drawn on the Corporation, the amount is charged against my salary as an advance.

All such contributions are made by mutual decision of my wife and myself and are made from community property. This would, in effect, double the amount which could be legally contributed to a political candidate.

In regard to endorsement of a note in Mr. Rarick's behalf, this was again a mutual decision and a mutual commitment. Furthermore, it was our understanding that there would be enough co-signers that our contingent liability would be within legal limits, and that any funds in the campaign committee's bank account were also pledged as collateral. I seriously doubt that our contingent liability exceeded the permissible limit during the life of the note, and it certainly did not when the note fell due. If I remember correctly, our final obligation was discharged by a check drawn on my wife's personal check and was less than \$1,000.00.

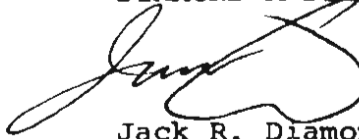
June 26, 1978

These statements can be verified by examination of the corporate and our personal records, and further, by interrogation of our bookkeeper and our auditor, a Certified Public Accountant.

I trust this resolves your uncertainties in regard to these contributions. If not, I will refer the matter to legal counsel for preparation of appropriate documentation.

Sincerely,

DIAMOND MEDICAL CORPORATION

A handwritten signature in dark ink, appearing to read 'Jack R. Diamond', written over the printed name.

Jack R. Diamond, M.D.

JRD/mrg

DIAMOND MEDICAL CORP

JACK R. DIAMOND, M.D.

WILLIAM L. BUFFAT, M.D.

120 WESTCHESTER PLACE

SLIDELL, LOUISIANA 70458



MAIL EARLY-
ALWAYS USE
ZIP CODE

JUN 25 PM 9:59

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

Attn: Ms. Anne A. Weissenborn

RECEIVED
FEDERAL ELECTION
COMMISSION

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

'78 JUN 28 AM 8:42

In Re: MUR 597 (7A)
JOHN R. RARICK
CONGRESSIONAL CAMPAIGN COMMITTEE

Dear Mr. Oldaker,

I was greatly surprised to receive your letter of June 15, 1978, notifying me that under the Federal Election Campaign Act, I have an opportunity to demonstrate why no action should be taken against me under 2 U.S.C. paragraph 437g (A)(4). I had learned in December that the commission was auditing Mr. Rarick's campaign, and it was at that time, the campaign committee reimbursed me for \$274.00 which I had advanced for operating expenses at the end of the campaign.

I thought that this earlier explanation and the reimbursement corrected everything, as far as I was concerned, and the matter was at rest.

As I recall in the closing hours of the 1976 election, I called several of the local radio stations to try to counteract adverse political adds and criticism of Mr. Rarick which was being put forth by one of his opponents. The radio stations demanded advanced payments, and since it was impossible in the short space of time then remaining to obtain funds through the routine process of the committee, I advanced the radio payment on assurances from someone at the campaign office that I would be subsequently reimbursed. After the election, I submitted my receipts for reimbursements, however the campaign committee and Mr. Rarick's supporters seemed to disappear into thin air, and the funds were never returned to me. I am now advised that the receipts were found in the campaign files but they were overlooked until the commission's audit.

I certainly want to assure you and the federal election commission that I at no time did anything illegal or underhanded and at no time did I ever intend to break any federal law. I was only helping my candidate in the best way and in the quickest manner that I knew how.

I hope that this will assist you in completing your investigation, and will explain why I feel no action should be taken against me.

Very truly yours,

Bonnie Christian
BONNIE CHRISTIAN

JUN 29 41 3:42



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

2003923
FEDERAL ELECTION
COMMISSION

520 West Hall ⁷⁸ JUN 26 PM 12:27
Slidell, Louisiana 70458
June 23, 1978

803948

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Attention: William C. Oldaker, Esq.
General Counsel

Re: MUR 597(78)

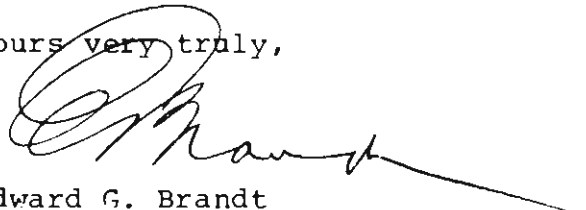
Dear Sirs:

I have your letter of June 15, 1978. As explained to your auditors, although having served as Treasurer of the Rarick Congressional Campaign, I was not a party to or aware of the loan agreement until after it was executed. I at no time during the campaign saw or received any contribution checks, or made any deposits of same. In fact, I first saw the checks and deposit slips when corralling them for your auditors. I did not accept any contributions during the entire campaign, much less knowingly accept any which would have been in violation of the Federal Election Campaign Act of 1971.

Your auditors will confirm the above and that I completely cooperated with them and complied with every suggestion which they made. I reaffirm that any reporting errors were a result of innocent mistakes that were promptly corrected in accordance with the suggestions of your auditors.

Trusting this response is sufficient, I am

Yours very truly,



Edward G. Brandt

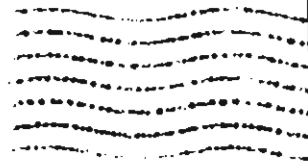
cc: Ms. Anne A. Weissenborn

r. E. G. Brandt
20 West Hall St.
Bridell, LA 20458

18 JUL 66 PM 1:25

Ms. Anne A. Weissenborn
c/o Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

Mr. E. G. Brandt
520 West Hall Street
Slidell, LA 70458



CERTIFIED

No 399125

MAIL

JUN 25 PM 12:07

CERTIFIED MAIL
RETURN RECEIPT REQUEST

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

Attention: William C. Oldaker, Esq.
General Counsel



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William J. Mitchell
Box 1345
Covington, LA 70433

Re: MUR 597(78)

Dear Mr. Mitchell:

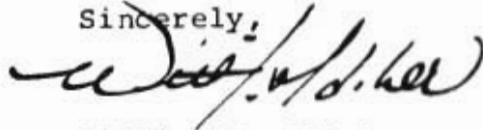
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$400.00 to the John R. Rarich Congressional Campaign Committee on November 23, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarich

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

AW 597

● 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).
☐ 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. William J. Mitchell

3. ARTICLE DESCRIPTION:
REGISTERED NO. 943243 CERTIFIED NO. INSURED NO.
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Mr. W. J. Mitchell

4. DATE OF DELIVERY JUN 19 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS JR

☆ GPO : 1977-O-234-337

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

AW 597

● 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).
☐ 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:
John R. Rarich
Box 236
St. Francisville, LA 70775

3. ARTICLE DESCRIPTION:
REGISTERED NO. 943241 CERTIFIED NO. INSURED NO.
(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY 6-19-79

5. ADDRESS (Complete only if requested)
ST. FRANCISVILLE, LA. 70775

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS BE

☆ GPO : 1977-O-234-337



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James W. Holden
Collins Blvd.
Covington, LA 70433

Re: MUR 597(78)

Dear Mr. Holden:

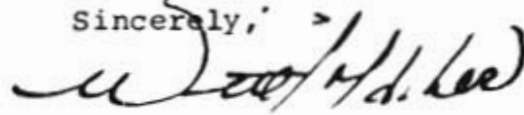
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$900.00 to the John R. Rarich Congressional Campaign Committee on December 6, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarick

AW 597

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).
☐ 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. James W. Holden

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943242

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: 6-19-78 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

MG #597

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).
☐ 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:
 John R. Rarick

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 438226

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY: POSTMARK: SAINT FRANCISVILLE LA 21 78

5. ADDRESS (Complete only if requested):
 ST. FRANCISVILLE, LA. 70775

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



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Martha D. Dutsch
128 W. 23rd Avenue
Covington, LA 70433

Re: MUR 597(78)

Dear Ms. Dutsch:

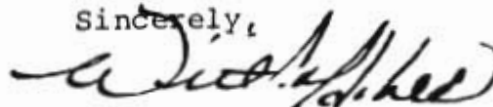
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of-1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$900.00 to the John R. Rarich Congressional Campaign Committee on December 3, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarich

HW 597,1111

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):

☐ 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:

ms Martha D. Dutsch

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	94341	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Mrs Martha Dutsch

4. DATE OF DELIVERY 6/19/78 POSTMARK

5. ADDRESS (Complete only if requested)
128 W. 23rd St. New York, N.Y. 10011-3238

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RE

4W 597

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):
- ☐ 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 Daniel H. Christian

3. **ARTICLE DESCRIPTION:**

REGISTERED NO. CERTIFIED NO. INSURED NO.

943340

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** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

Delivered

CLERK'S INITIALS

29 Case

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.

WASHINGTON, D.C. 20463

TO
SENDER

REASON CHECKED
Unclaimed ☐ Reasoned ☐
Addressee unknown ☐
Insufficient Address ☐
No such street ☐ number ☐
No such office in state ☐
Do not exist in this country ☐

Mr. Daniel H. Christian
Unedus Road
Folsom, LA 70437

POSTAGE AND FEES PAID



943240





FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Daniel H. Christian
Uneedus Road
Folsum, LA 70437

Re: MUR 597(78)

Dear Mr. Christian:

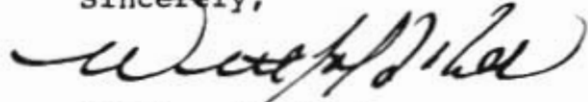
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$1000.00 to the John R. Rarich Congressional Campaign Committee on August 11, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarich

0010103015



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Sam Fuller
Rigolets Rd.
Slidell, LA 70458

Re: MUR 597(78)

Dear Mr. Fuller:

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. § 441a(a)(1)(A) by making a contribution of \$900.00 to the John R. Rarich Congressional Campaign Committee on December 6, 1976, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. § 441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

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Sincerely, 

William C. Oldaker
General Counsel

cc: John R. Rarich

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

✓ *AW 597*

● **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):

☐ 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:**

Dr Marion G Simpson

3. **ARTICLE DESCRIPTION:**

REGISTERED NO	CERTIFIED NO	INSURED NO
	<i>943234</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE	Address	Authorized agent

4. **DATE OF DELIVERY**

POSTMARK

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

POSTAGE AND FEES PAID



*Noted
6/19/78
go*

Dr. Marion G. Simpson
Lowe Davis Road
Covington, LA 70433

943234



14/78



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Marion G. Simpson
Lowe Davis Road
Covington, LA 70433

Re: MUR 597(78)

Dear Dr. Simpson:

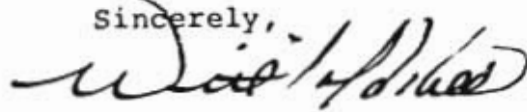
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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarich

MG 597

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): ☐ 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 Dr. Marion G. Simpson		
3. ARTICLE DESCRIPTION REGISTERED NO. CERTIFIED NO. INSURED NO. 438225		
(Always obtain signature of addressee or agent)		
I have received the article described above SIGNATURE ☐ Addressee ☐ Authorized agent 4. Mrs. M. G. Simpson		
DATE OF DELIVERY 8/24/78		POSTMARK
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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. E. G. Brandt
Treasurer
John R. Rarick Congressional Campaign
320 W. Hall Street
Slidell, LA 70458

Re: MUR 597(78)

Dear Mr. Brandt:

The Federal Election Commission has found reason to believe that the John R. Rarick Congressional Campaign Committee ("the Committee") violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that the Committee accepted contributions from eight individual contributors in excess of the \$1,000 per election limitation on individual contributions set forth in 2 U.S.C. § 441a(a)(1)(A). The individuals and contributions involved are as follows:

<u>Name</u>	<u>Contribution</u>
1. Ms. Bonnie Christian	\$1,000 - August 13, 1976 \$274 - November 1, 1976
2. Mr. Daniel H. Christian	\$1,000 - August 11, 1976 \$2,500 - October 20, 1976*
3. Mr. Jack R. Diamond	\$1,000 - August 10, 1976 \$2,500 - October 20, 1976*
4. Ms. Martha D. Dutsch	\$900 - December 3, 1976 \$2,500 - October 20, 1976*
5. Mr. Sam Fuller	\$900 - December 6, 1976 \$2,500 - October 20, 1976*
6. Mr. James W. Holden	\$900 - December 6, 1976 \$2,500 - October 20, 1976*

- | | |
|----------------------------|--|
| 7. Mr. William J. Mitchell | \$400 - November 23, 1976
\$2,500 - October 20, 1976* |
| 8. Dr. Marion G. Simpson | \$1,000 - August 11, 1976
\$2,500 - October 20, 1976* |

* Pro-rata share of liability as co-signer of loan from Fidelity Bank and Trust Company.

The Committee's acceptance of these excessive contributions constitutes an apparent violation of 2 U.S.C. § 441a(f).

In addition, the Commission has found reason to believe that the Committee accepted contributions from the Diamond Medical Corporation in apparent violation of 2 U.S.C. § 441b(a).

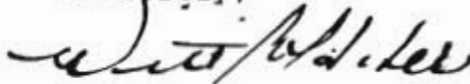
We have numbered this matter MUR 597(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarick

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

AW 597

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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. E. G. Brandt

3. **ARTICLE DESCRIPTION:**
REGISTERED NO. CERTIFIED NO. INSURED NO.
94020

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Mr. E. G. Brandt

4. **DATE OF DELIVERY**
6/21/78

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

POSTMARK
JUN 21 1978
CLERK'S OFFICE



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Bonnie Christian
Unneedus Road
Folsom, Louisiana 70437

Re: MUR 597(78)

Dear Mrs. Christian,

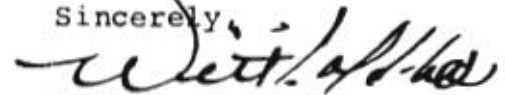
This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making contributions to the John R. Rarick Congressional Campaign Committee in excess of the \$1,000 limitation on contributions from individuals set forth in 2 U.S.C. §441a(a)(1)(A). These contributions involved \$1,000 given to the Committee on August 13, 1976, and three contributions-in-kind in the forms of your payment of three Committee bills totaling \$274.00 on November 1, 1976. We understand that \$274.00 was refunded to you on December 5, 1977.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

