



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

THIS IS THE BEGINNING OF MUR # 4028

DATE FILMED 3/19/96 CAMERA NO. 2

CAMERAMAN E.E.S.

26043724144

# **Runnin' Rubin**

**ELLIS RUBIN IS RUNNING FOR U.S. SENATE !**

333 NE 23RD STREET - MIAMI, FLORIDA 33137

1-800-LS-RUBIN FAX (305) 576-0066

DEMOCRAT

MUR 4028

August 8, 1994

FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
AUG 8 4 07 PM '94

**SWORN COMPLAINT**  
**F.E.C. VIOLATIONS COMMITTED BY**  
**HUGH E. RODHAM**  
**OF THE**  
**RODHAM FOR UNITED STATES SENATE '94 CAMPAIGN**

This Complaint is submitted by Ellis Rubin, Florida Democratic Candidate for the United States Senate, against Florida Democratic United States Senate Candidate Hugh Rodham.

The information contained in this complaint has been compiled from interviews of a source close to the Rodham Campaign, documentation provided by the source, and the Rodham F.E.C. Reports of April 15, 1994 and July 15, 1994 submitted by Gary Fine, Campaign Treasurer.

The source has requested anonymity, but has agreed to reveal his identity and respond to inquiries if requested by the Commission. This Complainant has personally interviewed the source for a total of over three hours on multiple occasions and is sufficiently satisfied that the source was credible, truthful, accurate, candid and was in a position to know.

26043724145

**12 VIOLATIONS:**

- 1) FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS;**
- 2) ACCEPTING DISALLOWED CONTRIBUTIONS FROM A CORPORATION;**
- 3) CONTRIBUTION IN EXCESS OF LIMIT.**

On February 28, 1994, long after Hugh Rodham had met the threshold under Federal Election Law of being an official candidate for the Democratic nomination to the U.S. Senate from Florida subject to FEC reporting requirements, Mr. Rodham personally agreed to use his influence and connections as brother-in-law of the President of the United States to arrange a meeting between a campaign contributor, Ms. Marilyn J. Parker, the owner of E.C.S., a company desiring to be awarded post-Hurricane Andrew federal funds, and Mr. James Lee Witt, Head of F.E.M.A. in Washington D.C.

A second meeting was also arranged by Rodham for Parker with the Chief of F.E.M.A. in Miami, Florida, Mr. Craig Wingo.

It was agreed that in exchange for Hugh Rodham's efforts in arranging these meetings for Parker with F.E.M.A., funds would be paid by Parker, her company and her family to Hugh E. Rodham and his brother, Tony Rodham, and to the Rodham for United States Senate 894 Campaign.

To date over \$17,000.00 has been paid/contributed to the Rodham Campaign, all unreported.

On March 1, 1994, one day after Mr. Rodham performed his services for Marilyn J. Parker with F.E.M.A., he was required to be in Tallahassee, Florida to formally kick-off his Senate Campaign. A grateful Parker provided accommodations aboard a Signature Airlines plane from Washington D.C. (National Airport) to Tallahassee, Florida for Rodham, his brother Tony, and campaign manager Michael Copperthite. Although the flight was paid for by the Parker business interests and was specifically for campaign reasons, this flight and in-kind contribution was not reported and the excess contribution over the \$1,000.00 limit was not reimbursed to the contributor. Additionally, a Corporation is prohibited from making any contribution to a candidate.

26043724146

**4) IN-KIND CONTRIBUTIONS NOT REPORTED.**

On March 21, 1994, Ms. Marilyn J. Parker, continuing her payment to Rodham for favors rendered, purchased and gave to the Rodham Campaign seven \$1,000.00 tickets to a Presidential Dinner. No report was made of this in-kind contribution

**5) IN-KIND CONTRIBUTIONS NOT REPORTED;**

**6) FALSIFYING AN FEC REPORT;**

**7) CONTRIBUTION IN EXCESS OF LIMIT.**

In March of 1994, the Treasurer of the Rodham Campaign Committee, Clayton Kaeiser, purchased three dress suits for the candidate from Peter Kent Menis Clothes in Miami, Florida. This in-kind contribution was not reported on the April 15, 1994 Report. Instead, in an attempt to disguise this violation, Kaeiser was repayed for his purchase of Mr. Rodham's clothing as a reported reimbursement for the purchase of a computer for the campaign in the July 15, 1994 Report. This hidden repayment to Kaeiser is a falsification of an FEC Report.

Additionally, the contributions limit was exceeded by Kaeiser by the purchase of multiple Airline tickets for the Rodham Campaign. To conceal these excess contributions, the Campaign reimbursed Kaeiser through his wife and by the submission of unrelated receipts.

**8) IN-KIND CONTRIBUTION NOT REPORTED;**

**9) CONTRIBUTION IN EXCESS OF LIMIT;**

**10) ACCEPTING DISALLOWED CONTRIBUTIONS FROM A CORPORATION.**

On April 12-13, 1994, Hugh Rodham and other members of the Campaign were flown from Florida to Washington, D.C. and back on a private corporate jet supplied by Campaign contributor Arnold Friedman. These flights were not reported as in-kind contributions, their value exceeded contribution limits and constitute an illegal corporate contribution.

**11) IN-KIND CONTRIBUTION NOT REPORTED;**

**12) CONTRIBUTION IN EXCESS OF LIMIT.**

96043724147

State of Virginia  
County of Fairfax


April 13-17 1994, a Benchmark Poll was taken at the request and authorization of the President of the United States for the Rodham Campaign by the President's personal pollster, Greenberg Research, Inc. This in-kind contribution, which cost in excess of \$25,000.00, was never reported.

**SUMMARY**

These fourteen violations of the Federal Election Commission Laws are made known in order that your office can investigate and take the appropriate action.

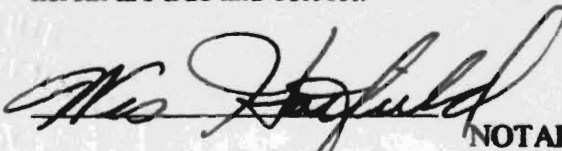
I hereby request that you expedite your investigation because of the fast approaching Primary date of September 8, 1994.

Respectfully submitted,

  
ELLIS RUBIN

Dated August 8, 1994 at Washington, D.C.

Sworn to and subscribed before me this 8th day of August 1994 by ELLIS RUBIN, who personally appeared before me and properly identified himself and who affirmed under oath that upon information and belief the fourteen violations of FEC Rules contained herein are true and correct.

  
NOTARY PUBLIC

My Commission Expires: 31 October 1996

960443724148



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

August 12, 1994

Ellis Rubin  
333 N.E. 23rd Street  
Miami, FL 33137

RE: MUR 4028

Dear Mr. Rubin:

This letter acknowledges receipt on August 8, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4028. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

Enclosure  
Procedures

96043724149



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

Gary Robert Fine, Treasurer  
Rodham for Senate '94  
28 Flagler Street, 11th Floor  
Miami, FL 33130

RE: NUR 4028

Dear Mr. Fine:

The Federal Election Commission received a complaint which indicates that Rodham for Senate '94 ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter NUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724150

Gary Robert Fine, Treasurer  
Rodham for Senate '94  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043724151





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

Hugh E. Rodham  
2605 Anderson Road #2  
Coral Gables, FL 33134

RE: MUR 4028

Dear Mr. Rodham:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

26043724152

Hugh E. Rodhan  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

26043724153



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

August 12, 1994

Marilyn J. Parker  
4908 Dorian Avenue  
Orlando, FL 33134

RE: MUR 4028

Dear Ms. Parker:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

26043724154

Marilyn J. Parker  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043724155



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

Charles Vanture, Registered Agent  
E.C.S., Inc.  
219 East Virginia Street  
Tallahassee, FL 32301

RE: NUR 4028

Dear Mr. Vanture:

The Federal Election Commission received a complaint which indicates that E.C.S., Inc. and Marilyn J. Parker, as President, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter NUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against E.C.S., Inc. and Marilyn J. Parker, as President, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724156

