



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3007

DATE FILMED _____ CAMERA NO. _____

CAMERAMAN _____

93040930964

EDWARD E. KOPKO

Lawyer

000 3303
RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 JUL -3 AM 8:47

PRE-MUR 219

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Wednesday
June 28, 1989

89 JUL -3 PM 12:31

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

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

Attn: Office of General Counsel

In Re: Request for Advisory Opinion
Pursuant to 2 U.S. Code 437(f)

Dear Sir or Madam:

I am a candidate for the office of District Attorney in Schuylkill County, Pennsylvania.

In an attempt to raise funds for my campaign, I contacted a former presidential candidate who appeared in Schuylkill County on my behalf on June 27, 1989.

As compensation for this appearance on my behalf, I agreed to pay \$3,000.00. Following the initial agreement regarding the amount of money, I agreed to pay the remuneration in twelve individual personal checks of \$250.00 each, amounting to \$3,000.00. The checks were payable to former candidate's campaign committee. I obtained the twelve individual checks from my family and friends and delivered them.

At the time that the payment was made, I did not realize that this transaction may fall within the parameters of the Federal Election Campaign Act of 1971, as amended, because no federal election is pending.

Since the time that this money was paid, I have reviewed the Act and the definition of the term "contribution" to mean any money made for the purpose of influencing an election for federal office.

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EDWARD E. KOPKO

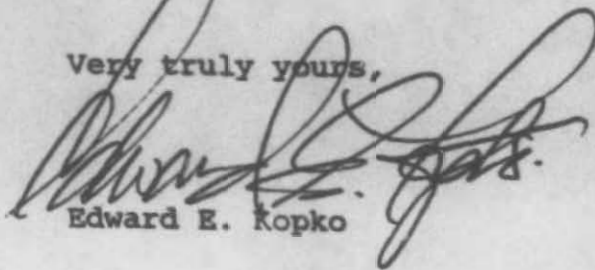
Lawyer

- Page 2 -

Since my guest was an unsuccessful candidate for the office of President, the amount of money that I paid could not be considered to be of any influence over the election.

However, I am anxious to scrupulously observe the Federal Election Campaign laws. Pursuant to the advisory opinions section of the Act, please be kind enough to review the circumstances that I have described to you in this letter and inform me of whether the Federal Election Act has been complied with and if not, those steps necessary for me to follow in order to be in complete compliance with the Act.

Very truly yours,



Edward E. Kopko

EEK/deb

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 13, 1989

Edward E. Kopko
First Federal Building
111 East Norweigan Street
Pottsville, PA 17901

Dear Mr. Kopko:

This refers to your letter dated June 28, 1989 requesting our legal review of payments made in connection with a recent fundraising appearance on your behalf by a "former presidential candidate."

Your letter explains that you are a candidate for local elective office in Pennsylvania and that a former presidential candidate appeared on June 27, 1989, at an event held to raise funds for your local campaign. To compensate this former candidate for the appearance, you obtained a total amount of \$3,000 in 12 "individual personal checks" of \$250 each which were payable to the former candidate's principal campaign committee. These checks were drawn by your "family and friends," and you delivered them to the former candidate's committee. You ask the Commission "to review the circumstances" and inform you whether the Federal Election Campaign Act of 1971, as amended ("the Act"), "has been complied with and if not, those steps necessary for me to follow in order to be in complete compliance with the Act."

The Act authorizes the Commission to render an advisory opinion in response to a complete written request presenting a specific transaction or activity by the requesting person. 2 U.S.C. §437f(a). Commission regulations explain that the request must set forth a specific transaction or activity that the requesting person "plans to undertake or is presently undertaking and intends to undertake in the future." 11 CFR 112.1(b). The facts you relate appear to concern only past activity. Accordingly, your letter does not qualify as an advisory opinion request.

In addition, your inquiry may present issues that relate to both the past and future conduct of the unidentified former presidential candidate who appeared on your behalf. While some of these issues may be proper for an advisory opinion request, you do not indicate that the former candidate has authorized you to submit this inquiry on his or her behalf. Commission

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Letter to Edward E. Kopko
Page 2

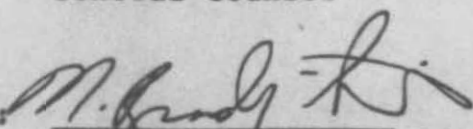
regulations require identification of, and authorization by, any principal who requests an advisory opinion through an agent 11 CFR 112.1(a), see 11 CFR 112.1(d).

Because this matter relates to your past activity and may involve possible violations of the Act, this office will review the circumstances to determine if an enforcement case should be initiated by the Commission pursuant to our regulations and internal procedures. See generally 11 CFR Part 111 and, in particular, 11 CFR 111.3 and 111.8.

If you have any questions about the enforcement process please contact me or Lois Lerner, Associate General Counsel for Enforcement.

Very truly yours,

Lawrence Noble
General Counsel

by: 
N. Bradley Litchfield
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 1989

Edward E. Kopko, Esquire
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

Re: Pre-MUR 219

Dear Mr. Kopko:

This is to acknowledge receipt of your letter dated July 13, 1989, pertaining to certain payments made to a former presidential candidate's campaign committee. You will be notified as soon as the Federal Election Commission takes action on your submission. Your case has been designated Pre-MUR 219. Please include this designation in any future correspondence.

If you have any questions, please call Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling matters such as this.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in black ink, appearing to read "Lois G. Lerner", is written over a horizontal line.

By: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

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06C 3756

EDWARD E. KOPKO

Lawyer

PREMUR219

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Tuesday
August 8, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG 15 PM 12:56

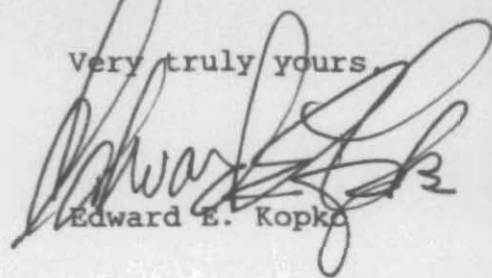
N. Bradley Litchfield, Associate General Counsel
FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

Dear Mr. Litchfield:

I have your letter of July 13, 1989 responding to my request for an advisory opinion, and I thank you for your prompt reply.

I will not be a party to any violation of the Federal Election Campaign Act of 1971 and that is the reason I brought the facts of this case to the attention of the Commission. My complete cooperation is yours for the asking. You are free to examine any documents that I have and I would be pleased to meet with you at any time and location.

Very truly yours,



Edward E. Kopko

EEK/deb

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EDWARD E. KOPKO

Lawyer

06C 4033
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 SEP 18 AM 9:59

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Thursday
September 14, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 SEP 18 PM 1:31

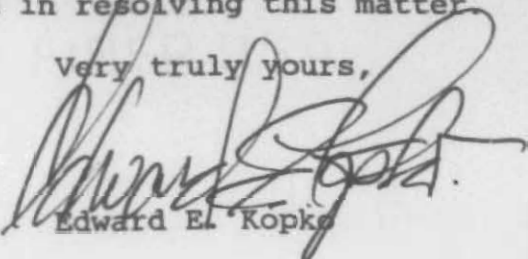
Lois G. Lerner, Asst. General Counsel
Federal Election Commission
Washington, D.C. 20463

In Re: Pre-MUR 219

Dear Attorney Lerner:

As you know by my prior correspondence to the Commission, I am willing to cooperate in any regard with the Federal Election Commission. I note in your description of preliminary procedures, there exists a conciliation procedure. I again offer my full and complete cooperation in resolving this matter.

Very truly yours,


Edward E. Kopko

EEK/deb

93040930971

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

FIRST GENERAL COUNSEL'S REPORT

Pre-MUR # 219
STAFF MEMBER: A. Buckley

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Edward E. Kopko; Debra Kopko; Deborah Smink; Joanne O'Toole; Irene Beretsky; Janet Smith; Marcella Kopko; James Yacobacci; Tami Poslosky; Franklin Fetter; Joseph Geles; Henry Trasatt; David Wentz; Haig for President and Dominic J. Sarceno, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1); 2 U.S.C. § 441a(f); 2 U.S.C. § 441f; 11 C.F.R. § 110.1(b)(3)(i); 11 C.F.R. § 110.1(g); 11 C.F.R. § 110.6

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On June 28, 1989, Edward E. Kopko wrote to this Office requesting an advisory opinion as to whether certain actions already taken by him violated any provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). (Attachment 1). He was informed that, pursuant to the Commission's regulations, advisory opinions could only be rendered in regard to activity which a person plans to undertake or was presently undertaking, see 11 C.F.R. § 112.1(b), and that since he had completed the activity about which he had questions, no advisory opinion could be given. He was further informed that because his activity may have involved past

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violations of the Act, this Office would review the circumstances of his situation to determine if an enforcement matter should be opened by the Commission.