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Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarick

AW 597

PS Form 3811, Apr. 1977

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☒ 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:
Mrs Bonnie Christian

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
943283

(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 (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

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

June 15, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Dr. Diamond,

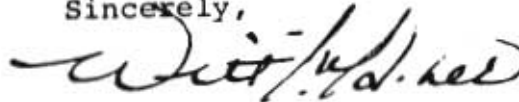
This letter is to inform you that the Federal Election Commission has found reason to believe that the Diamond Medical Corporation and you personally have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

Specifically, the Commission has found reason to believe that the Diamond Medical Corporation made contributions to the John R. Rarick Congressional Campaign Committee in violation of 2 U.S.C. §441b(a), such contributions consisting of two checks for \$500 each dated July 20, 1976, and July 23, 1976. In addition, the Commission has found reason to believe that you personally agreed to act as one of eight co-signers of a \$20,000 promissory note dated October 20, 1976. Your pro-rata share of this latter obligation constituted a contribution of \$2500, a violation of 2 U.S.C. §441a(a)(1)(A) which was compounded by your earlier contribution of \$1000 to the Committee.

Under the Act you and the Diamond Medical Corporation have opportunities to demonstrate why no further action should be taken by the Commission. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of these matters. Where appropriate, statements or explanations should be submitted under oath.

This letter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Sincerely,



William C. Oldaker
General Counsel

cc: John R. Rarick

MOR 5/17/78

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:**
Dr. Jack Q. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

3. **ARTICLE DESCRIPTION:**
REGISTERED NO. CERTIFIED NO. INSURED NO.
945232

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☒ Authorized agent
EP Crockett

4. **DATE OF DELIVERY**
6-19-78

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

POSTMARK
JUN 19 1978
SLIDELL LA

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

BEFORE THE FEDERAL ELECTION COMMISSION

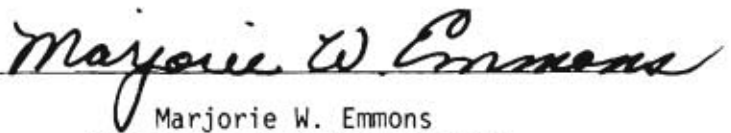
In the Matter of)
John R. Rarick Congressional) MUR 597 (78)
Campaign Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on June 5, 1978, the Commission approved by a vote of 6-0 the recommendations in the First General Counsel's Report dated June 1, 1978 to take the following actions in the above-captioned matter:

1. Find reason to believe that Ms. Bonnie Christian, Mr. Daniel H. Christian, Dr. Jack R. Diamond, Ms. Martha D. Dutsch, Mr. Sam Fuller, Mr. James W. Holden, Mr. William J. Mitchell, and Dr. Marion G. Simpson have each apparently violated 2 U.S.C. §441a (a)(1)(A) by making contributions to the John R. Rarick Congressional Campaign Committee in excess of the \$1,000 per election limitation for contributions from individuals.
2. Find reason to believe that the Diamond Medical Corporation has violated 2 U.S.C. §441b(a) by making a contribution to the John R. Rarick Congressional Campaign Committee.
3. Find reason to believe that the John R. Rarick Congressional Campaign Committee has violated 2 U.S.C. §441a(f) by accepting excessive contributions from seven individual contributors and 2 U.S.C. §441b(a) by accepting contributions from a corporation.

Date: 6/6/78


Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 6-1-78, 11:53
Circulated on 48 hour vote basis: 6-1-78, 3:00

June 1, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 597

Please have the attached 7 day report on MUR 597
distributed to the Commission on a 48 hour tally basis.

Thank you.

79040105061

FEDERAL ELECTION COMMISSION

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION JUN 1 1978

MUR NO. 597
STAFF MEMBER(S)

Weissenborn

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D (AUDIT)
(See Attachment I)
RESPONDENT'S NAME: John R. Rarick Congressional Campaign Committee
Ms. Bonnie Christian, Mr. Daniel H. Christian,
Dr. Jack R. Diamond, Ms. Martha D. Dutsch, Mr. Sam
Fuller, Mr. James W. Holden, Mr. William J. Mitchell &
RELEVANT STATUTE: Dr. Marion G. Simpson

2 U.S.C. §441(a)(1)(A), 2 U.S.C. §441a(f),
2 U.S.C. §441b(a)

INTERNAL REPORTS CHECKED:

C FEDERAL AGENCIES CHECKED:

GENERATION OF MATTER

This matter was referred to the Office of the General Counsel by the Audit Division as a result of a random audit of the Respondent Committee.

SUMMARY OF ALLEGATIONS

During its examination of the records of the John R. Rarick Congressional Campaign Committee ("the Committee"), the Audit Division discovered that the Committee had obtained a bank loan in the sum of \$20,000 which was co-signed by eight persons, including the candidate. The auditors also found that the seven non-candidate co-signers had each made additional contributions to the Committee and that an eighth contributor had donated \$1,000 and made three contributions-in-kind totaling \$274.00. The auditors believe all eight contributors in question to be in violation of 2 U.S.C. § 441a(a)(1)(A). The Committee was involved only in the 1976 general election.

The auditors also discovered that the Committee had received two contributions from an apparent corporation in violation of 2 U.S.C. § 441b(a).

PRELIMINARY LEGAL ANALYSIS

Excess Contributions

On October 20, 1976, the Fidelity Bank and Trust Company, Slidell, Louisiana, apparently made a loan of \$20,000 to Mr. Sam Fuller, Chairman of the Committee, for and on behalf of the John Rarick Campaign for Congress. (See Attachment II). Although this loan was made in the name of Mr. Sam Fuller and initially so reported, all co-signers agreed that he was to be considered only one of eight co-signers, each of whom agreed to assume a pro-rata share of the obligation. The co-signers involved in addition to the candidate are Mr. Daniel H. Christian, Dr. Jack R. Diamond, Ms. Martha D. Dutsch, Mr. Sam Fuller, Mr. James W. Holden, Mr. William J. Mitchell, and Dr. Marion G. Simpson. The loan was repaid as of December 22, 1976.

Because each of the eight persons who acted as co-signers was responsible for a pro-rata share of \$2,500, each contributor is in violation of 2 U.S.C. § 441a(a)(1)(A) for having made a contribution of \$2,500 for one election and the Committee is in violation of 2 U.S.C. § 441a(f) for having accepted these excessive contributions.

The auditors also found that each of the above seven contributors had apparently made additional contributions as follows:

<u>Contribution</u>	<u>Date</u>	<u>Contribution</u> (Refund)
Daniel H. Christian	8/11/76 12/23/76	\$1,000.00 (180.69)
Jack R. Diamond	8/10/76 12/23/76	\$1,000.00 (180.69)
Martha D. Dutsch	12/3/76 12/23/76	\$900.00 (180.69)
Sam Fuller	12/6/76 12/12/76	\$900.00 (180.69)
James W. Holden	12/6/76 12/23/76	\$900.00 (180.69)
William J. Mitchell	11/23/76 12/23/76	\$400.00 (180.69)
Marion G. Simpson	8/11/76 12/23/76	\$1,000.00 (180.69)

These additional contributions compound the apparent violations of Section 441a(a)(1)(A) and of Section 441a(f) resulting from the loan obligations discussed above.