Charles Vanture, Registered Agent  
L.C.S., Inc.  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

26043724157



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

Clayton Kaeiser  
6224 La Gorce Drive  
Miami, FL 33140

RE: MUR 4028

Dear Mr. Kaeiser:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724158

Clayton Kaiser  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043724159





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

Arnold Friedman  
15550 New Barn Road #204  
Mialeach, FL 33014

RE: MUR 4028

Dear Mr. Friedman:

The Federal Election Commission received a complaint which indicates that you and an unknown corporation may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and an unknown corporation in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724160

Arnold Friedman  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043724161



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

CT Corporation, Registered Agent  
Greenberg Research, Inc.  
1025 Vermont Avenue, N.W.  
Washington, D.C. 20005

RE: MUR 4028

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Greenberg Research, Inc., may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Greenberg Research, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724162

CT Corporation, Registered Agent  
Greenberg Research, Inc.  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

96043724163



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1994

The President  
The White House  
Washington, D.C. 20500

RE: MUR 4028

Dear Mr. President:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4028. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

96043724164

The President  
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

**Enclosures**

1. Complaint
2. Procedures
3. Designation of Counsel Statement

26043724165



28 West Flagler  
11th Floor  
Miami, FL 33130

Phone 305.373.6283  
1.800.5.SENATE  
Fax 305.373.1916

August 23, 1994

Joan McEnry

Aug 24 7 16 AM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Re: MNR 4028

Dear Ms. McEnry:

Please be advised that the undersigned do hereby designate Gary Fine as our counsel and legal representative in the above-referenced proceeding in front of the F.E.C.

CLAYTON R. KAISER

Sincerely,

HUGH E. RODHAM

96043724166



**GUERRIERI, EDMOND & JAMES, P.C.**

1331 F STREET, N.W.  
WASHINGTON, D.C. 20004

(202) 624-7400  
FACSIMILE: (202) 624-7420

OF COUNSEL  
DEBRA L. WILLEN\*\*

JOSEPH GUERRIERI, JR.  
JOHN A. BRENDO  
EDGAR N. JAMES\*  
ROBERT S. CLAYMAN  
MARTHA WALPOORT  
STEVEN K. HOFFMAN  
NORA CARROLL  
DAVID P. DEAN  
WOLLY R. FUCHNER  
MARTA WAGNER\*\*\*  
JEFFREY A. BARTOS  
MICHAEL R. LEWIS

August 24, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
AUG 24 3 58 PM '94

\*ALSO ADMITTED IN MARYLAND  
\*\*ALSO ADMITTED IN VIRGINIA  
\*\*\*NOW ADMITTED BY D.C.

**VIA COURIER**

Laurence Noble, General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 4028

Dear Mr. Noble:

As indicated in the attached designation of counsel statement, this firm is counsel to Greenberg Research, Inc. ("Greenberg") in the above-referenced matter. We are writing to request a 15-day extension of time to respond to the complaint, which was served on Greenberg at the end of last week.

Our reason for requesting such an extension is that it will be necessary for Greenberg to gather documents and information not only in Washington but in Florida, where the unreported in-kind contribution by or through Greenberg allegedly occurred. Since some of the individuals who must be contacted are actively engaged in the climactic stage of a statewide primary election campaign, this will take longer than the allotted 15 days.

Please let us know if you require any additional information. Thank you for your attention.

Respectfully submitted,

GUERRIERI, EDMOND & JAMES, P.C.

By: Michael R. Lewis

Edgar N. James  
Michael R. Lewis  
Guerrieri, Edmond & James, P.C.  
1331 F Street, NW  
Suite 400  
Washington, DC 20004

Attachment

26043724167



STATEMENT OF DESIGNATION OF COUNSEL

NUR 4028

NAME OF COUNSEL: Edgar N. James

ADDRESS: Greenlee, Edward & James  
1331 F ST NW  
Wash. DC 20004

TELEPHONE: (202) 624-7400

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and other  
communications from the Commission and to act on my behalf  
before the Commission.

8/23/94  
Date

[Signature]  
Signature

RESPONDENT'S NAME: Donita Hicks, Ang. Dir

ADDRESS: Greenberg Research, Inc  
515 Second ST NW  
Wash DC 20002

TELEPHONE: HOME ( ) \_\_\_\_\_  
BUSINESS (202) 547-5200

96043724168



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

August 26, 1994

Michael R. Lewis, Esq.  
Guerrieri, Edmond & James, P.C.  
1331 P Street, N.W.  
Washington, D.C. 20004

RE: MUR 4028  
Greenberg Research, Inc.

Dear Mr. Lewis:

This is in response to your letter dated August 24, 1994, requesting a 15-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 19, 1994.

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724169

Gary Robert Fine, P.A.  
ATTORNEY AT LAW  
633 S.E. 3rd AVENUE SUITE 4R  
FT. LAUDERDALE, FLORIDA 33301  
RODHAM '94  
(305) 467-5143  
FAX (305) 524-5143

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

AUG 25 11 43 AM '94

VIA FAX 202-219-3923 AND REGULAR U.S. MAIL

August 23, 1994

Joan McEnery, Esq.  
Federal Election Commission  
999 E Street Northwest  
Washington, D.C. 20463

RE: Rodham for Senate '94 Committee  
FEC ID Number: C00290452  
MUR 4028

Dear Ms. McEnery:

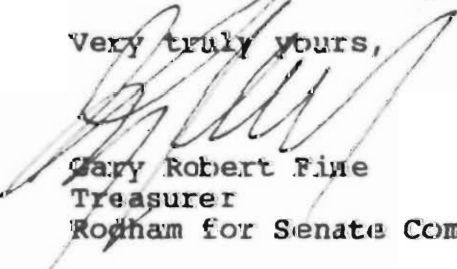
This letter will confirm our conversation today regarding the above captioned matter.

As I explained to you on the telephone, I am the designated attorney for myself as Treasurer of the Rodham for Senate Committee, Mr. Clayton Kaeiser, Assistant Treasurer, and Hugh E. Rodham, Candidate in this election. Mr. Kaeiser and Mr. Rodham are faxing to you under separate cover, a letter designating myself as their attorney.

To that end I request an extension of time to respond to the FEC's inquiry from August 31, 1994 to 15 days hence which would be September 15, 1994. The reasons for this are that I need more time to investigate these allegations on behalf of myself and Mr. Rodham and Mr. Kaeiser. There are a number of documents and individuals with whom I wish to speak concerning this.

Please advise me as to the Commission's position on the extension of time as soon as possible.

Very truly yours,

  
Gary Robert Fine  
Treasurer  
Rodham for Senate Committee

GRF/lsp  
cc: Mr. Hugh Rodham  
Mr. Clayton Kaeiser

26043724170



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

August 26, 1994

Gary Robert Fine, Esq.  
633 S.E. 3rd Avenue - Suite 4R  
Ft. Lauderdale, FL 33301

RE: MUR 4028  
Rodham for Senate '94 and  
Gary Robert Fine, as Treasurer,  
Hugh E. Rodham, and  
Clayton Kaiser

Dear Mr. Fine:

This is in response to your letter dated August 23, 1994, requesting an extension until September 15, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 15, 1994.