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. The limitations to which such contributions are subject include the limit of \$1,000 that any individual may give to a single candidate. 2 U.S.C. § 441a(a)(1). Pursuant to 2 U.S.C. § 441a(f), it is unlawful for any political committee to knowingly accept any contribution which is in violation of the provisions of Section 441(a). Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

According to Mr. Kopko's letter, he is presently a candidate for the office of District Attorney in Schuylkill County, Pennsylvania. In an attempt to raise funds for his campaign, Mr. Kopko contacted a former presidential candidate, later identified as Alexander Haig, who appeared on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay the candidate \$3,000 by means of twelve individual personal checks of \$250

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each, each check payable to General Haig's campaign committee. Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko states that he did not believe that the amounts paid could be considered contributions since no Federal election was pending when the money was paid and that, since General Haig was an unsuccessful candidate, the money paid could not be considered to be of any influence over a Federal election.

A review of the 1989 July Quarterly Report for General Haig's principal campaign committee, Haig for President ("the Committee"), reveals that on June 5, 1989, the Committee received checks from 12 individuals in the amount of \$250 each.

Although the agreement called for Mr. Kopko to pay the \$3,000 fee in twelve individual checks, the amounts reported on the Committee's schedule assign the payment to twelve individuals. Schedule A-P of the Committee's 1989 July Quarterly Report reveals that two of the twelve individuals are employed by Mr. Kopko. Additionally, one of these two and one other appear to be related to Mr. Kopko. While these relationships could suggest that these persons would have been willing to make the contributions to assist Mr. Kopko, they just as easily suggest that they would have been willing to make the contributions with the understanding that they would be reimbursed. Although the agreement to pay the \$3,000 was made by Edward Kopko, none of the records show him as having paid any of the amount. This makes it more likely that he paid the full amount by reimbursing the individuals who made out checks to the

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Committee. Definitive answers can be obtained by propounding interrogatories and requests for production of documents to the individuals involved.

If Mr. Kopko reimbursed these people, then he contributed a total of \$3,000, \$2,000 in excess of the \$1,000 limit. Additionally, Mr. Kopko made contributions in the names of other persons, and these persons allowed their names to be used by Mr. Kopko to make contributions to the Committee. At the same time, if the Committee knew that Mr. Kopko was reimbursing people, it accepted excess contributions from Mr. Kopko, and knowingly accepted contributions made by one person in the names of others.¹

Accordingly, this Office recommends that the Commission find reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1) and 441f;² that Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt, and David Wentz each violated 2 U.S.C. 441f; and that Haig for President and Dominic J. Sarceno, as treasurer,

1.

2. If Edward Kopko acted as a conduit in collecting the individual checks and passing them along to the Committee, his failure to report this activity would be a violation of 11 C.F.R. § 110.6(c). Likewise, the failure of the Committee to report Mr. Kopko's status as a conduit would be a violation of 11 C.F.R. § 110.6(c). No recommendations in this regard are being made at this time pending the results of the investigation.

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violated 2 U.S.C. §§ 441a(f) and 441f.³ This Office further recommends that the Commission approve the attached letters, factual and legal analyses, and interrogatories and requests for production of documents.

III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1) and 441f.
3. Find reason to believe that Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt and David Wentz each violated 2 U.S.C. § 441f.
4. Find reason to believe that Haig for President and Dominic J. Sarceno violated 2 U.S.C. §§ 441a(f) and 441f.
5. Approve the attached letters, Factual and Legal Analyses, and interrogatories and requests for production of documents.

Lawrence M. Noble
General Counsel

10-31-89
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. Referral Materials
2. Proposed Letters (14) and Factual and Legal Analyses (14)
3. Interrogatories and Requests for Production of Documents (13)

3. Because the money involved here was received after December 31, 1988, and was thus too late to be submitted for presidential matching funds pursuant to 26 U.S.C. § 9034, no issue exists as to whether the Committee submitted contributions which should not have been matched.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *MW* MARJORIE W. EMMONS
COMMISSION SECRETARY

DATE: NOVEMBER 7, 1989

SUBJECT: Pre-MUR 219 First General Counsel's Report
dated October 31, 1989

The above-captioned document was circulated to the
Commission on Friday, November 3, 1989 12:00.

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	XXXX	_____
Commissioner Elliott	XXXXX	_____
Commissioner Josefiak	XXXXX	_____
Commissioner McDonald		_____
Commissioner McGarry		_____
Commissioner Thomas	XXXX	_____

This matter will be placed on the meeting agenda
for TUESDAY, NOVEMBER 14, 1989.

Please notify us who will represent your Division before the
Commission on this matter.

93040930977



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 NOV 28 AM 10:03

November 28, 1989

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner *LS*
Associate General Counsel

SUBJECT: MUR 3007
Redrafted proposed letter and factual and legal
analysis

On November 14, 1989, the Commission voted to direct this Office to amend the letter to Edward Kopko and the Factual and Legal Analysis for Edward Kopko attached to the First General Counsel's Report in Pre-MUR 219 (now MUR 3007) dated October 31, 1989, and circulate them for Commission approval on a tally vote basis. This Office hereby submits the attached amended letter and Factual and Legal Analysis for Commission approval.

Attachments

1. Letter
2. Factual and Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Edward E. Kopko; Debra Kopko;)
Deborah Smink; Joanne O'Toole;)
Irene Beretsky; Janet Smith;)
Marcella Kopko; James)
Yacobacci; Tami Poslosky;)
Franklin Fetter; Joseph Geles;)
Henry Trasatt; David Wentz;)
Haig for President and Dominic)
J. Sarceno, as treasurer)

Pre-MUR 219

(MUR
3007)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on November 14, 1989, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in Pre-MUR 219:

1. Open a Matter Under Review (MUR).
2. Reject the other recommendations contained in the General Counsel's report dated October 31, 1989.
3. Find reason to believe that Edward E. Kopko violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).

(continued)

93040930979

Federal Election Commission
Certification for Pre-Mur 219
November 14, 1989

Page 2

4. Direct the Office of General Counsel to draft an appropriate letter and factual and legal analysis pursuant to the discussion held this date, and circulate them for Commission approval on a tally vote basis.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Josefiak dissented.

Attest:

November 20, 1989

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

93040930980

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Redrafted proposed letter and) MUR 3007
factual and legal analysis)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 30, 1989, the Commission decided by a vote of 5-1 to approve the amended letter and Factual and Legal Analysis as recommended in the General Counsel's memorandum dated November 28, 1989.

Commissioners Aikens, Elliott, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioner Josefiak objected for the record.

Attest:

12/5/89

Date

Hilda Arnold

for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Tues., Nov. 28, 1989 10:03 a.m.
Circulated to the Commission: Tues., Nov. 28, 1989 4:00 p.m.
Deadline for vote: Thurs., Nov. 30, 1989 4:00 p.m.

93040930981



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

December 11, 1989

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

On November 14, 1989, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441a(8), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 110.6(c), a provision of the Commission's regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. In your response, please clarify for the Commission whether or not you reimbursed the twelve individuals for the checks they made out to Alexander Haig's political committee in June of 1989. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Edward E. Kopko
Page 2

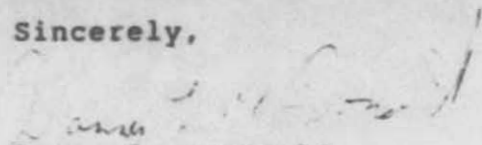
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040930983

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Edward E. Kopko

MUR: 3007

93040930984

Pursuant to 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c), any person who acts as an intermediary or conduit for contributions made by persons to a candidate must report the original source and intended recipient of such contributions to the Federal Election Commission and to the intended recipient. If a conduit does not regularly file reports with the Commission, such a report shall be made by letter and must include the name and mailing address of each contributor and if the contribution exceeds \$200, the contributor's occupation and the name of his or her employer; the amount of the contribution, the date received by the conduit, and the intended recipient, as designated by the contributor; and the date the contribution was passed on to the intended recipient, and whether the contribution was passed on in cash, the contributor's check, or the conduit's check.

According to a letter from Edward E. Kopko dated June 28, 1989, he was at that time a candidate for the office of District Attorney in Schuylkill County, Pennsylvania. In an attempt to raise funds for his campaign, Mr. Kopko contacted a former presidential candidate who appeared on his behalf in Schuylkill County on June 27, 1989. As compensation for the former candidate's appearance, Mr. Kopko agreed to pay the candidate

\$3,000 in twelve individual personal checks of \$250 each, each check payable to the former candidate's campaign committee. Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko has since identified the presidential candidate as Alexander M. Haig, Jr. A review of the 1989 July Quarterly Report for Mr. Haig's principal campaign committee, Haig for President ("the Committee"), reveals that on June 5, 1989, 12 individuals made out checks to the Committee in the amount of \$250.

The Commission has not received any report from Edward E. Kopko as a conduit for the twelve checks reported by the Committee. Therefore, there is reason to believe Edward E. Kopko violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).