A separate situation involving an apparent excessive contribution was found by the auditors in the form of a \$1,000 contribution made by Ms. Bonnie Christian on August 13, 1976, to which she added three contributions-in-kind totaling \$274.00 on November 1, 1976. The contributions-in-kind consisted of her payment of three Committee obligations. These contributions place Ms. Christian in apparent violation of 2 U.S.C. § 441a(a)(1)(A) and the Committee in violation of 2 U.S.C. § 441a(f). The three in-kind contributions were refunded by the Committee on December 5, 1977.

Corporate Contributions

According to the findings of the Audit Division the Committee received two corporate contributions from Diamond Medical Corporation, the first by means of a check in the amount of \$500 dated July 20, 1976, and the second via a check in the amount of \$500 dated July 23, 1976. These contributions were reported by the Committee as contributions from Jack R. Diamond and were refunded by the Committee on December 5, 1977. As a result of the giving and receipt of these contributions, Diamond Medical Corporation and the Committee are in apparent violation of 2 U.S.C. § 441b(a).

RECOMMENDATIONS

1. Find reason to believe that Ms. Bonnie Christian, Mr. Daniel H. Christian, Dr. Jack R. Diamond, Ms. Martha D. Dutsch, Mr. Sam Fuller, Mr. James W. Holden, Mr. William J. Mitchell, and Dr. Marion G. Simpson have each apparently violated 2 U.S.C. § 441a(a)(1)(A) by making contributions to the John R. Rarick Congressional Campaign Committee in excess of the \$1,000 per election limitation for contributions from individuals.

2. Find reason to believe that the Diamond Medical Corporation has violated 2 U.S.C. § 441b(a) by making contributions to the John R. Rarick Congressional Campaign Committee.

3. Find reason to believe that the John R. Rarick Congressional Campaign Committee has violated 2 U.S.C. § 441a(f) by accepting excessive contributions from seven individual contributors and 2 U.S.C. § 441b(a) by accepting contributions from a corporation.

old 5-8-78

JB

A-246



FEDERAL ELECTION COMMISSION

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

May 4, 1978

MEMORANDUM

TO: BILL OLDAKER

THROUGH: ORLANDO B. POTTER, STAFF DIRECTOR *WBP*

FROM: *RC* BOB COSTA/JIM NYCUM *Don*

SUBJECT: JOHN R. RARICK CONGRESSIONAL
CAMPAIGN COMMITTEE

The Audit Division recently audited the John R. Rarick Congressional Campaign Committee which supported Mr. John Rarick, an independent candidate for Congress from the 1st Congressional District of Louisiana who was involved only in the 1976 general election. Our review of the Committee's records revealed the following problems which we are referring to your office for review:

1. Contribution Limitation

Section 441a(a)(1)(A) of Title 2, United States Code prohibits a person from making contributions to any candidate and his authorized political committees with respect to any election for Federal office, which in the aggregate, exceed \$1,000. Section 431(e)(1) defines a contribution to include a loan, and Section 431(e)(5)(g)(ii) defines the endorser of the loan as the contributor.

a. Loan Endorsements

On October 20, 1976, the Committee received a \$20,000.00 loan from Sam Fuller and seven (7) other endorsers. The loan was co-signed by the eight (8) contributors who agreed to assume responsibility for the repayment of the loan on a pro-rata basis (see Attachment 1). The loan was repaid over the period October 27, 1976, through December 22, 1976.



The eight (8) co-signers also made other contributions as shown below:

<u>CO-SIGNER</u>	<u>DATE</u>	<u>CONTRIBUTION (REFUND)</u>
Sam Fuller	12/6/76	900.00
	12/12/76	(180.69)
Daniel H. Christian	8/11/76	1,000.00
	12/23/76	(180.69)
William J. Mitchell	11/23/76	400.00
	12/23/76	(180.69)
Martha D. Dutsch	12/3/76	900.00
	12/23/76	(180.69)
Jack R. Diamond	8/10/76	1,000.00
	12/23/76	(180.69)
John R. Rarick (candidate)	11/23/76	800.00
Marion G. Simpson	8/11/76	1,000.00
	12/23/76	(180.69)
James W. Holden	12/6/76	900.00
	12/23/76	(180.69)

Also, the Committee's disclosure reports did not itemize the eight (8) co-signers of the loan as contributors for their pro-rata share of the loan.

Responding to our recommendation in the letter of audit findings the Committee filed an amendment on April 5, 1978, itemizing the eight (8) co-signers of the loan (see Attachment 3) and on May 1, 1978, filed a second amendment disclosing additional information concerning the circumstances of the loan (see Attachment 4).

b. Other Contributions

Bonnie Christian contributed \$1,000.00 to the Committee on August 13, 1976, and made three (3) contributions-in-kind (see Attachment 2) on November 1, 1976, in the amount of \$274.00 for a total contribution of \$1,274.00.

Responding to our recommendation in the letter of audit findings, the Committee filed an amendment on April 5, 1978, itemizing the three (3) contributions-in-kind, not previously disclosed and the refund of the excess contribution.

2. Corporate Contributions

Section 441b(a) prohibits any corporation from making a contribution or expenditure in connection with any election for Federal office.

The Committee received two (2) contributions from the Diamond Medical Corporation, 120 Westchester Place, Slidell, LA 70458. The first check was dated July 20, 1976 in the amount of \$500.00 and the second check was dated July 23, 1976 in the amount of \$500.00. These contributions were reported by the Committee as contributions by Jack R. Diamond. The corporation was incorporated in the state of Louisiana on December 22, 1970.

Responding to our recommendation in the letter of audit findings, the Committee filed an amendment on April 5, 1978, itemizing the refund of the contribution as a possible corporate contribution.

Recommendation

We recommend that you consider the matters discussed as possible MURS. Although we requested copies of the cancelled checks refunding the contributions discussed in 1(b) and 2. above, to date we have not received them. However, the Candidate stated the refunds were made (see Attachments 5 and 6) and he would forward copies of the cancelled checks to us. When we receive the cancelled checks, we will forward copies to your office.

Should you have any questions, please contact Jim Nycum on extension 3-4155.