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724171

**ARNOLD S. FRIEDMAN**

SUITE 204

15500 NEW BARN ROAD

MIAMI LAKES, FL 33014

(305) 558-0101

RECEIVED RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

AUG 30 11 07 AM '94

August 29, 1994

**VIA FEDERAL EXPRESS**

Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Attention: Office of the General Counsel

Re: MUR 4028

Dear Sir:

This is in response to your letter to me dated August 12, 1994, and received on August 15, 1994, regarding a complaint by Ellis Rubin (copy enclosed). Items 8), 9), and 10) are the only portions of the complaint that apparently deal with me. These items indicate that I flew Mr. Rodham and others from Miami to Washington, D.C., and back. I hope the following will explain the facts of this situation:

1. I prefer to fly on privately chartered planes for two principal reasons: First, my health and physical condition require the speed and convenience of charter planes, which make the trips substantially easier on me. Second, I am the administrator and president of a large Medicare home health agency, and I was not able at that time to be away from my business for more than the absolute minimum period - chartering a plane allows me to leave and return the same day.
2. The trip involved in the complaint actually occurred on April 11, 1994. My wife and I were invited to a State Dinner in Washington, D.C., during the evening of April 11. I received the invitation for the State Dinner a number of days before then. Immediately upon my receipt of the invitation, I chartered the flight.
3. Because the cost of the charter is the same regardless of how many people fly, I typically check to see if anyone else needs transportation to wherever I am then planning to go. I invited a close friend, Jeffrey Orseck, who had a social engagement in Washington, D.C. at the time. Also, because Mr. Rodham's sister lives in Washington, D.C., I asked him as well. In fact, I personally sought the clearance of Mr. Rodham's campaign manager, Michael Copperthite (spelling?) (who also accompanied me), to make sure that there was nothing improper in this.
4. I never ask my guests on a flight to share the costs with me. I invite them as guests. In fact, because of my frequent use of this particular plane and pilot, I was only charged twice fuel costs and out-of-pocket pilot costs, about the cost of airfare for two first-class, roundtrip tickets (i.e., for my wife and me).

26043724172

This trip was not related to Mr. Rodham's campaign, nor did I intend that he or anyone else reimburse me for expenses that I had already committed to incurring.

I hope that this explains the facts of this situation. Please call me if you have any further questions.

Sincerely,



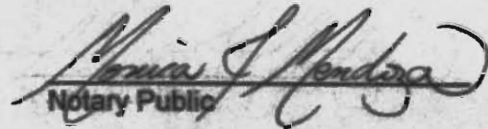
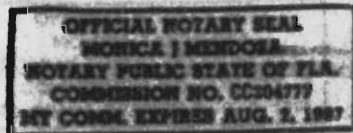
Arnold S. Friedman

ASF/ha

Enclosure

State of Florida  
County of Dade

Sworn to and subscribed before me by Arnold S. Friedman, who is known to me personally, this 27<sup>th</sup> day of August, 1994.



Notary Public

96043724173

# Runnin' Rubin

ELLIS RUBIN IS RUNNING FOR U.S. SENATE !

333 NE 23RD STREET - MIAMI, FLORIDA 33137

1-800-LB-RUBIN FAX (305) 576-0068

DEMOCRAT

MUR 4028

August 8, 1994

Aug 8 4 07 PM '94

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

FEDERAL ELECTION COMMISSION

999 E Street, NW

Washington, D.C. 20463

96043724174

**SWORN COMPLAINT**  
**F.E.C. VIOLATIONS COMMITTED BY**  
**HUGH E. RODHAM**  
**OF THE**  
**RODHAM FOR UNITED STATES SENATE '94 CAMPAIGN**

**This Complaint is submitted by Ellis Rubin, Florida Democratic Candidate for the United States Senate, against Florida Democratic United States Senate Candidate Hugh Rodham.**

**The information contained in this complaint has been compiled from interviews of a source close to the Rodham Campaign, documentation provided by the source, and the Rodham F.E.C. Reports of April 15, 1994 and July 15, 1994 submitted by Gary Fine, Campaign Treasurer.**

**The source has requested anonymity, but has agreed to reveal his identity and respond to inquiries if requested by the Commission. This Complainant has personally interviewed the source for a total of over three hours on multiple occasions and is sufficiently satisfied that the source was credible, truthful, accurate, candid and was in a position to know.**

**12 VIOLATIONS:**

- 1) FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS;**
- 2) ACCEPTING DISALLOWED CONTRIBUTIONS FROM A CORPORATION;**
- 3) CONTRIBUTION IN EXCESS OF LIMIT.**

On February 28, 1994, long after Hugh Rodham had met the threshold under Federal Election Law of being an official candidate for the Democratic nomination to the U.S. Senate from Florida subject to FEC reporting requirements, Mr. Rodham personally agreed to use his influence and connections as brother-in-law of the President of the United States to arrange a meeting between a campaign contributor, Ms. Marilyn J. Parker, the owner of E.C.S., a company desiring to be awarded post- Hurricane Andrew federal funds, and Mr. James Lee Witt, Head of F.E.M.A. in Washington D.C.

A second meeting was also arranged by Rodham for Parker with the Chief of F.E.M.A. in Miami, Florida, Mr. Craig Wingo.

It was agreed that in exchange for Hugh Rodham's efforts in arranging these meetings for Parker with F.E.M.A., funds would be paid by Parker, her company and her family to Hugh E. Rodham and his brother, Tony Rodham, and to the Rodham for United States Senate (94) Campaign.

To date over \$17,000.00 has been paid/contributed to the Rodham Campaign, all unreported.

On, March 1, 1994, one day after Mr. Rodham performed his services for Marilyn J. Parker with F.E.M.A., he was required to be in Tallahassee, Florida to formally kick-off his Senate Campaign. A grateful Parker provided accommodations aboard a Signature Airlines plane from Washington D.C. (National Airport) to Tallahassee, Florida for Rodham, his brother Tony, and campaign manager Michael Copperthite. Although the flight was paid for by the Parker business interests and was specifically for campaign reasons, this flight and in-kind contribution was not reported and the excess contribution over the \$1,000.00 limit was not reimbursed to the contributor. Additionally, a Corporation is prohibited from making any contribution to a candidate.

96043724175



**4) IN-KIND CONTRIBUTIONS NOT REPORTED.**

On March 21, 1994, Ms. Marilyn J. Parker, continuing her payment to Rodham for favors rendered, purchased and gave to the Rodham Campaign seven \$1,000.00 tickets to a Presidential Dinner. No report was made of this in-kind contribution

**5) IN-KIND CONTRIBUTIONS NOT REPORTED;**

**6) FALSIFYING AN FEC REPORT;**

**7) CONTRIBUTION IN EXCESS OF LIMIT.**

In March of 1994, the Treasurer of the Rodham Campaign Committee, Clayton Kaeiser, purchased three dress suits for the candidate from Peter Kent Menis Clothes in Miami, Florida. This in-kind contribution was not reported on the April 15, 1994 Report. Instead, in an attempt to disguise this violation, Kaeiser was repayed for his purchase of Mr. Rodham's clothing as a reported reimbursement for the purchase of a computer for the campaign in the July 15, 1994 Report. This hidden repayment to Kaeiser is a falsification of an FEC Report.

Additionally, the contributions limit was exceeded by Kaeiser by the purchase of multiple Airline tickets for the Rodham Campaign. To conceal these excess contributions, the Campaign reimbursed Kaeiser through his wife and by the submission of unrelated receipts.

**8) IN-KIND CONTRIBUTION NOT REPORTED;**

**9) CONTRIBUTION IN EXCESS OF LIMIT;**

**10) ACCEPTING DISALLOWED CONTRIBUTIONS FROM A CORPORATION.**

On April 12-13, 1994, Hugh Rodham and other members of the Campaign were flown from Florida to Washington, D.C. and back on a private corporate jet supplied by Campaign contributor Arnold Friedman. These flights were not reported as in-kind contributions, their value exceeded contribution limits and constitute an illegal corporate contribution.

**11) IN-KIND CONTRIBUTION NOT REPORTED;**

**12) CONTRIBUTION IN EXCESS OF LIMIT.**

96043724176

State of Virginia  
County of Fairfax


April 13-17 1994, a Benchmark Poll was taken at the request and authorization of the President of the United States for the Rodham Campaign by the President's personal pollster, Greenberg Research, Inc. This in-kind contribution, which cost in excess of \$25,000.00, was never reported.

**SUMMARY**

These fourteen violations of the Federal Election Commission Laws are made known in order that your office can investigate and take the appropriate action.

I hereby request that you expedite your investigation because of the fast approaching Primary date of September 8, 1994.

Respectfully submitted,

  
ELLIS RUBIN

Dated August 8, 1994 at Washington, D.C.

Sworn to and subscribed before me this 8th day of August 1994 by ELLIS RUBIN, who personally appeared before me and properly identified himself and who affirmed under oath that upon information and belief the fourteen violations of FEC Rules contained herein are true and correct.