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EDWARD E. KOPKO

Lawyer

06-C 4945
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 DEC 21 AM 8:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Tuesday
December 19, 1989

Anthony Buckley, Esquire
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

In Re: Edward E. Kopko
MUR 3007

Dear Attorney Buckley:

I am anxious to cooperate with the Commission in the resolution of this case. Along with this letter I am delivering to you a list of the individuals from whom I obtained the checks. I trust this list complies with the requirements of 2 U.S.C. Section 441a(a)(8) and 11 C.F.R. Section 110.6(c). Each of the checks were made payable to the "Haig for President" Committee in May, 1989. I do not have the dates of each check.

As I explained to you during our telephone conversation, I contacted General Haig's office and requested his appearance on my behalf for a political fundraiser. During subsequent telephone conversations with General Haig's son, Alexander P. Haig, we agreed that I would pay General Haig \$3,000.00 for his appearance. Thereafter, Alexander P. Haig requested that I pay the \$3,000.00 in twelve individual checks of \$250.00 each. I agreed, obtained the checks and delivered them to Alexander P. Haig by letter dated May 26, 1989. I am delivering to you a copy of the cover letter.

In obtaining the twelve checks for the "Haig for President" Committee, I looked to my friends and family. As I was a candidate myself, they were willing to make the contributions to the Haig Committee as their way of helping my campaign. I reimbursed the contributors. I was not requested by anyone to reimburse the contributors and did so on my belief that the funds were not "contributions" within the meaning of the Federal Election Code because they were not being made for the purpose of influencing an election, General Haig having been a candidate the previous year.

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 DEC 21 PM 12:21

930409306

EDWARD E. KOPKO

Lawyer

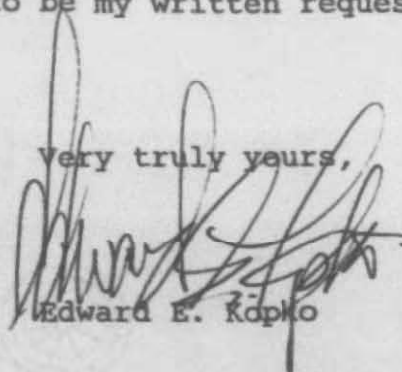
- Page 2 -

I brought these facts to the attention of the Commission because I sought to strictly comply with the law and I could find no guidance in my research regarding the facts of this case.

I trust that this is a satisfactory explanation of these events. Please consider this letter to be my written request for pre-probably cause conciliation.

Thank you. Merry Christmas!

Very truly yours,



Edward E. Kopko

EEK:deb
Enclosures

93040930987

EDWARD E. KOPKO

Lawyer

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
May 26, 1989

Mr. Alexander Haig, Jr.
1155 Fifteenth Street, NW
Washington, D.C. 20005

Dear Al:

I am pleased to deliver to you along with this letter 12 checks, each in the amount of \$250.00 as a contribution to your father's campaign. I trust that this is satisfactory to you.

I am also delivering to you a tentative flight itinerary which describes the aircraft, its avionics, and the pilot. I have personally flown with the pilot and always found him to be extra-ordinarily conscientious and safety-minded.

I am delighted to report that the news of the visit of General Haig has Schuylkill County buzzing. We are in the process of preparing a tentative itinerary all, of course, subject to your approval. From the reaction that we have received to date, we expect that this will be a major media event. We expect radio and television coverage and a substantial turn out of well-wishers.

Again, I express my appreciation for your kind assistance in my campaign and look forward to the first opportunity to repay this generosity.

Very truly yours,

Edward E. Kopko

EEK/deb
Enclosures

930409300988

HAIG DONATIONS

Edward E. & Debra Kopko
1441 Oak Road
Pottsville, PA 17901

Occupation & Employer:

Ed - Self-employed attorney
Pottsville, PA 17901

Debra - Legal Secretary - Edward E. Kopko, Lawyer, P.C.
Pottsville, PA 17901

Jeffrey & Deborah Smink
2804 Village Road
Orwigsburg, PA 17961

Occupation & Employer:

Jeff - Plant Manager - Zapata Industries
Hazleton, PA 18201

Deborah - Legal Secretary - Edward E. Kopko, Lawyer, P.C.
Pottsville, PA 17901

Michael & Joanne O'Toole
819 Pine Wood Drive
Pottsville, PA 17901

Occupation & Employer:

Mike - Police Officer - Pottsville Police Department
Pottsville, PA 17901

Joanne - Secretary - Pottsville Hospital & Warne Clinic
Pottsville, PA 17901

Louis & Irene Beretsky
R.D. #1, Box 1442
Pottsville, PA 17901

Occupation & Employer: Both Retired

James & Janet Smith
1630 E. Norwegian Street
Pottsville, PA 17901

Occupation & Employer:

Jim - Retired police officer

Janet - Pharmacist Assistant - Towne Drugs
Pottsville, PA 17901

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Marcella Kopko
441 South Third Street
Minersville, PA 17954
Occupation & Employer: Retired

James & Anne Yacobacci
1333 W. Market Street
Pottsville, PA 17901
Occupation & Employer:
Jim - Private Investigator - Centurion Investigations &
Security, Ltd.
Pottsville, PA 17901
Anne - Housewife

Tammy Poslosky
Elm Street
Pottsville, PA 17901
Occupation & Employer: Waitress - Roman Delight Restaurant
St. Clair, PA

Franklin Fetter
Park Crest
Barnesville, PA
Occupation & Employer: Self-employed Mortician

Joseph & Barbara Geles
564 Lewis Street
Minersville, PA 17954
Occupation & Employer:
Joe: Construction Foreman - Counties Construction
Philadelphia, PA
Barbara: Practical Nurse - Good Samaritan Hospital
Pottsville, PA 17901

Henry & Helen Trasatt
414 South Third Street
Minersville, PA 17954
Occupation & Employer: Both Retired

David & Henrietta Wentz

R.D. #1, Primrose

Pottsville, PA 17901

Occupation & Employer:

Dave - Construction worker - Tropp Construction Co.

Henrietta - Medical Secretary - Good Samaritan Hospital
Pottsville, PA 17901

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

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SENSITIVE

March 7, 1990

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner *LL*
Associate General Counsel

SUBJECT: MUR 3007 -- Withdrawal and Resubmission of General
Counsel's Report

The General Counsel's Report in the above-captioned matter dated March 1, 1990 is being withdrawn due to an error which has been discovered in one of the attachments. A new General Counsel's Report containing the correction is attached for circulation.

93040930992

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Edward E. Kopko

)
) MUR 3007
)
)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

930409933
According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them.

Because Mr. Kopko's letter, the sole piece of evidence at that time, was inconclusive as to whether Mr. Kopko's own monies were used to make the contributions at issue, and because Mr. Kopko's letter did acknowledge that he had served as a conduit by accepting the twelve checks and delivering them to the Committee, the Commission, on November 14, 1989, found reason to believe that Edward E. Kopko had violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c) by failing to file a report as required of all conduits. The Commission also approved sending a letter which asked Mr. Kopko to clarify

whether he had reimbursed the twelve individuals who had written the checks to the Committee.

Upon receiving notification of the Commission's finding, Mr. Kopko contacted this Office and stated that he had reimbursed some of the individuals but had not reimbursed others. Mr. Kopko further stated that he had not discussed these reimbursements with anyone from the Committee. Mr. Kopko was asked to put these statements into a letter, which was received on December 21, 1989. In this letter, Mr. Kopko requested the opportunity to enter into pre-probable cause conciliation. Because Mr. Kopko's letter was not clear as to whom he had reimbursed, this Office contacted him to request a clarification. In a telephone conversation on December 28, 1989, Mr. Kopko informed this Office that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee.

II. ANALYSIS

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committee with respect to any election for Federal office which, in the aggregate, exceed \$1,000. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another

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person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

Because Mr. Kopko has acknowledged that he reimbursed the twelve individuals for the checks they made out to the Committee, and because the total amount reimbursed was \$3,000, this Office recommends that the Commission find reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A). This Office also recommends that the Commission approve the attached factual and legal analysis which addresses these violations. Mr. Kopko has agreed that any new violations should be incorporated into a conciliation agreement; therefore, this Office further recommends that the Commission enter into conciliation with Edward E. Kopko prior to a finding of probable cause to believe and approve the attached conciliation agreement to be sent to Mr. Kopko, which addresses violations of 2 U.S.C. §§ 441f and 441a(a)(1)(A). Because it appears that by making contributions in the names of others Mr. Kopko would not be able to thereby act as a conduit for contributions, this Office also recommends that the Commission take no further action against Edward E. Kopko with regard to the previously found violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).