Attachments as stated

JAMES W. HOLDER,
DANIEL H. CHRISTIAN,
HARION G. SIMPSON,
WILLIAM J. MITCHELL,
JOHN RICHARD RARICK,
A. D. GEOGHEGAN,
JACK R. DRAGOOD,
GERRY E. STANTON,
MARTHA D. DUTCHE AND
SAM FULLER

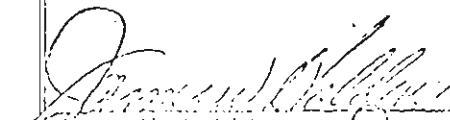
PARTISH OF JEFFERSON ATTACHMENT II

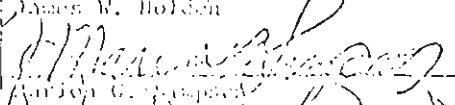
TO

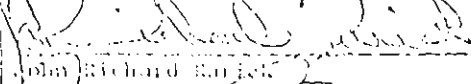
SAM FULLER

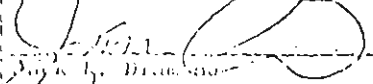
We, the undersigned, do hereby agree and bind ourselves to underwrite a loan of Twenty Thousand Dollars (\$20,000.00) which is being made in the name of Sam Fuller from the Fidelity Bank and Trust Company, Tazewell Mall Shopping Center, Slidell, Louisiana for and on behalf of the John Rarick Campaign for Congress. It is expressly understood that said loan is being made in the name of Sam Fuller so as to expedite processing and that each party hereto assumes responsibility for his pro-rata share of said obligation.

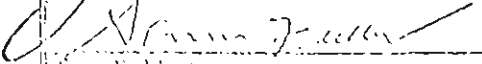
It is further understood on the part of parties hereto that the above referenced loan will be paid out of campaign contributions as received, having first priority over any other incurred debts of the John Rarick Campaign for Congress. However, if said campaign contributions are insufficient to liquidate the above referenced loan, parties hereto agree to pay pro-rata the remaining outstanding balance.

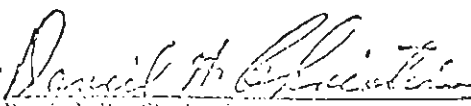

James W. Holder

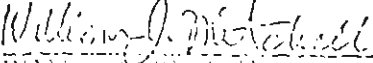

Harion G. Simpson

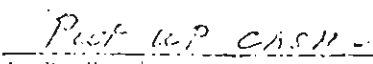

John Richard Rarick

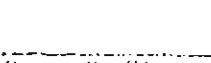

Jack R. Dragood

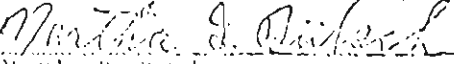

Sam Fuller


Daniel H. Christian


William J. Mitchell


A. D. Geoghegan


Gerry E. Stanton


Martha D. Dutche

John David Gammotta, Notary Public



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. E. G. Brandt
Treasurer
John R. Rarick Congressional Campaign
320 W. Hall Street
Slidell, LA 70458

Re: MUR 597(78)

Dear Mr. Brandt:

The Federal Election Commission has found reason to believe that the John R. Rarick Congressional Campaign Committee ("the Committee") violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that the Committee accepted contributions from eight individual contributors in excess of the \$1,000 per election limitation on individual contributions set forth in 2 U.S.C. § 441a(a)(1)(A). The individuals and contributions involved are as follows:

<u>Name</u>	<u>Contribution</u>
1. Ms. Bonnie Christian	\$1,000 - August 13, 1976 \$274 - November 1, 1976
2. Mr. Daniel H. Christian	\$1,000 - August 11, 1976 \$2,500 - October 20, 1976*
3. Mr. Jack R. Diamond	\$1,000 - August 10, 1976 \$2,500 - October 20, 1976*
4. Ms. Martha D. Dutsch	\$900 - December 3, 1976 \$2,500 - October 20, 1976*
5. Mr. Sam Fuller	\$900 - December 6, 1976 \$2,500 - October 20, 1976*
6. Mr. James W. Holden	\$900 - December 6, 1976 \$2,500 - October 20, 1976*

- | | |
|----------------------------|--|
| 7. Mr. William J. Mitchell | \$400 - November 23, 1976
\$2,500 - October 20, 1976* |
| 8. Dr. Marion G. Simpson | \$1,000 - August 11, 1976
\$2,500 - October 20, 1976* |

* Pro-rata share of liability as co-signer of loan from Fidelity Bank and Trust Company.

The Committee's acceptance of these excessive contributions constitutes an apparent violation of 2 U.S.C. § 441a(f).

In addition, the Commission has found reason to believe that the Committee accepted contributions from the Diamond Medical Corporation in apparent violation of 2 U.S.C. § 441b(a).

We have numbered this matter MUR 597(78).

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. § 437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. § 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Jack R. Diamond
Diamond Medical Corporation
120 Westchester Place
Slidell, Louisiana 70458

Re: MUR 597(78)

Dear Dr. Diamond,

This letter is to inform you that the Federal Election Commission has found reason to believe that the Diamond Medical Corporation and you personally have violated the Federal Election Campaign Act of 1971, as amended ("the Act").

Specifically, the Commission has found reason to believe that the Diamond Medical Corporation made contributions to the John R. Rarick Congressional Campaign Committee in violation of 2 U.S.C. §441b(a), such contributions consisting of two checks for \$500 each dated July 20, 1976, and July 23, 1976. In addition, the Commission has found reason to believe that you personally agreed to act as one of eight co-signers of a \$20,000 promissory note dated October 20, 1976. Your pro-rata share of this latter obligation constituted a contribution of \$2500, a violation of 2 U.S.C. §441a(a)(1)(A) which was compounded by your earlier contribution of \$1000 to the Committee.

Under the Act you and the Diamond Medical Corporation have opportunities to demonstrate why no further action should be taken by the Commission. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of these matters. Where appropriate, statements or explanations should be submitted under oath.

The Commission is under a duty to investigate these matters expeditiously. Therefore responses should be submitted within ten days after receipt of this notification. If you or the corporation intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

This letter will remain confidential in accordance with 2 U.S.C. §437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 523-4039.

Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Bonnie Christian
Unneedus Road
Folsom, Louisiana 70437

Re: MUR 597(78)

Dear Mrs. Christian,

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"), by making contributions to the John R. Rarick Congressional Campaign Committee in excess of the \$1,000 limitation on contributions from individuals set forth in 2 U.S.C. §441a(a)(1)(A). These contributions involved \$1,000 given to the Committee on August 13, 1976, and three contributions-in-kind in the forms of your payment of three Committee bills totaling \$274.00 on November 1, 1976. We understand that \$274.00 was refunded to you on December 5, 1977.

Under the Act you have an opportunity to demonstrate why no action should be taken against you. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

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Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick



Letter to be sent to Mr. Daniel H. Christian, Ms. Martha D. Dutsch, Mr. Sam Fuller, Mr. James W. Holden, Mr. William J. Mitchell, and Dr. Marion G. Simpson

FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: MUR 597 (78)

Dear

This letter is to inform you that the Federal Election Commission has found reason to believe that you have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has found reason to believe that you have violated 2 U.S.C. §441a(a)(1)(A) by making a contribution of _____ to the John R. Rarich Congressional Campaign Committee on _____, and by also agreeing to act as one of eight co-signers who assumed pro-rata shares of the obligation arising from a \$20,000 loan obtained by that Committee on October 20, 1978. 2 U.S.C. §441a(a)(1)(A) prohibits contributions in excess of \$1,000 per election from individual contributors.