  
NOTARY PUBLIC

My Commission Expires: 31 October 1996

96043724177

*ECS*

**Engineering & Construction Services, Inc.**

August 31, 1994

Aug 31 9 29 AM '94  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Ms. Mary L. Takar  
Central Enforcement Docket  
Federal Election Commission  
Washington, DC 20463

Reference: MUR. 4028

Dear Ms. Takar:

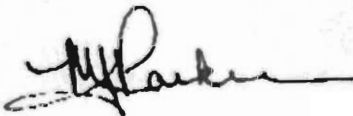
Reference my telephone conversation yesterday with Joan McEnery, please consider this my written request to delay my response to MUR. 4028 for fifteen (15) days.

Since I have been out of town for the last two (2) weeks and will not be back until September 6, I have not had time to put together the documentation needed.

For my conversation with Ms. McEnery, the fifteen (15) day extension would be September 15, 1994.

I appreciate your consideration on this matter. If you have any further questions, please call Michelle Bennett at (800)642-7722.

Sincerely,



Mr. MJ Parker  
President

96043724178



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

September 1, 1994

Marilyn J. Parker, President  
E.C.S., Inc.  
615 NW 57th Avenue, Suite 405  
Miami, FL 33126

RE: MUR 4028

Dear Ms. Parker:

This is in response to your letter dated August 31, 1994, requesting an extension until September 15, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 15, 1994.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724179

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE  
THE WHITE HOUSE  
WASHINGTON  
SEP 8 11 02 AM '94

September 6, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
SEP 8 11 14 AM '94

Mary Taksar, Esq.  
Attorney, Enforcement Division  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 4028

Dear Ms. Taksar:

On August 29, 1994, our office received your letter dated August 12, 1994 to President Clinton regarding a complaint by Ellis Rubin. The President currently is out of town; he is not expected to return until September 7, 1994. Accordingly, the President will not designate a counsel in this matter until after this date.

We are writing to acknowledge receipt of your letter. If you require any other information about this matter prior to the President's return to Washington, D.C., please contact this office.

Thank you for your assistance.

Sincerely,



Cheryl Mills  
Associate Counsel to the President

26043724130

THE WHITE HOUSE  
WASHINGTON

September 9, 1994

RECEIVED  
FEDERAL ELECT  
COMMISSION  
MAIL ROOM

SEP 13 11 20 AM

Joan McEnery, Esq.  
Attorney, Enforcement Division  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 4028

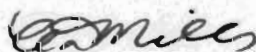
Dear Ms. Smith:

I am writing to request an extension of time to respond to your letter conveying a complaint filed by Mr. Ellis Rubin with your agency. We received your letter referencing MUR 4028 on August 29, 1994; thus, our response is due on September 13, 1994. We request an extension of time until September 23, 1994.

The President and many of the White House staff have been on vacation during the past three weeks. Accordingly, those individuals with the requisite information to address the complaint have not been available. We anticipate that the requested extension date will provide our office with sufficient time to respond.

Thank you for your assistance.

Sincerely,



Cheryl Mills  
Associate Counsel to the President

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SEP 13 12 05 PM '94

96043724131



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

SEPTEMBER 12, 1994

Cheryl Mills, Esq.  
Associate Counsel to the President  
White House Counsel's Office  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

RE: MUR 4028  
President William Clinton

Dear Ms. Mills:

This is in response to your letter dated September 9, 1994, requesting an extension until September 23, 1994 to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on September 23, 1994.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

*Mary L. Taksar*

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724182

Gary Robert Fine, PRACTICE  
ATTORNEY AT LAW FEDERAL ELECTION  
COMMISSION  
633 S.E. 3rd AVENUE SUITE 402  
FT. LAUDERDALE, FLORIDA 33301

SEP 14 2 54 PM '94  
(305) 467-5448  
FAX: (305) 524-5143

September 13, 1994

Ms. Joan McEnery  
Federal Election Commission  
999 E Street Northwest  
Washington, D.C. 20463

RE: Rodham for Senate '94 Committee  
FEC ID Number: C00290452  
MUR 4028 on behalf of Hugh E. Rodham, Clayton E. Kaeiser,  
Gary Robert Fine, as Treasurer

Dear Ms. McEnery:

1. F.E.M.A. Meeting: Pursuant to my investigation, I have discussed this matter with my co-respondents and clients. The Campaign was formally announced for Mr. Rodham on March 1, 1994. At that time, Mr. Michael Copperthite, the individual who I believe is "the confidential source" was advising the campaign on FEC matters. However, the meetings between F.E.M.A. through Mr. James Lee Witt and Mr. Craig Wingo was concerning the quality of F.E.M.A.'s response to the concerns of citizens after Hurricane Andrew. Ms. Marilyn J. Parker was brought along as an expert to assist Mr. Rodham in discussing these matters.

At no time was there ever a quid pro quo for the use of contributions for this meeting. This meeting was only for informational purposes.

Accordingly, based upon the investigation that this had nothing to do with matters under the jurisdiction of the FEC, in that it was not involved with campaign contributions, the FEC does not have jurisdiction to investigate this circumstance. If the FEC does wish to further investigate these events, please provide us with the proper jurisdictional basis and I will discuss this with my clients.

96043724183



SEP 14 2 55 PM '94

Ms. Joan McEnery  
September 13, 1994  
Page Two

2. There is an allegation that \$17,000 has been paid and/or contributed to the Rodham Campaign by Parkers and/or Parker's company. This allegation is denied. All payments made by Ms. Parker has been reported. So far as the \$17,000 figure, after looking through the books, I do not see any such contribution whatsoever.

3. The March 1, 1994 airplane flight. This airplane flight was originally not paid for based upon advice of Michael Copperthite that this was a campaign related travel expense between Washington, D.C. and the district. This was originally based on 106.3(d). Upon my review of these regulations, although it is still unclear as to whether this is a non reportable expense. The campaign requested a bill from the ECS Corporation, which was promptly paid pursuant to regulation 114.9(e)(2).

4. Seven Tickets purchased by Marilyn J. Parker: Marilyn J. Parker purchased seven tickets on behalf of her company.

Mr. Copperthite had advised M. J. Parker to give him, personally, her tickets. These were the seven tickets. These tickets were never seen by the campaign.

Parenthetically, about Mr. Copperthite, he was subsequently discharged from the campaign for falsifying his resume in substantial aspects and withdrawing money from the campaign account, against standard accounting practices. Further information can be provided to the FEC concerning Mr. Copperthite specifically about these matters.

Mr. Copperthite had personal possession of these tickets, although no one in the campaign had seen them. On the day of the President's visit to South Florida, myself, then Assistant Treasurer, was called at 3:00PM and advised that a campaign presence should be made at this fund raiser in South Florida. When I arrived, there were no tickets waiting for me and after 45 minutes of questioning as to how I would get into the affair, Mr. Copperthite came out past the security and led me in. I never did see any tickets. I was seated at M. J. Parker's table. Also from the campaign was one Maryann Ruffner. She was the scheduler at the time and she told me she was advised to appear there.

Furthermore, at the table was a Mr. and Mrs. Lance Block, who are personal friends of Michael Copperthite, who neither paid for the tickets, nor contributed to the campaign at that time. They later contributed a sum during the summertime as reported in the Pre Primary Report. Michael Copperthite also sat at this table.

96043724134

Ms. Joan McEnery  
September 13, 1994  
Page Three

The campaign never received any funds from these tickets which apparently were given to Mr. Michael Copperthite. It is unknown as to whether Michael Copperthite sold these tickets. But it is known that he did not contribute any monies to the campaign from these tickets.

5. Men's suits. A variety of campaign expenses was put on the credit card of staff member Clayton Kaeiser. Among these expenses were three suits which Mr. Michael Copperthite had advised appeared better for Mr. Rodham in his public appearances. The three suits were purchased and the payments were indeed reported.

The suits were purchased as a campaign expense. The FEC was contacted verbally and was told that this issue was under present dispute. It was the intention of Mr. Rodham after the campaign had ended in November to pay for the fair market value of the suits at that time, if there were any.