Moreover, this Office recommends that the Commission find reason to believe that the twelve individuals, Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt, and David Wentz, each violated

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2 U.S.C. § 441f by accepting reimbursements from Edward Kopko for checks they made out to the Committee, and approve the attached sample factual and legal analysis to be sent to each of them. Because Mr. Kopko's response does not implicate the Haig Committee in the reimbursements, this Office is making no recommendation with regard to Haig for President and Dominic J. Sarceno, as treasurer.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

IV. RECOMMENDATIONS

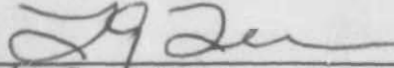
1. Take no further action against Edward E. Kopko with regard to the previously found violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).
2. Find reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.
3. Find reason to believe that Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt and David Wentz each violated 2 U.S.C. § 441f.

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4. Enter into conciliation with Edward E. Kopko prior to a finding of probable cause to believe.
5. Approve the attached proposed conciliation agreement, letters and factual and legal analyses.

Lawrence M. Noble
General Counsel

Date 3/7/90

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Response to Commission's Letter and Request for Conciliation
2. Proposed Conciliation Agreement
3. Proposed Letters (2)
4. Proposed Factual and Legal Analyses (2)

Staff assigned: A. Buckley

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FEDERAL ELECTION COMMISSION

WASHINGTON D C 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DELORES HARRIS ^{GH}
COMMISSION SECRETARY

DATE: MARCH 9, 1990

SUBJECT: MUR 3007 - WITHDRAWAL & RESUBMISSION OF
GENERAL COUNSEL'S RPT DATED
MARCH 7, 1990

The above-captioned document was circulated to the
Commission on Thursday, March 8, 1990 at 11:00 a.m..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	<u>XXXX</u>
Commissioner Elliott	<u></u>
Commissioner Josefiak	<u></u>
Commissioner McDonald	<u></u>
Commissioner McGarry	<u></u>
Commissioner Thomas	<u></u>

This matter will be placed on the meeting agenda
for April 3, 1990.

Please notify us who will represent your Division before the
Commission on this matter.

93040930998

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Edward E. Kopko

)
) MUR 3007
)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 3, 1990, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 3007:

1. Take no further action against Edward E. Kopko with regard to the previously found violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).
2. Find reason to believe that Edward E. Kopko violated 2 U.S.C. § 441a(a)(1)(A) and § 441f.
3. Find reason to believe that Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt and David Wentz each violated 2 U.S.C. § 441f.

(continued)

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4. Enter into conciliation with Edward E. Kopko prior to a finding of probable cause to believe.
5. Approve the proposed conciliation agreement, letters and factual and legal analyses as recommended in the General Counsel's report dated March 7, 1990.

Commissioners Elliott, Josefiak, McDonald, McGarry,
and Thomas voted affirmatively for the decision;
Commissioner Aikens dissented.

Attest:

4-6-90
Date

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

On November 14, 1989, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). Subsequently, as a result of information supplied by you, the Commission, on April 3, 1990, found reason to believe that you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. Also on April 3, 1990, the Commission decided to take no further action with regard to the previously found violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). The Factual and Legal Analysis, which formed a basis for the Commission's latest findings, is attached for your information.

At your request, again on April 3, 1990, the Commission, in reliance on your desire to include any additional violations in any future conciliation discussions, determined to enter into negotiations directed towards reaching a conciliation agreement with regard to apparent violations of 2 U.S.C. § 441a(a)(1)(A) and 441f prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

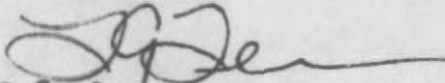
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Edward E. Kopko, Esq.
Page 2

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosures
Factual and Legal Analysis
Conciliation Agreement

93040931002



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Tami Poslosky
Elm Street
Pottsville, PA 17901

RE: MUR 3007
Tami Poslosky

Dear Ms. Poslosky:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Tami Poslosky
Page 2

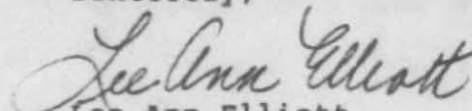
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931004

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Tami Poslosky

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Tami Poslosky was one of these individuals.

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Because Tami Poslosky accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Tami Poslosky knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

Debra Kopko
1441 Oak Road
Pottsville, PA 17901

RE: MUR 3007
Debra Kopko

Dear Ms. Kopko:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Debra Kopko
Page 2

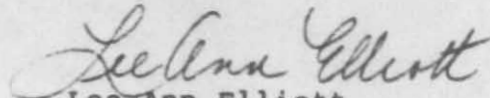
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931008

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Debra Kopko

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Debra Kopko was one of these individuals.

93040931009

Because Debra Kopko accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Debra Kopko knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

David Wentz
RD #1 Primrose
Pottsville, PA 17901

RE: MUR 3007
David Wentz

Dear Mr. Wentz:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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David Wentz
Page 2

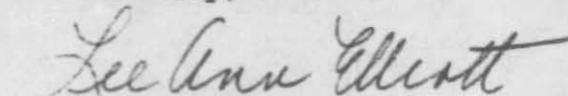
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931012

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: David Wentz

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22.

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. David Wentz was one of these individuals.

93040931013

Because David Wentz accepted reimbursement from Edward E. Kopko for a check he made out to the Committee, there is reason to believe that David Wentz knowingly permitted Edward E. Kopko to use his name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931014



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Henry Trasatt
414 South Third Street
Minersville, PA 17954

RE: MUR 3007
Henry Trasatt

Dear Mr. Trasatt:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Henry Trasatt
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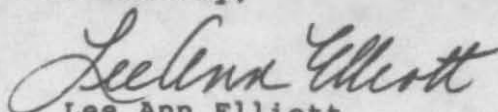
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
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93040931016

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Henry Trasatt

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Henry Trasatt was one of these individuals.

93040931017

Because Henry Trasatt accepted reimbursement from Edward E. Kopko for a check he made out to the Committee, there is reason to believe that Henry Trasatt knowingly permitted Edward E. Kopko to use his name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931018



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Joseph Geles
564 Lewis Street
Minersville, PA 17954

RE: MUR 3007
Joseph Geles

Dear Mr. Geles:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Joseph Geles
Page 2

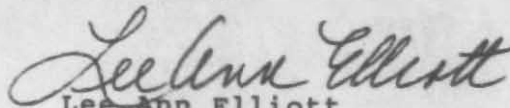
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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures
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93040931020

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joseph Geles

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Joseph Geles was one of these individuals.

93040931021

Because Joseph Geles accepted reimbursement from Edward E. Kopko for a check he made out to the Committee, there is reason to believe that Joseph Geles knowingly permitted Edward E. Kopko to use his name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931022



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

James Yacobacci
1333 W. Market Street
Pottsville, PA 17901

RE: MUR 3007
James Yacobacci

Dear Mr. Yacobacci:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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James Yacobacci
Page 2

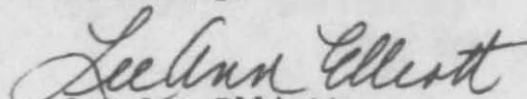
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

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93040931024

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Yacobacci

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22.

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. James Yacobacci was one of these individuals.

93040931025

Because James Yacobacci accepted reimbursement from Edward E. Kopko for a check he made out to the Committee, there is reason to believe that James Yacobacci knowingly permitted Edward E. Kopko to use his name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931026



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

Janet Smith
1630 E. Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Janet Smith

Dear Ms. Smith:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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Janet Smith
Page 2

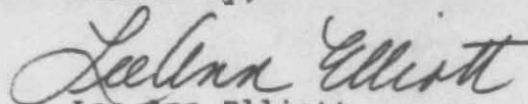
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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

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93040931028

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Janet Smith

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Janet Smith was one of these individuals.

93040931029

Because Janet Smith accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Janet Smith knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931030



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

Marcella Kopko
441 South Third Street
Minersville, PA 17954

RE: MUR 3007
Marcella Kopko

Dear Ms. Kopko:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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Marcella Kopko
Page 2

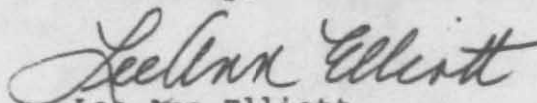
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

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93040931032

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Marcella Kopko

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Marcella Kopko was one of these individuals.

93040931033

Because Marcella Kopko accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Marcella Kopko knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931034



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Joanne O'Toole
819 Pine Wood Drive
Pottsville, PA 17901

RE: MUR 3007
Joanne O'Toole

Dear Ms. O'Toole:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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Joanne O'Toole
Page 2

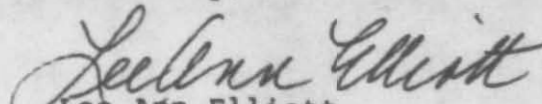
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

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93040931036

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joanne O'Toole

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22.

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Joanne O'Toole was one of these individuals.