Under the Act you have an opportunity to demonstrate why no action should be taken against the Committee. 2 U.S.C. §437g(a)(4). Please submit any factual or legal materials you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements or explanations should be made under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore your response should be submitted within ten days after your receipt of this notification. If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

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Sincerely,

William C. Oldaker
General Counsel

cc: John R. Rarick

100-11075



FEDERAL ELECTION COMMISSION

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

May 4, 1978

MEMORANDUM

TO: BILL OLDAKER

THROUGH: ORLANDO B. POTTER, STAFF DIRECTOR *W.B.P.*

FROM: *RC* BOB COSTA/JIM NYCUM *Jon*

SUBJECT: JOHN R. RARICK CONGRESSIONAL
CAMPAIGN COMMITTEE

The Audit Division recently audited the John R. Rarick Congressional Campaign Committee which supported Mr. John Rarick, an independent candidate for Congress from the 1st Congressional District of Louisiana who was involved only in the 1976 general election. Our review of the Committee's records revealed the following problems which we are referring to your office for review:

1. Contribution Limitation

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a. Loan Endorsements

On October 20, 1976, the Committee received a \$20,000.00 loan from Sam Fuller and seven (7) other endorsers. The loan was co-signed by the eight (8) contributors who agreed to assume responsibility for the repayment of the loan on a pro-rata basis (see Attachment 1). The loan was repaid over the period October 27, 1976, through December 22, 1976.



The eight (8) co-signers also made other contributions as shown below:

<u>CO-SIGNER</u>	<u>DATE</u>	<u>CONTRIBUTION (REFUND)</u>
Sam Fuller	12/6/76	900.00
	12/12/76	(180.69)
Daniel H. Christian	8/11/76	1,000.00
	12/23/76	(180.69)
William J. Mitchell	11/23/76	400.00
	12/23/76	(180.69)
Martha D. Dutsch	12/3/76	900.00
	12/23/76	(180.69)
Jack R. Diamond	8/10/76	1,000.00
	12/23/76	(180.69)
John R. Rarick (candidate)	11/23/76	800.00
Marion G. Simpson	8/11/76	1,000.00
	12/23/76	(180.69)
James W. Holden	12/6/76	900.00
	12/23/76	(180.69)

Also, the Committee's disclosure reports did not itemize the eight (8) co-signers of the loan as contributors for their pro-rata share of the loan.

Responding to our recommendation in the letter of audit findings the Committee filed an amendment on April 5, 1978, itemizing the eight (8) co-signers of the loan (see Attachment 3) and on May 1, 1978, filed a second amendment disclosing additional information concerning the circumstances of the loan (see Attachment 4).

b. Other Contributions

Bonnie Christian contributed \$1,000.00 to the Committee on August 13, 1976, and made three (3) contributions-in-kind (see Attachment 2) on November 1, 1976, in the amount of \$274.00 for a total contribution of \$1,274.00.

Responding to our recommendation in the letter of audit findings, the Committee filed an amendment on April 5, 1978, itemizing the three (3) contributions-in-kind, not previously disclosed and the refund of the excess contribution.

2. Corporate Contributions

Section 441b(a) prohibits any corporation from making a contribution or expenditure in connection with any election for Federal office.

The Committee received two (2) contributions from the Diamond Medical Corporation, 120 Westchester Place, Slidell, LA 70458. The first check was dated July 20, 1976 in the amount of \$500.00 and the second check was dated July 23, 1976 in the amount of \$500.00. These contributions were reported by the Committee as contributions by Jack R. Diamond. The corporation was incorporated in the state of Louisiana on December 22, 1970.

Responding to our recommendation in the letter of audit findings, the Committee filed an amendment on April 5, 1978, itemizing the refund of the contribution as a possible corporate contribution.

Recommendation

We recommend that you consider the matters discussed as possible MURS. Although we requested copies of the cancelled checks refunding the contributions discussed in 1(b) and 2. above, to date we have not received them. However, the Candidate stated the refunds were made (see Attachments 5 and 6) and he would forward copies of the cancelled checks to us. When we receive the cancelled checks, we will forward copies to your office.

Should you have any questions, please contact Jim Nycum on extension 3-4155.

Attachments as stated

BY

STATE OF LOUISIANA

PARISH OF JEFFERSON

JAMES W. HOLDEN,
 DANIEL H. CHRISTIAN,
 MARION G. SIMPSON,
 WILLIAM J. MITCHELL,
 JOHN RICHARD RARICK,
 A. D. GEOGHEGAN,
 JACK R. DIAMOND,
 GERRY E. BLUNTON,
 MARTHA D. BUTCHE AND
 SAM FULLER

TO

SAM FULLER

We, the undersigned, do hereby agree and bind ourselves to underwrite a loan of Twenty Thousand Dollars (\$20,000.00) which is being made in the name of Sam Fuller from the Fidelity Bank and Trust Company, Tammany Hall Shopping Center, Slidell, Louisiana for and on behalf of the John Rarick Campaign for Congress. It is expressly understood that said loan is being made in the name of Sam Fuller so as to expedite processing and that each party hereto assumes responsibility for his pro-rata share of said obligation.

It is further understood on the part of parties hereto that the above referenced loan will be paid out of campaign contributions as received, having first priority over any other incurred debts of the John Rarick Campaign for Congress. However, if said campaign contributions are insufficient to liquidate the above referenced loan, parties hereto agree to pay pro-rata the remaining outstanding balance.

James W. Holden
 James W. Holden

Marion G. Simpson
 Marion G. Simpson

John Richard Rarick
 John Richard Rarick

Jack R. Diamond
 Jack R. Diamond

Sam Fuller
 Sam Fuller

Daniel H. Christian
 Daniel H. Christian

William J. Mitchell
 William J. Mitchell

Post M.P. CASH
 A. D. Geoghegan

Gerry E. Blanton
 Gerry E. Blanton

Martina D. Butche
 Martina D. Butche

John David Camanoya, Notary Public

F-9

C 101 (10)

Nov 1 1976

No. 80063

Received of Bonnie Christian \$48.00
 Forty Eight and ⁰⁰/₁₀₀ Dollars
 For political announcement of John Ruck
 Previous Balance \$
 Amount Paid \$48.00
 Balance Due \$ By J. Ruck

11/1 1976

No. 80064

Received of Bonnie Christian \$26.00
 Twenty Six and ⁰⁰/₁₀₀ Dollars
 For Ranch political
 Previous Balance \$
 Amount Paid \$26.00
 Balance Due \$ By J. Ruck

No.

November 1 1976

Received of John Ruck for Congress Camp Committee
 Don. Hundred Dollars and ⁰⁰/₁₀₀ DOLLARS
 50 - 60 one spots @ 4.00 (Vol.)