This was a permissible campaign expense since these suits were necessary for the public appearances of Mr. Rodham. Please note, that a variety of payments to the credit card has already been noted in July 15, 1994 report and that the FEC has requested us to be more specific as to these disbursements.

8. 9. and 10. Once again, on April 12-13, a charter flight was made between Washington, D.C. and the district. Originally, this was not reported based upon 106.3(d). Although this was protested in the FEC Pre Primary Report, once we had received the bill from Mr. Friedman, it was promptly disbursed pursuant to 114.9(e)(2).

5. A poll was conducted April 13 through 17, 1994 for a variety of candidates here in the State of Florida by Benchmark Polls. The poll at all times was not accepted by our campaign since it was used to dissuade the candidate from continuing to run. Furthermore, since other candidates received benefit, it was also improperly allocated.

The DNC finally allocated a portion to us, approximately 50% pursuant to Section 106.4.

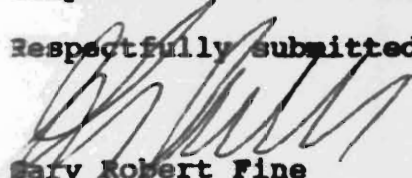
We had at all times verbally notified the pollster pursuant to 106.4(b)(3) that the poll was not accepted.

96043724105

Ms. Joan McNery  
September 13, 1994  
Page Four

It is my understanding that the DNC will be allocating a portion of funds designated for the Florida Senatorial Campaign to pay for this particular expense and we have continued to object to that. If is indeed allocated to us, we will, at that time list it as a disputed debt or in-kind contribution and take it up with them.

Respectfully submitted,



Gary Robert Fine  
Treasurer  
Rodham for Senate Committee

GRF/lsp

96043724186

SEP 15 9 55 AM '94

September 14, 1994 SEP 15 12 15 PM '94

Ms. Mary Taksar  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Ref# MUR 4028

Dear Ms. Taksar:

The following is my statement under oath regarding the complaint filed against me.

In regards to the meeting set up by Mr. Rodham with FEMA, it was to air Mr. Rodham's concern with the slow pace of rebuilding after Hurricane Andrew. My firm is considered an expert in the Catastrophe Management Field working for 3 major Insurance Carriers for the past 5 years on numerous catastrophes. After Hurricane Andrew, Mr. Rodham felt I could offer advice to the government on our methodology. At the time of the meeting, my company had never had a contract with FEMA and to this date, my company has no contracts with FEMA.

There was no agreement in exchange for Mr. Rodham inviting me to these meeting or that any funds would be paid to Hugh Rodham, Tony Rodham or the Rodham Senate Campaign. I vehemently deny that \$17,000 has been paid or contributed to the Rodham Campaign or any of the persons mentioned above.

Regarding the Signature plane paid for by my firm. It was with the explicit understanding that I would be reimbursed by the Rodham Campaign. I discussed the monies owed on numerous occasions with Mike Copperthite, Campaign Manager, and he told me that I would be reimbursed.

After Mr. Copperthite's departure from the Campaign, I resubmitted an invoice to the Rodham Campaign and was told that I would be reimbursed. As of this date, I am awaiting payment.

Finally, regarding the seven tickets I allegedly gave to the Rodham Campaign, I purchased a table with 10 seats and had some guests who could not attend. I personally handed over the tickets to Mike Copperthite for re-sale, and as far as I know, they were not resold by Mike Copperthite.

Sincerely,



MJ Parker, President

 OFFICIAL SEAL  
MICHAEL E. BENNETT  
Notary Public  
My Commission Expires  
Feb. 8, 1997  
Comm. No. CC 257942  
My commission Expires:  
2/8/97

GUERRIERI, EDMOND & JAMES, P.C.

1331 F STREET, N.W.  
WASHINGTON, D.C. 20004

(202) 624-7400  
FACSIMILE (202) 624-7420

FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SEP 19 2 16 PM '94

DEBRA L. WILLEN\*\*

JOSEPH GUERRIERI, JR.  
JOHN A. EDMOND  
EDGAR N. JAMES\*  
ROBERT S. CLAYMAN  
MARTHA WALPOORT  
STEVEN K. HOFFMAN  
NORA CARROLL  
DAVID P. DEAN  
BILLY B. FUCHNER  
MARTA WAGNER\*\*\*  
JUDITH A. BARTOS  
MICHAEL R. LEWIS

\*ALSO ADMITTED IN MARYLAND  
\*\*ALSO ADMITTED IN VIRGINIA  
\*\*\*NOT ADMITTED IN D.C.

September 19, 1994

**VIA MESSENGER**

Laurence Noble, Esquire  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 4028

Dear Mr. Noble:

Through this letter, Greenberg Research, Inc. ("Greenberg"), responds to the complaint filed in the above-referenced matter by Ellis Rubin, former candidate for U.S. Senate in Florida.

Although the complaint states a number of allegations against the Rodham for United States Senate '94 Campaign ("the Rodham Campaign"), the only allegations pertaining to Greenberg are contained in the following conclusory assertion:

April 13-17, 1994, a Benchmark Poll was taken at the request and authorization of the President of the United States for the Rodham Campaign by the President's personal pollster, Greenberg Research, Inc. This in-kind contribution, which cost in excess of \$25,000.00, was never reported.

See Complaint at 4. However, as established in the affidavit and documents attached to this letter, the poll at issue ("the poll") was not in any sense an in-kind contribution from Greenberg to the Rodham Campaign. On the contrary, Greenberg has been paid in full for the costs of the poll; at all times intended and expected that it would be paid; and consistently communicated this expectation.

The facts material to this matter are as follows. Greenberg, a for-profit corporation, is a public opinion consultant to political parties and candidates. In early March

26043724188

Laurence Noble, Esq.  
September 19, 1994  
Page 2

1994, Greenberg was contacted by the Democratic National Committee ("the DNC") and requested to perform a poll in Florida. Although the request came from the DNC, it was Greenberg's understanding from the outset that the Rodham Campaign would pay the expenses of the poll. See Affidavit by Joe Goode at ¶¶ 3-4, attached hereto.

On April 6, 1994, in response to the request from the DNC, Joe Goode, an analyst at Greenberg who represented Greenberg in all of its communications with the Rodham Campaign, sent a memorandum to Michael Copperthite, then campaign manager of the Rodham Campaign. The memorandum, attached hereto, confirmed Greenberg's agreement to conduct the poll; stated that the cost of the poll would be a minimum of \$27,269; and explained the various costs and fees included in that figure. These fees and cost factors were the same that Greenberg charged other clients who were running for federal office. Goode Affidavit at ¶ 7.

In addition, in several telephone conversations with Copperthite before the poll was taken, Goode reiterated that the Rodham Campaign would have to pay the full cost of the poll. In these conversations, Goode also noted that the Rodham Campaign would have to list the poll as a campaign expense on its upcoming quarterly FEC report. Copperthite confirmed to Goode in these conversations that the Rodham Campaign would pay for the poll as soon as it was financially able to do so. *Id.* at ¶ 8.

Greenberg conducted the poll from April 13 to 17, 1994. Immediately after the poll was conducted, Greenberg forwarded the poll's results to the Rodham Campaign. At the same time or shortly thereafter, at the request of the DNC, Greenberg forwarded a copy of the poll results to the DNC. *Id.* at ¶ 9. On April 12, 1994, Greenberg submitted an invoice for the amount of \$27,269, attached hereto, to the Rodham Campaign. Greenberg did not forward this invoice to anyone else. The invoice to the Rodham Campaign was based on the fees and cost factors set out in Goode's April 6 memorandum to Copperthite. Goode Affidavit at ¶ 10.