93040931037

Because Joanne O'Toole accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Joanne O'Toole knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931038



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 13, 1990

Irene Beretsky
RD #1, Box 1442
Pottsville, PA 17901

RE: MUR 3007
Irene Beretsky

Dear Ms. Beretsky:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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Irene Beretsky
Page 2

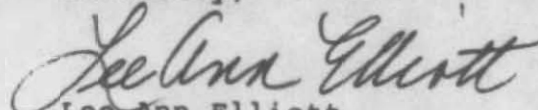
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

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93040931040

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Irene Beretsky

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22.

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Irene Beretsky was one of these individuals.

93040931041

Because Irene Beretsky accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Irene Beretsky knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931042



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

Deborah Smink
2804 Village Road
Orwigsburg, PA 17961

RE: MUR 3007
Deborah Smink

Dear Ms. Smink:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

93040931043

Deborah Smink

Page 2

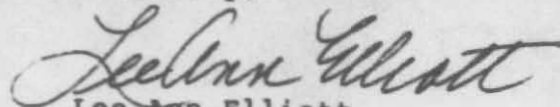
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931044

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Deborah Smink

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22. Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Deborah Smink was one of these individuals.

93040931045

Because Deborah Smink accepted reimbursement from Edward E. Kopko for a check she made out to the Committee, there is reason to believe that Deborah Smink knowingly permitted Edward E. Kopko to use her name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931046



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

Franklin Fetter
Park Crest
Pottsville, PA 17901

RE: MUR 3007
Franklin Fetter

Dear Mr. Fetter:

On April 3, 1990, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

93040931047

Franklin Fetter

Page 2

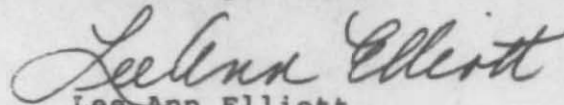
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lee Ann Elliott
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931048

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Franklin Fetter

MUR: 3007

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are subject to the prohibitions and limitations of the Act. These monies are considered contributions for purposes of the Act. See AO 1981-22.

Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person, or knowingly permit his name to be used to effect such a contribution..

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them. Mr. Kopko later informed the Commission that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Franklin Fetter was one of these individuals.

93040931049

Because Franklin Fetter accepted reimbursement from Edward E. Kopko for a check he made out to the Committee, there is reason to believe that Franklin Fetter knowingly permitted Edward E. Kopko to use his name to effect a contribution to Haig for President, in violation of 2 U.S.C. § 441f.

93040931050



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 25, 1990

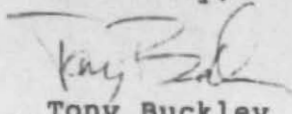
Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Franklin Fetter

Dear Mr. Kopko:

Pursuant to our conversation of April 24, 1990, enclosed please find the letter, Factual and Legal Analysis, description of Federal Election Commission procedures, and designation of counsel form which were previously sent to Franklin Fetter and which were returned by the Post Office. You have agreed to deliver these materials to Mr. Fetter, as he is not located at one fixed address, and as you are representing him in a separate legal matter. Thank you for your cooperation in this matter.

Sincerely,


Tony Buckley
Attorney

Enclosures
Letter
Factual and Legal Analysis
Procedures
Designation of Counsel Form

93040931051

OGC 5972

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 19 AM 3:33

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my son-in-law. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Mrs. Irene Beretsky

Irene Beretsky

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FEDERAL ELECTION COMMISSION
SECRETARIAT
90 APR 19 PM 2:21

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

90 APR 24 PM 9:13

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my cousin. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Barbara Geles

Barbara Geles

93040931053

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

90 APR 23 PM 3:39

OGC 6006

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 24 PM 9:13

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my nephew. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Helen Trasatt

Helen J. Trasatt

93040931054

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
90 APR 23 PM 3:39

OGC 6005

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 24 PM 9:13

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my brother-in-law. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Janet Smith

Janet Smith

93040931055

FEDERAL ELECTION COMMISSION
SECRETARY

90 APR 23 PM 3:39

OGC 6004

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 24 PM 9:13

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my friend. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

James Yacobacci
James Yacobacci

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FEDERAL ELECTION COMMISSION
SECRET

90 APR 23 PM 3:39

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

90 APR 25 AM 8:01

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 25 PM 9:10

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my employer. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Deborah A. Smink

Deborah A. Smink

ENGLISH BOND

FOX RIVER

93040931057

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

90 APR 25 AM 8:08

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

These are the circumstances of my contribution. Edward Kopko is my friend. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,

Joanne O'Toole

Joanne O'Toole

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 APR 25 PM 9:10

85031058

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FEDERAL ELECTION COMMISSION
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90 APR 27 PM 2:03

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FEDERAL ELECTION COMMISSION
MAIL ROOM

90 APR 27 AM 10:57

90 APR 28 AM 2:24

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

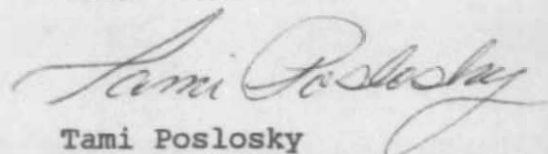
These are the circumstances of my contribution. Edward Kopko is my former employer. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,


Tami Poslosky

ENGLISH BOND

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

90 MAY -1 PM 12:38

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 MAY -1 PM 4:23

April 17, 1990

Lee Ann Elliott, Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Elliott:

I have received your letter dated April 13, 1990 regarding MUR-3007.

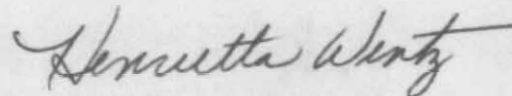
These are the circumstances of my contribution. Edward Kopko is my cousin. In his campaign for District Attorney of Schuylkill County, he asked me for my personal check payable to the "Haig for President Committee". Mr. Kopko explained to me that the check would be delivered to Mr. Haig and that Mr. Haig would appear on Mr. Kopko's behalf in Schuylkill County in support of Mr. Kopko's candidacy for District Attorney.

I delivered my personal check to Mr. Kopko payable to the "Haig for President" campaign and Mr. Kopko reimbursed me for the total amount of my check.

I trust this information responds to your inquiry and I encourage you to contact me for any further information.

Pursuant to 11 C.F.R., Section 11.18(d), I hereby request pre-probable cause conciliation.

Very truly yours,



Henrietta Wentz

93040931060



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

TO: LAWRENCE NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DONNA ROACH *DR*
MW SECRETARY OF THE COMMISSION

DATE: JULY 26, 1990

SUBJECT: MUR 3007 - COMPREHENSIVE INVESTIGATIVE
REPORT #1 DATED JULY 24, 1990

The above-captioned matter was received in the Commission Secretariat at 3:51 p.m. on Tuesday, July 24, 1990. and circulated on a 24-hour no-objection basis at 11:00 a.m. on Wednesday, July 25, 1990.

There were no objections to the above-captioned matter.

93040931061

90 JUL 24 PM 3:51

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Edward E. Kopko, Debra Kopko,)
Deborah Smink, Joanne O'Toole,)
Irene Beretsky, Janet Smith,)
Marcella Kopko, James Yacobacci,)
Tami Poslosky, Franklin Fetter,)
Joseph Geles, Henry Trasatt and)
David Wentz)

SENSITIVE

MUR 3007

COMPREHENSIVE INVESTIGATIVE REPORT #1

On November 14, 1989, the Federal Election Commission found reason to believe that Edward E. Kopko violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). As a result of information supplied by Mr. Kopko, the Commission, on April 3, 1990, found reason to believe that he violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, and decided to take no further action against Mr. Kopko with regard to the violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). On this same date, the Commission also found reason to believe twelve other individuals violated 2 U.S.C. § 441f. Factual and Legal Analyses were approved for all thirteen respondents, and a conciliation agreement was approved for Mr. Kopko, who is an attorney.

Notifications of the Commission's actions were mailed to all respondents on April 13, 1990. Because the notification to Franklin Fetter was returned as undeliverable, and because Mr. Kopko was already representing Mr. Fetter in a separate legal matter, Mr. Kopko agreed to forward Mr. Fetter's notification letter to him. This notification was remailed on April 25, 1990.

93040931062

Edward Kopko has not yet responded to the Commission's conciliation agreement. Responses to the Commission's notification letters have been received from nine of the other twelve respondents. Each of these individuals requested pre-probable cause conciliation. To date, no response has been received from Debra Kopko, Marcella Kopko or Franklin Fetter.

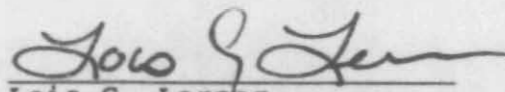
Because of the lack of responses from Edward Kopko and the three other individuals, this Office contacted Mr. Kopko on June 28, 1990 to determine the cause of the delay and to motivate Mr. Kopko to respond to the Commission's conciliation agreement. At that time, Mr. Kopko informed this Office that his wife Debra, one of the four respondents from whom this Office has not yet received a response, died in a boating accident recently, and that this tragedy has prevented him from focusing his attention on the conciliation process. He promised that he would address it at his earliest convenience. Mr. Kopko also stated he would contact Franklin Fetter, his client, and Marcella Kopko, his mother, and have them respond to the Commission's notification. Once all responses are received, this Office will submit a substantive report to the Commission.