\$ 200.00

J. Ruck

AGREEMENT FORM FOR POLITICAL BROADCASTS

ON and LOCATION WEBS, SLIDELL, LA. Nov 1 19 76

Russell B. Compton (being) Supporter (supporting) _____

fully qualified candidate for the office of 1st Congressional District - New Orleans in the General election, do hereby request station time as follows:

DATE OF BROADCAST	HOUR	DAYS	TIMES PER WEEK	TOTAL NO. WEEKS	RATE
60 sec	1800	Mon.-Thurs.	50	1	4.00

DATE OF FIRST BROADCAST	DATE OF LAST BROADCAST
Nov 1, 1976	Nov 2, 1976

broadcast time will be used by The Station

I represent that the advance payment for the above-described broadcast time has been furnished by Russell B. Compton and you are authorized to so describe the sponsor in your program, or otherwise, and to announce the program as paid for by such person(s).
 The entity furnishing the payment, if other than an individual person, is: () (1) a corporation; (x) (2) a committee; () (3) an association; or () (4) other unincorporated group.

(a) The corporation or other entity is organized under the laws of _____.
 (b) The officers, board of directors and chief executive officers of the entity are: _____

My understanding that: The above is the same uniform rate for comparable station time charged each other candidates for the same public office described above; the charges above do not exceed the rates made for comparable use of said station for other purposes; and the same is agreeable to me.
 In the event that the facilities of the station are utilized for the above-stated purpose, I agree to abide by the provisions of the Communications Act of 1934, as amended, and rules and regulations of the Federal Communications Commission governing such broadcasts, in particular those provisions reprinted on the back hereof, which I have read and understand. I further agree to indemnify and hold harmless the station for any damages or liability that may ensue from the performance of the said broadcasts.
 For the above broadcast, I agree to prepare a script or transcription, which will be delivered to the station before the time of the scheduled broadcast.

Russell B. Compton
 (Candidate, Supporter or Agent)

Accepted by _____ Title _____

If rejected, the reasons therefor are as follows: _____

**Itemized Receipts,
Contributions, Ticket Purchases, Loans,
Rebates, and Transfers for Line
Numbers 15, 16, 17 and/or 18 of FEC Form 3**
(See instructions on back)

Page 6 of 3 for 6
LINE NUMBER 3
(Print A-1)
(Do not include for each numbered line)

Module A
1974
FEC Election Commission
P.O. Box 1000
Washington, D.C. 20401

Name of Candidate or Committee in full

JOHN R. PARICK CONGRESSIONAL CAMPAIGN COMMITTEE

Full Name, mailing address and ZIP code

William J. Mitchell
Box 1345
Covington, La. 70433

30 DAY FOLLOWING REPORT, RECLASSIFICATION
AND DISCLOSURE OF B LAWN CO-SIGNERS PER
YOUR INSTRUCTIONS

Principal place of business

1323 S. Tyler St.
Covington, La. 70433

Occupation

Physician

☒ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Full Name, mailing address and ZIP code

Mrs. Martha D. Dutsch
128 W. 23rd Ave.
Covington, La. 70433

30 DAY FOLLOWING REPORT, RECLASSIFICATION
AND DISCLOSURE OF B LAWN CO-SIGNERS PER
YOUR INSTRUCTIONS

Principal place of business

128 W. 23rd Ave.
Covington, La. 70433

Occupation

Real Estate Supervisor

☒ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Full Name, mailing address and ZIP code

Dr. Jack Diamond
120 Westchester Pl.
Slidell, La. 70458

30 DAY FOLLOWING REPORT, RECLASSIFICATION
AND DISCLOSURE OF B LAWN CO-SIGNERS PER
YOUR INSTRUCTIONS

Principal place of business

120 Westchester Pl.
Slidell, La. 70458

Occupation

Physician

☒ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Full Name, mailing address and ZIP code

Sam Fuller
Rigolets, Rd. Slidell, La. 70458

30 DAY FOLLOWING REPORT, AS
ABOVE

Principal place of business

Box 463, Slidell, La. 70458

Occupation

Retired

☐ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Full Name, mailing address and ZIP code

Daniel H. Christian
Uneculus Rd. Folsom, La. 70437

30 DAY FOLLOWING REPORT, AS
ABOVE

Principal place of business

Uneculus Rd.
Folsom, La. 70437

Occupation

Merchant Seaman

☐ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Full Name, mailing address and ZIP code

James Holden
Collins Blvd.
Covington, La. 70433

30 DAY FOLLOWING REPORT, AS
ABOVE

Principal place of business

832 E. Boston St.
Covington, La. 70433

Occupation

Service Station Owner-Operator

☒ Check if Contributor is self-employed

Aggregate Year to date 12 > \$

Date (month,
day, year)

Amount of each
receipt this period

719.37

Subtotal of receipts this page (option d) 12 > \$

Total this period (last page this line number only) 12 > \$

**Remized Receipts,
Contributions, Ticket Purchases, Loans,
Rebates, and Transfers for Line
Numbers 15, 16, 17 and/or 18 of FEC Form 3**
(see instructions on back)

Page 6-2 of 8 for 6-2
LINE NUMBER 8
(Use separate schedule(s) for each numbered line)

Info A
76
Electoral Commission
Street, N.W.
ington, D.C. 20463

Name of Candidate or Committee in full JOHN R. RARICK CONGRESSIONAL CAMPAIGN COMMITTEE			
Full Name, mailing address and ZIP code DR. MORTON C. SHELTON Iowa Davis Rd. Covington, La. 70433		30 DAY FOLLOWING REPORT, RECLASSIFICATION AND DISCLOSURE OF 8 LOAN CO-SIGNERS PER YOUR INSTRUCTIONS	Date (month, day, year) Amount of each receipt this period 719.37
Principal place of business 4648 I-10 Service Rd. Metairie, La.	Occupation Pathologist ☒ Check if Contributor is self-employed Aggregate Year-to-date 125		
Full Name, mailing address and ZIP code John R. Rarick Box 236 St. Francisville, La. 70775		30 DAY FOLLOWING REPORT, AS ABOVE	Date (month, day, year) Amount of each receipt this period 719.37
Principal place of business Box 236 St. Francisville, La. 70775	Occupation Cong. Candidate & Attorney ☒ Check if Contributor is self-employed Aggregate Year-to-date 125		
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business		Occupation	
		☐ Check if Contributor is self-employed	
		Aggregate Year-to-date 125	
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business		Occupation	
		☐ Check if Contributor is self-employed	
		Aggregate Year-to-date 125	
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business		Occupation	
		☐ Check if Contributor is self-employed	
		Aggregate Year-to-date 125	
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business		Occupation	
		☐ Check if Contributor is self-employed	
		Aggregate Year-to-date 125	
Full Name, mailing address and ZIP code		Date (month, day, year)	Amount of each receipt this period
Principal place of business		Occupation	
		☐ Check if Contributor is self-employed	
		Aggregate Year-to-date 125	
Subtotal of receipts this page (optional)		125	\$
Total this period (last page this line number only)		125	\$

**Itemized Receipts,
Contributions, Ticket Purchases, Loans,
Rebates, and Transfers for Line
Numbers 15, 16, 17 and/or 18 of FEC Form 3**
(See Instructions on back)

Page _____ of _____ for _____

LINE NUMBER _____

(Use separate schedule(s) for each numbered line)