On April 30, 1994, after failing to receive payment from the Rodham Campaign, Greenberg submitted a follow-up statement of the outstanding charge to the Rodham Campaign. The Rodham Campaign still did not make payment, and Greenberg sent successive copies of the follow-up statement to the Rodham Campaign on May 31, June 30, and July 31, 1994. Goode Affidavit at ¶¶ 11-12. In addition, Goode, upon learning that Copperthite had left the Rodham Campaign in May 1994, made several contacts with the Rodham Campaign in order to determine who had become responsible for making sure that the campaign's bills were paid. In these

96043724189

contacts, Goode reiterated that the campaign would have to pay for the poll. In at least one of these conversations, Goode also again noted that the campaign would have to report the payment to the FEC as a campaign expense. *Id.* at ¶ 13. Over that four-month period, as with its original invoice, Greenberg did not forward the follow-up statement to anyone else. *Id.* at ¶ 12.

Approximately on August 8, 1994, Greenberg learned that the DNC had reached an agreement with the Rodham Campaign with respect to the allocation of the costs of the poll. Greenberg was told that under this agreement, the costs of the poll would be allocated equally between the DNC and the Rodham Campaign pursuant to 11 C.F.R. § 106.4(e)(2), and that the DNC would pay one-half of the costs for its own account and one-half of the costs as an in-kind contribution to the Rodham Campaign pursuant to 2 U.S.C. § 441a(h). *Id.* at ¶ 14. Accordingly, on August 10, 1994, Greenberg sent an invoice for \$27,269, attached hereto, to the DNC. On August 19, 1994, the DNC paid Greenberg one-half of the cost of the poll (\$13,634.50.) On September 13, 1994, the DNC paid Greenberg the balance of the costs. Goode Affidavit at ¶ 15.

In short, Greenberg never intended to make and has never made an in-kind contribution to the Rodham Campaign. On the contrary, Greenberg has been paid in full for the costs of the poll; at all times intended and understood its relationship with the Rodham Campaign to be purely a business relationship; at all times intended and expected to be paid the full value of the work it performed; and submitted confirmation and billing documents to this effect to the Rodham Campaign, and later to the DNC. All of Goode's conversations with Copperthite expressed or were consistent with Greenberg's stated expectation that it would be paid the full cost of the poll. Accordingly, Greenberg has made no contribution to the Rodham Campaign, has committed no violation of federal election law, and has been party to no such violation.

For these reasons, no basis exists for the FEC to further investigate or take any action against Greenberg in this matter. Greenberg accordingly requests that it be released or dismissed as a respondent.

26043724190

Laurence Noble, Esq.  
September 19, 1994  
Page 4

Respectfully submitted,

GUERRIERI, EDMOND & JAMES, P.C.

By: Michael R. Lewis

Edgar N. James  
Michael R. Lewis  
Guerrieri, Edmond & James, P.C.  
1331 F Street, NW  
Suite 400  
Washington, DC 20004

Attachments

cc: Mr. Stanley Greenberg

26043724191



AFFIDAVIT OF JOE GOODE

Joe Goode deposes and states as follows:

1. I am employed by Greenberg Research, Inc. ("Greenberg"), as an analyst. I have personal knowledge of the facts contained herein and am competent to testify thereto.
2. Greenberg, a for-profit corporation, is a public opinion consultant to political parties and candidates.
3. In early March 1994, Greenberg was contacted by the Democratic National Committee ("the DNC") and requested to perform a poll ("the poll") in Florida.
4. Although the request came from the DNC, it was Greenberg's understanding at all times that the Rodham for United States Senate '94 Campaign ("the Rodham Campaign") would pay the expenses of the poll. Greenberg agreed to conduct the poll on the basis of that understanding.
5. I was assigned to coordinate the poll on behalf of Greenberg for the Rodham Campaign. From the time Greenberg agreed to conduct the poll, I was responsible on behalf of Greenberg for and was aware of all of Greenberg's communications to and from the Rodham Campaign.
6. In agreeing to conduct the poll and in all of its conversations with the Rodham Campaign, Greenberg did not intend or indicate in any way that the taking of the poll or the reporting of the poll's results would be a gratis contribution from Greenberg to the Rodham Campaign. On the contrary, all of Greenberg's communications to the Rodham Campaign expressed, or were consistent with, Greenberg's stated intent and expectation

96043724192

that it would be paid the cost of the poll in full by the Rodham Campaign.

7. On the basis of the variables Greenberg uses in charging for its services with all client-candidates for federal office, I estimated that the cost of the poll would be a minimum of \$27,269. On April 6, 1994, I sent a memorandum to Michael Copperthite ("Copperthite"), then campaign manager of the Rodham Campaign, confirming Greenberg's agreement to conduct the poll, stating the cost estimate, and explaining the various costs and fees that were included in that estimate.

8. In addition, in several telephone conversations with Copperthite before the poll was taken, I reiterated that the Rodham Campaign would have to pay the full cost of the poll. In these conversations, I also noted that the Rodham Campaign would have to list the poll as a campaign expense on its upcoming quarterly report to the Federal Election Commission. Copperthite confirmed to me in these conversations that the Rodham Campaign would pay for the poll as soon as it was financially able to do so.

9. Greenberg conducted the poll for the Rodham Campaign from April 13 to 17, 1994. Immediately after after the poll was completed, I forwarded the poll's results to the Rodham Campaign. At the same time or shortly thereafter, at the request of the DNC, I forwarded a copy of the poll's results to the DNC.

10. On April 12, 1994, Greenberg prepared and submitted an invoice for the amount of \$27,269 to the Rodham Campaign. The

96043724193

invoice was based on the fees and cost factors set out in my April 6, 1994 memorandum to the Rodham Campaign. Neither I nor anyone else at Greenberg forwarded this invoice to anyone else.

11. On April 30, 1994, after failing to receive payment from the Rodham Campaign, Greenberg submitted a follow-up statement of the outstanding charge to the Rodham Campaign.

12. By the end of May 1994, the Rodham Campaign had still not made payment on the invoice. Greenberg accordingly sent a copy of the follow-up statement to the Rodham Campaign on May 31, 1994. Greenberg sent successive copies of the follow-up statement to the Rodham Campaign on June 30, and July 31, 1994. Over the four-month period of April-July, 1994, neither I nor anyone else at Greenberg forwarded the follow-up statement to anyone else.

13. In addition, upon learning that Copperthite had left the Rodham Campaign in May 1994, I made several contacts with the Rodham Campaign in order to determine who had become responsible for making sure that the campaign's bills were paid. In these contacts, I reiterated that the campaign would have to pay for the poll. In at least one of these conversations, I also again noted that the campaign would have to report the payment to the FEC as a campaign expense.

14. Approximately on August 8, 1994, Greenberg learned that the DNC had reached an agreement with the Rodham Campaign with respect to the allocation of the costs of the poll. Greenberg was told that under this agreement, the costs of the poll would


96043724194

be allocated equally between the DNC and the Rodham Campaign pursuant to 11 C.F.R. § 106.4(e)(2), and that the DNC would pay one-half of the costs for its own account and one-half of the costs as an in-kind contribution to the Rodham Campaign pursuant to 2 U.S.C. § 441a(h).

15. Accordingly, on August 10, 1994, Greenberg sent an invoice for \$27,269, attached hereto, to the DNC. On August 19, 1994, the DNC paid Greenberg one-half of the cost of the poll (\$13,634.50). On September 13, 1994, the DNC paid Greenberg the balance of the costs.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 19, 1994.

  
\_\_\_\_\_  
Joe Goode

96043724195



**Date:** April 6, 1994  
**To:** Michael Copperthite  
**From:** Joe Goode

**RE: Polling Proposal**

We are excited to have the opportunity to work with you on your upcoming campaign. We have discussed a 20 minute, 600 sample statewide survey. The cost for such a poll is \$27,269. This figure includes all actual polling costs, professional fee and sub-contract costs. Sub-contract costs -- phoning, keypunching, printing, and sample -- include an administrative and bookkeeping fee of 20 percent. The fee here reflects partial compensation for actual work performed related to sub-contract services (coding, programming, data clean-up, and directing sampling).

Communication and travel charges will be billed separately.

The charges related to the poll should be paid at the time the work is performed -- 75% of the poll charge is due one week prior to the commencement of calling, and the outstanding account balance is due prior to presentation of any findings.