Lawrence M. Noble
General Counsel

Date

7/24/90

BY:



Lois G. Lerner
Associate General Counsel

Staff assigned: T. Buckley

93040931063

90 NOV -2 PM 4:48

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)

Deborah Smink, Joanne O'Toole,)
Irene Beretsky, Janet Smith,)
James Yacobacci, Tami Poslosky,)
Joseph Geles, Henry Trasatt and)
David Wentz)

MUR 3007

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 3, 1990, the Commission found reason to believe that Debra Kopko, Marcella Kopko, Franklin Fetter, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz each violated 2 U.S.C. § 441f. Also on April 3, 1990, the Commission found reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f and approved a conciliation agreement for Mr. Kopko. These violations arose out of contributions made by Edward Kopko to Haig for President (the "Committee") in the names of the other respondents. The Committee was seeking contributions in order to retire debts from the 1988 Presidential campaign. Notifications of the Commission's actions were mailed to all respondents on April 13, 1990.

To date, responses have been received from Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz. Each of these respondents admitted being reimbursed for a check

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made out to a political committee, and each requested pre-probable cause conciliation.¹

II. ANALYSIS

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act. FEC v. Ted Haley Congressional Committee, 852 F.2d 1111, 1115 (9th Cir. 1988). Pursuant to 2 U.S.C. § 441f, no person shall knowingly permit his name to be used to make a contribution in the name of another person.

Each of the nine individuals who responded has acknowledged being reimbursed for the checks they made out to a political committee. Each check was for \$250. Therefore, this Office recommends that the Commission enter into conciliation with Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz prior to finding probable cause to believe that violations of 2 U.S.C. § 441f have occurred.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

1. No responses have been received from Marcella Kopko, Edward Kopko, Debra Kopko or Franklin Fetter. Since these four respondents have ignored efforts by this Office to obtain such responses, this Office is moving to the next stage of the enforcement process. Although Edward Kopko has orally represented to this Office that Debra Kopko has passed away, this Office has no written confirmation that this in fact occurred.

93040931065

IV. RECOMMENDATIONS

1. Enter into conciliation with Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz prior findings of probable cause to believe.
2. Approve the attached proposed sample conciliation agreement and the appropriate letters.

Lawrence M. Noble
General Counsel

Date

11/2/90

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Requests for conciliation
2. Sample Proposed Conciliation Agreement

Staff assigned: Tony Buckley

93040931066

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Deborah Smink, Joanne O'Toole,) MUR 3007
Irene Beretsky, Janet Smith,)
James Yacobacci, Tami Poslosky,)
Joseph Geles, Henry Trasatt and)
David Wentz.)

CERTIFICATION


I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 13, 1990, the Commission decided by a vote of 5-1 to take the following actions in MUR 3007:

1. Enter into conciliation with Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz prior findings of probable cause to believe.
2. Approve the proposed sample conciliation agreement and the appropriate letters, as recommended in the General Counsel's Report dated November 2, 1990.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Aikens dissented.

Attest:

11/13/90
Date


for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Friday, Nov. 2, 1990 4:48 p.m.
Circulated to the Commission: Monday, Nov. 5, 1990 11:00 a.m.
Deadline for vote: Tuesday, Nov. 13, 1990 4:00 p.m.

dr

93040931067



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Deborah Smink
2804 Village Road
Orwigsburg, PA 17961

RE: MUR 3007
Deborah Smink

Dear Ms. Smink:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931068



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Joseph Geles
564 Lewis Street
Minersville, PA 17954

RE: MUR 3007
Joseph Geles

Dear Mr. Geles:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931069



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

James Yacobacci
1333 W. Market Street
Pottsville, PA 17901

RE: MUR 3007
James Yacobacci

Dear Mr. Yacobacci:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to be "L. G. Lerner", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931070



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Henry Trasatt
414 South Third Street
Minersville, PA 17954

RE: MUR 3007
Henry Trasatt

Dear Mr. Trasatt:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "LGL", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931071



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

David Wentz
RD #1, Primrose
Pottsville, PA 17901

RE: MUR 3007
David Wentz

Dear Mr. Wentz:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

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Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "L92", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931072



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Joanne O'Toole
819 Pine Woods Drive
Pottsville, PA 17901

RE: MUR 3007
Joanne O'Toole

Dear Ms. O'Toole:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to be "L. G. Lerner", is written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931073



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Irene Beretsky
RD #1, Box 1442
Pottsville, PA 17901

RE: MUR 3007
Irene Beretsky

Dear Ms. Beretsky:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

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Sincerely,

Lawrence M. Noble
General Counsel

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

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931074



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Janet Smith
1630 E. Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Janet Smith

Dear Ms. Smith:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "LGL", is written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931075



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1990

Tami Poslosky
Elm Street
Pottsville, PA 17901

RE: MUR 3007
Tami Poslosky

Dear Ms. Poslosky:

On April 3, 1990, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441f. At your request, on November 13, 1990, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931076

90 DEC -3 AM 9:10

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)

Debra Kopko)

MUR 3007

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 3, 1990, the Commission found reason to believe that Debra Kopko and others had violated 2 U.S.C. § 441f. Notification of the Commission's action was mailed to Mrs. Kopko on April 13, 1990.

Edward Kopko, the Respondent's husband, has orally represented to this Office that Debra Kopko has passed away. The Register of Wills for Schuylkill County, Pennsylvania has confirmed that Debra Kopko passed away on June 16, 1990. Accordingly, this Office recommends that the Commission take no further action against Debra Kopko, close the file as it pertains to her, and approve the appropriate letter, to be sent to her husband.

II. RECOMMENDATIONS

1. Take no further action against Debra Kopko.
2. Close the file as it pertains to Debra Kopko.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date

11-29-90

BY:

Lois G. Lerner
Associate General Counsel

Staff assigned: Tony Buckley

93040931077

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Debra Kopko.) MUR 3007

CERTIFICATION

I, Marjorie W. Emmons Secretary of the Federal Election Commission, do hereby certify that on December 5, 1990, the Commission decided by a vote of 5-0 to take the following actions in MUR 3007:

1. Take no further action against Debra Kopko.
2. Close the file as it pertains to Debra Kopko.
3. Approve the appropriate letter, as recommended in the General Counsel's Report dated November 29, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald, and Thomas voted affirmatively for the decision; Commissioner McGarry did not cast a vote.

Attest:

12-5-90
Date

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

Received in the Secretariat: Mon., December 3, 1990 9:10 a.m.
Circulated to the Commission: Mon., December 3, 1990 11:00 a.m.
Deadline for vote: Wed., December 5, 1990 11:00 a.m.

dr

93040931078



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 10, 1990

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Debra Kopko

Dear Mr. Kopko:

On April 13, 1990, your wife, Debra Kopko, was notified that the Federal Election Commission found reason to believe that she had violated 2 U.S.C. § 441f. Subsequently, you informed this Office, and this Office confirmed, that your wife had passed away.


After considering the circumstances of the matter, the Commission determined on December 5, 1990, to take no further action against your wife, and closed the file as it pertains to her. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

93040931079



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Deborah Smink
2804 Village Road
Orwigsburg, PA 17961

RE: MUR 3007
Deborah Smink

Dear Ms. Smink:

On November 21, 1990, you were notified that, at your request, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations will soon expire. Unless we receive a response from you within five days, this Office will consider these negotiations terminated and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931080



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Irene Beretsky
RD #1, Box 1442
Pottsville, PA 17901

RE: MUR 3007
Irene Beretsky

Dear Ms. Beretsky:

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931081



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joanne O'Toole
819 Pine Woods Drive
Pottsville, PA 17901

RE: MUR 3007
Joanne O'Toole

Dear Ms. O'Toole:

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Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931082



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Janet Smith
1630 E. Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Janet Smith

Dear Ms. Smith:

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Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in dark ink, appearing to read "Lois G. Lerner", is written over the typed name.