Name of Candidate or Committee in full

JOHN R. PARICK CONGRESSIONAL CAMPAIGN COMMITTEE

DR. THOMAS C. SHIPSON Lowe Davis Rd. Covington, La. 70433 Principal place of business 4648 I-10 Service Rd. Metairie, La.	30 DAY FOLLOWING REPORT, RECLASSIFICATION AND DISCLOSURE OF 8 LOAN CO-SIGNERS PER YOUR INSTRUCTIONS	Date (month, day, year) _____	Amount of each receipt this period 719.37
	Occupation Pathologist		
	☒ Check if Contributor is self-employed Aggregate Year-to-date _____ > \$		

John R. Parick Box 236 St. Francisville, La. 70775 Principal place of business Box 236 St. Francisville, La. 70775	30 DAY FOLLOWING REPORT, AS ABOVE	Date (month, day, year) _____	Amount of each receipt this period 719.37
	Occupation Cong. Candidate & Attorney		
	☒ Check if Contributor is self-employed Aggregate Year-to-date _____ > \$		

_____ Principal place of business _____	_____	Date (month, day, year) _____	Amount of each receipt this period _____
	Occupation _____		
	☐ Check if Contributor is self-employed Aggregate Year-to-date _____ > \$		

_____ Principal place of business _____	_____	Date (month, day, year) _____	Amount of each receipt this period _____
	Occupation _____		
	☐ Check if Contributor is self-employed Aggregate Year-to-date _____ > \$		

NOTE

1) Loan: \$20,000.00 dated 10/20/76 secured by Campaign Funds and contributions, and guaranteed by above 8 parties.

2) On 10/20/76 Campaign Account Balance: \$13,000.00

3) Credited on Loan:
 10/27/76 ----- \$3,000.00
 11/1/76 ----- 5,000.00
 11/5/76 ----- 5,000.00

4) Balance of \$7,000.00 Loan paid by Loan Guarantors as follows:
 11/24/76 ----- \$3,000.00
 12/4/76 ----- 1,800.00
 12/22/76 ----- 2,330.76

5) Louisiana is a Community Property State where husband can sign and bind wife to obligation.

JOHN R. RARICK
ATTORNEY AT LAW

6-3
1
801731

78 APR 12 1A 2:07

402 ROYAL ST., BOX 230
ST. FRANCISVILLE, LOUISIANA 70776
604 036-3100

April 5, 1978

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

Re: John R. Rarick Campaign
Committee

Attention: Mr. Robert J. Costa
Assistant Staff Director
For Audit Division

Dear Mr. Costa,

This letter will supplement my letter of March 31, 1978, replying to your audit summary of February 27, 1978.

In paragraph B, on page 2 of my reply letter, I indicated supporting checks were attached.

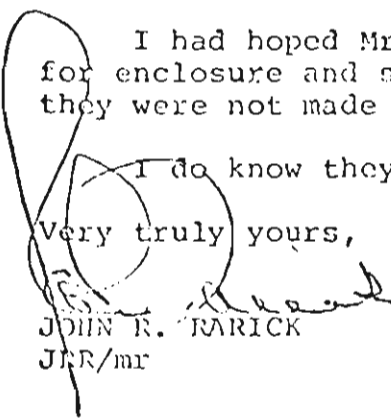
Mr. Brandt, the committee treasurer, was suddenly called by his employer to England and the checks and records are in his possession and unavailable to me at this time. I had hoped to enclose with the March 31st letter copies of

- (1) Committee check of 12/4/77 for \$1,000.00 representing refund to Diamond Medical Corp.
- (2) Committee check of 12/77 for \$274.00 representing refund to Mrs. Bonnie Christian.
- (3) Committee check of 12/7 for \$1,000.00 representing repayment of loan to John R. Rarick.

I had hoped Mr. Brandt would have mailed these copies for enclosure and submission, but with today's mail receipt they were not made available.

I do know they exist and the payments were made.

Very truly yours,


JOHN R. RARICK
JRR/mr

April 25, 1978

pg: 45

Mr. Jim Nycum
Federal Election Commission
1325 K St. N.W.
Washington, D.C.
20463

In RE: John R. Rarick
Congressional Campaign Committee

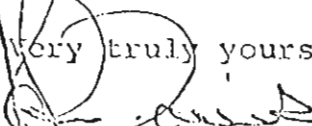
Dear Mr. Nycum,

Pursuant to your phone conversation of this date and your instructions subsequent receipt of my report of March 31st, I enclose the following supplemental and amending pages for my report:

- (1) Revised page "F" correcting the dates on the committee receipt of contributions from myself and from Dr. Jack Diamond.
- (2) Revised page "G" correcting the date on the reimbursement by the committee to Mrs. Bonnie Christen.
- (3) Revised page "E" to show by footnote a running summary of the loan and repayment.

As related to you by phone, Mr. Brandt has returned to the States and promises copies of the committee checks for \$1,000.00 to Diamond Medical Corporation, \$274.00 to Mrs. Bonnie Christen, and \$1,000.00 to myself. They will be forthcoming upon receipt.

Very truly yours,


JOHN R. RARICK

JRR/mr

enc. Supplemental and Amending enclosures
"F." "G." and "E."

C.C. Mr. Ed Brandt
520 West Hall St.
Slidell, La.
70458

002312



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

May 9, 1978

MEMORANDUM

TO: BILL OLDAKER

THROUGH: ORLANDO B. POTTER *OBP*

FROM: *RC* BOB COSTA/JIM NYCUM *JN*

SUBJECT: JOHN R. RARICK CONGRESSIONAL
CAMPAIGN COMMITTEE

In reference to our memo of May 4, 1978, same subject, we are forwarding to your office copies of the Committee's cancelled checks received yesterday, May 8, 1978.

Attachment as stated



JOHN RARICK CONGRESSIONAL CAMPAIGN FUND

P. O. BOX 463

SLIDELL, LA. 70459

84-127
654Pay to
the order of

Bonnie Christian

274⁰⁰FIDELITY BANK
& TRUST COMPANY
SLIDELL, LOUISIANAAnn Fuller
AT Branch

⑆0654⑆0127⑆

⑈166 200⑈

⑈0000027400⑈

JOHN RARICK CONGRESSIONAL CAMPAIGN FUND

P. O. BOX 463

SLIDELL, LA. 70459

84-127
654Pay to
the order of

Diamond Medical Corp

1000⁰⁰FIDELITY BANK
& TRUST COMPANY
SLIDELL, LOUISIANAAnn Fuller
AT Branch

⑆0654⑆0127⑆

⑈166 200⑈

⑈0000100000⑈

JOHN RARICK CONGRESSIONAL CAMPAIGN FUND

P. O. BOX 463

SLIDELL, LA. 70459

84-127
654Pay to
the order of

John R. Rarick

1000⁰⁰FIDELITY BANK
& TRUST COMPANY
SLIDELL, LOUISIANAAT Branch
Ray J. Siemssen

⑆0654⑆0127⑆

⑈166 200⑈

⑈0000100000⑈



FEDERAL ELECTION COMMISSION

125 K STREET N.W.
WASHINGTON, D.C. 20541

THIS IS THE BEGINNING OF MUR # 597

Date Filmed 3/13/79 Camera No. --- 2

Cameraman BPC