Expedited shipping of materials for this project will be charged to your account (such as Federal Express or U.S. Postal Service Express Mail), or on a C.O.D. basis direct from Greenberg Research. We will provide you with two bound and one unbound copies of results and written findings. Additional copies will be charged at a cost of \$.10 per page.

In the event of late payments, we will be forced to apply a 1.5% per month service charge. In the unlikely event you default on these financial commitments, the cost of collection, including a reasonable attorney's fee, will be charged to you.

I hope that these arrangements are satisfactory. Please let me know if you have any questions. Thanks.

96043724196

**INVOICE**

**GREENBERG RESEARCH, INC.**

515 SECOND STREET, NE.  
WASHINGTON, DC 20002  
PH. 202-547-5200

INVOICE DATE 04/12/94  
INVOICE NO. 005011

CUSTOMER NO. RODHAM  
TERMS UPON RECEIPT

**BILL TO:**

RODHAM FOR U.S. SENATE  
ATTN: MICHAEL COPPERTHITE  
23 WEST FLAGLER, 11TH FLOOR  
MIAMI FL 33130

PAGE 1

2  
6  
0  
4  
3  
7  
2  
4  
1  
0  
7

DESCRIPTION	AMOUNT
600 SAMPLE-20 MIN SURVEY PROFESSIONAL FEE INCLUDED	0.00 27269.00
THANK YOU.	
<b>TOTAL</b>	<b>27269.00</b>



GREENBERG  
RESEARCH  
INC



515 SECOND STREET NE  
WASHINGTON DC 20002  
TEL 202 547-5200  
FAX 202 544-7020

**INVOICE**

**Date:** August 10, 1994  
**To:** Joe Sandler, Democratic National Committee  
**From:** Donita Buffalo, Greenberg Research

**RE: Florida Statewide**

---

**Florida Statewide Survey**

**600 sample 20 minute survey.....\$27,269**

Page 1

**Fax: 863-8081**

9 6 0 4 3 7 2 4 1 9 8

THE WHITE HOUSE

WASHINGTON

September 23, 1994

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SEP 23 5 16 PM '94

Lawrence Noble, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

RE: 4028

Dear Mr. Noble:

We are writing in response to an August 12, 1994, letter from Ms. Mary Taksar regarding a complaint filed with the Federal Election Commission (FEC) by Mr. Ellis Rubin against the Rodham for Senate Campaign (Rodham Campaign). Mr. Hugh Rodham is a candidate for the United States Senate, as was Mr. Rubin, in the 1994 Florida Democratic primary. In his complaint, Mr. Rubin states that Greenberg Research, Inc., (GRI) conducted a poll for the Rodham Campaign. He alleges that the poll was an in-kind contribution by GRI and "was taken at the request and authorization of the President of the United States . . . ." Rubin Complaint at 4.

Mr. Rubin's allegations with respect to the President do not appear to state a violation of the Federal Election Campaign Act. Nevertheless, we do want to provide our understanding of the facts related to GRI's poll for the Rodham Campaign.

It is our understanding that the Democratic National Committee requested GRI to conduct a poll for the Rodham Campaign, which it undertook on April 13-17, 1994. Prior to conducting the poll, we understand that GRI agreed with the Rodham Campaign, in particular with Mr. Michael Copperthite, the former Rodham Campaign manager, that it would conduct the poll in exchange for payment of GRI's usual and ordinary fees. On April 12, 1994, and on several subsequent occasions, GRI sent the Rodham Campaign a bill for payment of its fees for conducting the poll.

Based upon our understanding of the facts, the poll was never intended to be, nor was it conducted under the auspices of being, an in-kind contribution to the Rodham Campaign. Other parties to this matter, in particular GRI, should provide documentation that is consistent with the facts stated above. In light of these facts and the failure by the complainant to state a violation of the Federal

96043724199

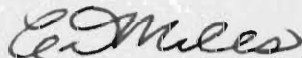


Mr. Noble  
September 23, 1994  
Page Two

Election Campaign Act by the President, we request that your agency dismiss the President as a respondent in this matter (NOR 4028).

Please contact me if you have any questions or need further information. We look forward to hearing from you soon.

Sincerely,



Cheryl Mills  
Associate Counsel to the President

96043724200

HUNTER & VANTURE, P.A.  
Counselors and Attorneys at Law

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
ADMINISTRATIVE DIVISION

Oct 12 9 18 AM '94

Telephone (904) 222-1343  
Fax (904) 661-6159

The Cambridge Centre  
219 East Virginia Street  
Tallahassee, Florida 32301

October 5, 1994

Mary L. Taksar, ESQ.  
Federal Election Commission  
Washington, DC 20463

RE: MUR 4028

Dear Ms. Taksar:

This letter is in followup to correspondence I received regarding a complaint filed against E.C.S., Inc. for violation of Federal Campaign Election Act of 1971.

It appears that the Complainant, Ellis Rubin, has the wrong E.C.S., Inc. in this complaint. The complaint states that Marilyn J. Parker owns E.C.S. Company. E.C.S., Inc. has no idea who Marilyn J. Parker is and E.C.S., Inc. is not E.C.S. or E.C.S. Company. Ms. Parker has no involvement at all with E.C.S. In fact, E.C.S. is simply a small corporation located in Tallahassee, Florida and this simply is the owner of a couple of mortgages. Other than that E.C.S. has no other significant function.

E.C.S. has not been involved in no type of campaign and has no knowledge of any of the allegations made in the complaint.

I understand that the time for filing a response to this letter has passed but nevertheless I wanted the commission to have this information. If there is any other information that we can provide or any other further clarification, please let us know. I will be the attorney for E.C.S., Inc. and if there are any questions, please do not hesitate to contact me at your convenience.

Very truly yours,

*Charles E. Vanture*

Charles E. Vanture  
ATTORNEY AT LAW

CEV:j

c\E.C.S., Inc.\Response

96043724201  
OCT 12 9 42 AM '94  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

LAW OFFICES  
**JONES & WADE**  
707 NORTH FLAGLER DRIVE  
WEST PALM BEACH, FLORIDA 33491

TELEPHONE (407) 833-4345  
FACSIMILE (407) 833-4491

DANIEL H. JONES  
FLORIDA BAR BOARD CERTIFIED  
CIVIL TRIAL LAWYER

JERRY M. WADE, II

OF COUNSEL

DAVID H. BLUDWORTH

November 7, 1994

Mary L. Taksar, Attorney  
Central Enforcement Docket  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: E.C.S., INC.  
MUR 4028

Dear Ms. Taksar:

This office received your letter dated November 1, 1994, on November 4, 1994. I have forwarded the letter to E.C.S., Inc. at their last known address along with a letter urging them to give the matter their immediate and utmost attention.

Your letter was delivered to Daniel H. Jones in his "capacity" as Registered Agent for the corporation. Please be advised that Mr. Jones and this firm effectively terminated representation of Engineering and Construction Services, Inc. over three (3) years ago. I have made repeated requests of my contact with the corporation that they immediately take steps necessary to obtain a new Registered Agent. Obviously, to date they have failed to do so.

I regret any inconvenience this has caused to your investigation.

Very truly yours,

  
JERRY M. WADE II

JMW/kml

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Nov 9 11 45 AM '94

26043724202

In the Matter of

)  
) Enforcement Priority  
)

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. INTRODUCTION**

This report is the General Counsel's Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

**II. CASES RECOMMENDED FOR CLOSING**

**A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission**

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 10 cases which do not warrant further pursuit relative to the other pending cases.<sup>1</sup> A short description of each case and the factors leading to assignment of a relatively

1. These matters are: MUR 4165 (Attachment 2); MUR 4187 (Attachment 3); MUR 4188 (Attachment 4); MUR 4199 (Attachment 5); MUR 4211 (Attachment 6); MUR 4212 (Attachment 7); MUR 4216 (Attachment 8); MUR 4224 (Attachment 9); MUR 4243 (Attachment 10); MUR 4245 (Attachment 11).

26043724203

low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 2-11. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referrals for matters referred by the Reports Analysis Division in instances where this information was not previously circulated. See Attachments 2-11.