BY: Lois G. Lerner
Associate General Counsel

93040931083



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Yacobacci
1333 W. Market Street
Pottsville, PA 17901

RE: MUR 3007
James Yacobacci

Dear Mr. Yacobacci:

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931084



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Geles
564 Lewis Street
Minersville, PA 17954

RE: MUR 3007
Joseph Geles

Dear Mr. Geles:

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931085



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Henry Trasatt
414 South Third Street
Minersville, PA 17954

RE: MUR 3007
Henry Trasatt

Dear Mr. Trasatt:

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931086



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Wentz
RD #1, Primrose
Pottsville, PA 17901

RE: MUR 3007
David Wentz

Dear Mr. Wentz:

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931087



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 12, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tami Poslosky
Elm Street
Pottsville, PA 17901

RE: MUR 3007
Tami Poslosky

Dear Ms. Poslosky:

On November 21, 1990, you were notified that, at your request, the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

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Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

93040931088

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:38

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

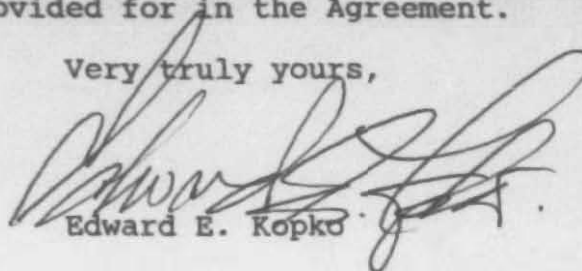
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Deborah A. Smink

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931089



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF AMERICA
 111 E. NORWEGIAN STREET
 POTTSVILLE, PENNSYLVANIA 17801



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSVILLE, PA. 17801

PAY
 TO THE
 ORDER OF

Edward E. Kopko, Lawyer
Two hundred fifty and 00/100

THIS CHECK IS PRINTED FOR PAYMENT ON THE ACCOUNTS LISTED

446074

[Signature]

Two hundred
 18 20 00-7243/2313
 250.00
 DOLLARS

744

06012604036

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

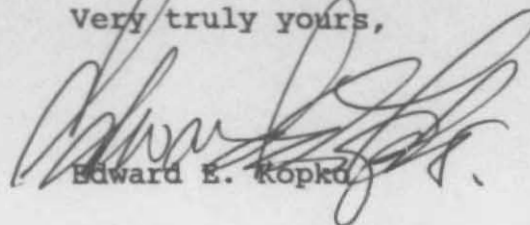
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Joanne O'Toole

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931091

93040931092



EDWARD E. KOPKO, LAWYER

TRUST ACCOUNT

111 E. NORWEGIAN ST.

POTTSVILLE, PA 17801

742

80-7243/2313

PAY
TO THE
ORDER OF

Federal Election Commission

Two hundred fifty and 00/100

DOLLARS

440074

Joanne O'Boyle

E. E. Kopko

FIRST FEDERAL SAVINGS
AND LOAN ASSOCIATION OF MIDDLE
POTTSVILLE, PENNSYLVANIA 17801



EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:38

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17801
(717) 621-3300

Friday
December 21, 1990

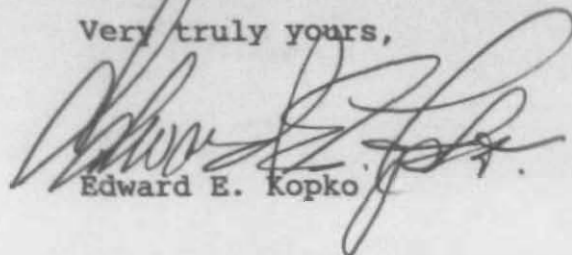
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
James Yacobacci

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250,00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931093



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF MARYLAND
 111 E. NORWEGIAN STREET
 POTTSTOWN, PENNSYLVANIA 17855



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSTOWN, PA. 17855

PAY
 TO THE
 ORDER OF

Edward E. Kopko
Two hundred fifty and 00/100

THIS CHECK IS GUARANTEED FOR PAYMENT ON THE ACCOUNT'S TERMS

E. Kopko

440074

Apr 20 19 20
\$ 250.00
 DOLLARS

741

46013604036

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

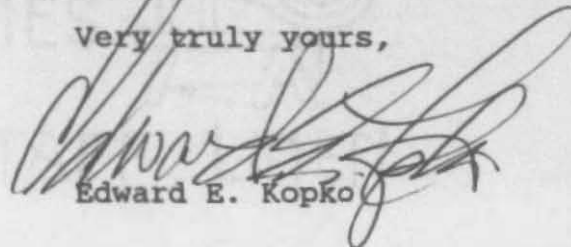
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Janet Smith

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250,000 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931095

9304093109.6

FIRST FEDERAL SAVINGS
111 E. NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17855



EDWARD E. KOPKO, LAWYER

TRUST ACCOUNT

111 E. NORWEGIAN ST.

POTTSVILLE, PA 17801

PAY
TO THE
ORDER OF

Federal Election Commission

Dec 20 90

80-7243/2313

\$250.00

DOLLARS

Two hundred fifty and 00/100

--	--	--	--	--	--	--	--	--	--

439074

Samet Smith

THIS CHECK IS GUARANTEED FOR PAYMENT BY THE ACCOUNTS DEPT.

740

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Irene Beretsky

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250,00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,


Edward E. Kopko

EEK/blm
Enclosure

93040931097

93040931098

FIRST FEDERAL SAVINGS
AND LOAN ASSOCIATION OF AMERICA
111 E. NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17855



EDWARD E. KOPKO, LAWYER
TRUST ACCOUNT
111 E. NORWEGIAN ST.
POTTSVILLE, PA 17801

739

60-7243/2313

PAY
TO THE
ORDER OF

Capital Education Committee
Two hundred fifty and 00/100

Dec 20 1980

\$950.00

DOLLARS

Time Savings

60274

E. Kopko

THIS CHECK IS GUARANTEED FOR PAYMENT ON THE ACCOUNT

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

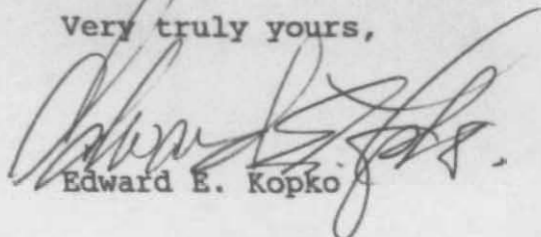
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
David Wentz

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931099



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF MARYLAND
 111 E. NORWEGIAN STREET
 POTTSTOWN, PENNSYLVANIA 17855



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSTOWN, PA 17855

738

PAY
 TO THE
 ORDER OF

Edward E. Kopko, Attorney
for purchase of property
Dec 20 1990
 \$ 250.00
 DOLLARS

446074

<i>David M. Kopko</i>									
-----------------------	--	--	--	--	--	--	--	--	--

THIS CHECK IS RETURNED FOR PAYMENT ON 12/22/90 BY 12/18

[Signature]

00113604026

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

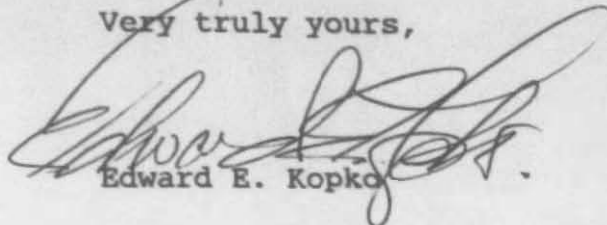
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Joseph Geles

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931101



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF INDIANAPOLIS
 111 E. NORWEGIAN STREET
 POTTSVILLE, PENNSYLVANIA 17854



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSVILLE, PA 17854

PAY
 TO THE
 ORDER OF

Federal Election Commission
Two hundred fifty of 100

THIS CHECK IS ISSUED FOR PAYMENT ON THE ACCOUNT'S 10/1/88

E. Kopko

346074

Dec. 20 90

\$ 250.00

DOLLARS

00-7243/2313

737

93040931102

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

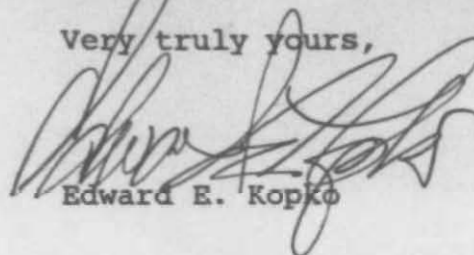
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Henry Trasatt

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250,00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931103



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF AMERICA
 111 E. NORWEGIAN STREET
 POTTSVILLE, PENNSYLVANIA 17801



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSVILLE, PA. 17801

736

PAY
 TO THE
 ORDER OF

Edward E. Kopko
Two hundred forty and 00/100
Twenty Dollars
Dec 20 1990
E. Kopko
 \$250.00
 DOLLARS

THIS CHECK IS SUBJECT TO PAYMENT ON THE ACCOUNTS LISTED

9304093104

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

90 DEC 26 AM 10:37

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Friday
December 21, 1990

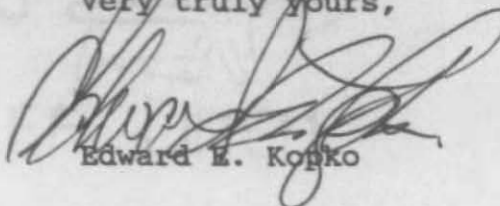
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Tami Poslosky

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

93040931105



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF MARYLAND
 111 E. NORWEGIAN STREET
 POTTSVILLE, PENNSYLVANIA 17801



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSVILLE, PA 17801

735

PAY
 TO THE
 ORDER OF

Edward E. Kopko, Attorney
Two hundred fifty and 10/100
Dec. 20 1990
 \$ *250.10*
 DOLLARS

Tom Postle

THIS CHECK MUST BE PAID FOR PAYMENT ON THE ACCOUNTS 118118

E. Kopko
 448074

60-7243/2313

066 9810
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

LAW OFFICES
KRASNO, KRASNO & QUINN
POTTSVILLE LAW BUILDING
SECOND & LAUREL BOULEVARD
POTTSVILLE, PA. 17901-2528

91 JAN 14 AM 11:52

ISADORE E. KRASNO
LESTER KRASNO
NICHOLAS A. QUINN
ANDREW C. ONWUDINJO
LANNY G. FELTY

(717) 682-8297
FAX (717) 682-8260

January 11, 1991

93040931107
Tony Buckley, Esquire
FEDERAL ELECTION COMMISSION
999 E Street, Northwest
Room 657
Washington, D.C. 20463

RE: MUR 3007
Tammy Poslosky

Dear Mr. Buckley:

Enclosed find Statement of Designation of Counsel on behalf of the above individual. I shall call you next week in an attempt to resolve this matter.