**B. Stale Cases**

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 33 cases that

do not

warrant further investment of significant Commission resources.<sup>2</sup>

2. These matters are: IPM 308 (Attachment 12); RAD 94L-29 (Attachment 13); RAD 94L-34 (Attachment 14); RAD 94NF-10 (Attachment 15); RAD 94NF-13 (Attachment 16); MUR 4027 (Attachment 17); MUR 4028 (Attachment 18); MUR 4033 (Attachment 19); MUR 4042 (Attachment 20); MUR 4045 (Attachment 21); MUR 4047 (Attachment 22); MUR 4049 (Attachment 23); MUR 4057 (Attachment 24); MUR 4059 (Attachment 25); MUR 4062 (Attachment 26); MUR 4065 (Attachment 27); MUR 4066 (Attachment 28); MUR 4067 (Attachment 29); MUR 4069 (Attachment 30); MUR 4070 (Attachment 31); MUR 4077 (Attachment 32); MUR 4079 (Attachment 33); MUR 4086 (Attachment 34); MUR 4089 (Attachment 35); MUR 4095 (Attachment 36); MUR 4099 (Attachment 37); MUR 4102 (Attachment 38); MUR 4104 (Attachment 39); MUR 4111 (Attachment 40); MUR 4113 (Attachment 41); MUR 4117 (Attachment 42); MUR 4127 (Attachment 43); and MUR 4132 (Attachment 44).

26043724204

Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. As the Commission requested, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report in instances where this information was not previously circulated. See Attachments 12-44.

26043724205

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below in Section III.A and III.B effective February 13, 1996. By closing the cases effective February 13, 1996, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record.

**III. RECOMMENDATIONS**

**A. Decline to open a MUR and close the file effective February 13, 1996 in the following matters:**

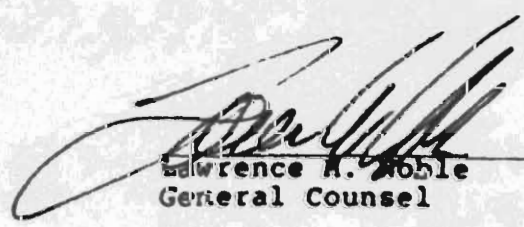
- 1) PM 308
- 2) RAD 94L-29
- 3) RAD 94L-34
- 4) RAD 94NF-10
- 5) RAD 94NF-13

B. Take no action, close the file effective February 13, 1996, and approve the appropriate letter in the following matters:

- 1) MUR 4027
- 2) MUR 4028
- 3) MUR 4033
- 4) MUR 4042
- 5) MUR 4045
- 6) MUR 4047
- 7) MUR 4049
- 8) MUR 4057
- 9) MUR 4059
- 10) MUR 4062
- 11) MUR 4065
- 12) MUR 4066
- 13) MUR 4067
- 14) MUR 4069
- 15) MUR 4070
- 16) MUR 4077
- 17) MUR 4079
- 18) MUR 4086
- 19) MUR 4089
- 20) MUR 4095
- 21) MUR 4099
- 22) MUR 4102
- 23) MUR 4104
- 24) MUR 4111
- 25) MUR 4113
- 26) MUR 4117
- 27) MUR 4127
- 28) MUR 4132
- 29) MUR 4165
- 30) MUR 4187
- 31) MUR 4188
- 32) MUR 4199
- 33) MUR 4211
- 34) MUR 4212
- 35) MUR 4216
- 36) MUR 4224
- 37) MUR 4243
- 38) MUR 4245

96043724206

Date 2/6/96

  
Lawrence A. Noble  
General Counsel

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
Enforcement Priority ) **Agenda Document #X96-13**

**CORRECTED CERTIFICATION**

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission, do hereby certify that the Commission decided by votes of 4-0 to take the following action in the above-captioned matter:

A. Decline to open a MUR and close the file effective March 5, 1996, in the following matters:

- 1) PM 308
- 2) RAD 94L-29
- 3) RAD 94L-34
- 4) RAD 94NF-10
- 5) RAD 94NF-13

B. Take no action, close the file effective March 5, 1996, and approve appropriate letter in the following matters:

- 1) MUR 4027
- 2) MUR 4028
- 3) MUR 4033
- 4) MUR 4042
- 5) MUR 4045
- 6) MUR 4047
- 7) MUR 4049
- 8) MUR 4057
- 9) MUR 4059

(continued)

96043724207



Federal Election Commission  
Certification: Enforcement Priority  
March 6, 1996

Page 2

- 10) MUR 4062
- 11) MUR 4065
- 12) MUR 4066
- 13) MUR 4067
- 14) MUR 4069
- 15) MUR 4070
- 16) MUR 4077
- 17) MUR 4079
- 18) MUR 4086
- 19) MUR 4089
- 20) MUR 4095
- 21) MUR 4099
- 22) MUR 4102
- 23) MUR 4104
- 24) MUR 4111
- 25) MUR 4113
- 26) MUR 4117
- 27) MUR 4127
- 28) MUR 4132
- 29) MUR 4165
- 30) MUR 4187
- 31) MUR 4188
- 32) MUR 4199
- 33) MUR 4211
- 34) MUR 4212
- 35) MUR 4216
- 36) MUR 4224
- 37) MUR 4243
- 38) MUR 4245

96043724208

(continued)

Federal Election Commission  
Certification: Enforcement Priority  
March 9, 1996

Page 3

Commissioners Aikens, Elliott, McDonald, and Thomas  
voted affirmatively on the above-noted decisions.  
Commissioner McGarry was not present.

Attest:

3/7/96  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

96043724209



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 7, 1996

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ellis Rubin  
333 N.E. 23rd Street  
Miami, FL 33137

RE: MUR 4028

Dear Mr. Rubin:

On August 12, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437(g)(a)(8).

Sincerely,

Mary L. Taksar (HES)

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724210



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Gary Robert Fine, Treasurer  
Rodham for Senate '94  
28 Flagler Street, 11th Floor  
Miami, FL 33130

RE: MUR 4028  
Clayton Kaeiser, Hugh E. Rodham, Rodham for Senate '94, and Gary Robert Fine,  
as Treasurer

Dear Mr. Fine:

On August 12, 1994, the Federal Election Commission notified Clayton Kaeiser, Hugh E. Rodham, Rodham for Senate '94, and Gary Robert Fine, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the above-mentioned persons. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact the Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (HES)

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724211



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Marilyn J. Parker, President  
E.C.S., Inc.  
815 NW 57th Avenue, Suite 405  
Miami, FL 33126

RE: MUR 4028

Dear Ms. Parker:

On August 12, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against E.C.S., Inc. and you, as President. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact the Alva E. Smith at (202) 219-3400.

Sincerely,

*Mary L. Taksar (HES)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724212



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Arnold Friedman  
15550 New Barn Road #204  
Hialeach, FL 33014

RE: MUR 4028

Dear Mr. Friedman:

On August 12, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against you. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact the Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (tes)

Mary L. Taksar, Attorney  
Central Enforcement Docket

96043724213



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 7, 1996

Edgar N. James, Esq.  
GUERRIERI, EDMOND & JAMES  
1331 F Street, N.W.  
Washington, D.C. 20004

RE: MUR 4028  
Greenberg Research, Inc.

Dear Mr. James:

On August 12, 1994, the Federal Election Commission notified your client, Greenberg Research, Inc., of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact the Alva E. Smith at (202) 219-3400.

Sincerely,

*Mary L. Taksar (HES)*

Mary L. Taksar, Attorney  
Central Enforcement Docket

26043724214



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 7, 1996

Cheryl Mills, Esq.  
Associate Counsel to the President  
White House Counsel's Office  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

RE: MUR 4028  
President William Jefferson Clinton

Dear Ms. Mills:

On August 12, 1994, the Federal Election Commission notified President William Clinton of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against President William Clinton. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 5, 1996.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact the Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar (A23)

Mary L. Taksar, Attorney  
Central Enforcement Docket

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

26043724215





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF RIR # 4028

DATE FILMED 3/19/86 CAMERA NO. 2

CAMERAMAN E.E.S.

96043724216