Very truly yours,


Lester Krasno

LK:jcm

Enclosure

cc: Ms. Tammy Poslosky

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF FEDERAL COUNSEL
91 JAN 14 PM 3:57

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3007

NAME OF COUNSEL: LESTER Krasno, ESQ

ADDRESS: POTTSVILLE LAW BLDG
2ND & LAUREL BVD
POTTSVILLE PA 17901

TELEPHONE: 717-622-8297

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.

1-9-91
Date

X Tammy Poslasky
Signature

RESPONDENT'S NAME: TAMMY POSLASKY

ADDRESS: 407 NORTH ST
APT 2

MARION HEIGHTS, PA 17831

HOME PHONE: 717-373-1628

BUSINESS PHONE: 717-622-5086

93040931108

91 JAN -9 PM 4:46

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Deborah Smink, Joanne O'Toole,)
Irene Beretsky, Janet Smith,) MUR 3007
James Yacobacci, Tami Poslosky,)
Joseph Geles, Henry Trasatt and)
David Wentz)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached are nine conciliation agreements which have been individually signed by the above-captioned respondents.

Attachment 1.

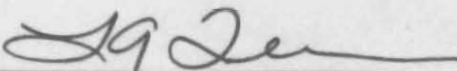
The attached agreements contain no changes from the sample agreement approved by the Commission on November 13, 1990. Nine separate checks for the individual civil penalties have been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz.
2. Close the file as to these respondents.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

1/8/91
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreements (9)
2. Photocopies of civil penalty checks (9)

Staff Assigned: Tony Buckley

93040931109

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Deborah Smink, Joanne O'Toole,) MUR 3007
Irene Beretsky, Janet Smith,)
James Yacobacci, Tami Poslosky,)
Joseph Geles, Henry Trasatt and)
David Wentz.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 14, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 3007:

1. Accept the conciliation agreement with Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz, as recommended in the General Counsel's Report dated January 8, 1991.
2. Close the file as to these respondents.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated January 8, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

Jan 14, 1991
Date

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

Received in the Secretariat: Wed., January 9, 1991 4:46 p.m.
Circulated to the Commission: Thurs., January 10, 1991 11:00 a.m.
Deadline for vote: Mon., January 14, 1991 11:00 a.m.

dh

93040931110

EDWARD E. KOPKO

Lawyer

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Thursday
January 11, 1991

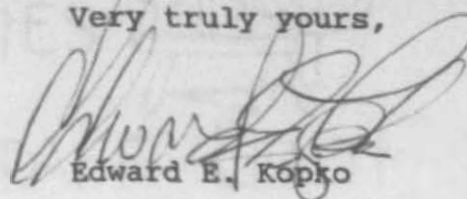
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Franklin Fetter

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure



RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 JAN 18 PM 3:08

9304093111

06C9870

9304093111.2

FIRST FEDERAL SAVINGS 111 E. NORWEGIAN STREET POTTSVILLE, PENNSYLVANIA 17901				EDWARD E. KOPKO, LAWYER TRUST ACCOUNT 111 E. NORWEGIAN ST. POTTSVILLE, PA 17901		747	
PAY TO THE ORDER OF				Federal Election Commission		January 11, 19 91	
Two Hundred and Fifty and 00/100				\$ 250.00		DOLLARS	
Re: Franklin Fetter		448074					
THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED							

EDWARD E. KOPKO

Lawyer

06C 9869
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JAN 17 AM 12:43

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Thursday
January 11, 1991

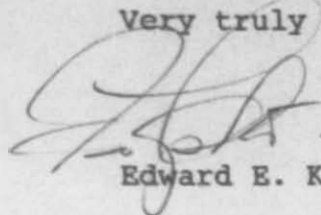
Federal Election Commission
Washington, D.C. 20463

In Re: MUR 3007
Marcella Kopko

Dear Sir/Madam

Along with this letter I am delivering to you the Conciliation Agreement and a check payable to the Federal Election Commission in the amount of \$250.00 in full and complete payment of the civil penalty provided for in the Agreement.

Very truly yours,



Edward E. Kopko

EEK/blm
Enclosure

91 JAN 18 PM 2:38

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

93040931113



FIRST FEDERAL SAVINGS
 AND LOAN ASSOCIATION OF HAZLETON
 111 E. NORWEGIAN STREET
 POTTSVILLE, PENNSYLVANIA 17801



EDWARD E. KOPKO, LAWYER
 TRUST ACCOUNT
 111 E. NORWEGIAN ST.
 POTTSVILLE, PA 17801

746

January 11, 1991

00-7243/2313

PAY TO THE ORDER OF Federal Election Commission

\$ 250.00

Two Hundred and Fifty and 00/100

DOLLARS

Re: Marcelia Kopko

THIS CHECK IS SALVAGED FOR PAYMENT ON THE ACCOUNTS LISTED

[Signature]
 446074

41113604036



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1991

Lester Krasno, Esq.
Krasno, Krasno & Quinn
Pottsville Law Building
Second and Laurel Boulevard
Pottsville, PA 17901-2528

RE: MUR 3007
Tami Poslosky

Dear Mr. Krasno:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty which had been submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your client.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

9304093115

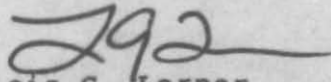
Lester Krasno, Esq.
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931116

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Tami Poslosky)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Tami Poslosky ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Tami Poslosky is a person within the meaning of 2 U.S.C. § 431(11).

93040931117

2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

9304093118

10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

9304093119

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

L. G. Lerner
Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:

Tami Roslosky
(Name)
(Position)

Date

12-17-90

93040931120



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

Deborah Smink
2804 Village Road
Orwigsburg, PA 17961

RE: MUR 3007
Deborah Smink

Dear Ms. Smink:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

93040931121

Deborah Smink
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931122

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Deborah Smink)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Deborah Smink ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Deborah Smink is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:


Lois G. Werner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:

Deborah Ann Smith
(Name)
(Position)

Date

12/20/90

93040931126



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

David Wentz
RD #1, Primrose
Pottsville, PA 17901

RE: MUR 3007
David Wentz

Dear Mr. Wentz:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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David Wentz
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931128

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
David Wentz)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that David Wentz ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. David Wentz is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for his check to the Committee, Respondent allowed his name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted his name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

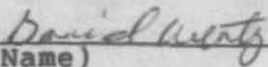
Lawrence M. Noble
General Counsel

BY:


Lois G. Werner
Associate General Counsel

1/18/91
Date

FOR THE RESPONDENT:


(Name)
(Position)

12-19-90
Date

93040931132



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

Henry Trasatt
414 South Third Street
Minersville, PA 17954

RE: MUR 3007
Henry Trasatt

Dear Mr. Trasatt:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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Henry Trasatt
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Werners
Associate General Counsel

Enclosure
Conciliation Agreement

93040931134

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Henry Trasatt)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Henry Trasatt ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Henry Trasatt is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for his check to the Committee, Respondent allowed his name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted his name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

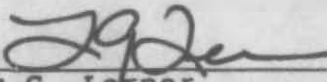
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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

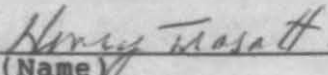
BY:


Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:


(Name)
(Position)

December 19, 1990
Date

93040931138



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1991

Irene Beretsky
RD #1, Box 1442
Pottsville, PA 17901

RE: MUR 3007
Irene Beretsky

Dear Ms. Beretsky:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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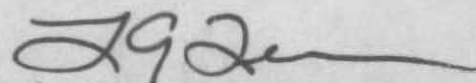
Irene Beretsky
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931140

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Irene Beretsky)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Irene Beretsky ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Irene Beretsky is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

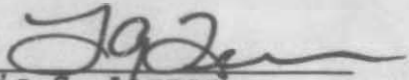
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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

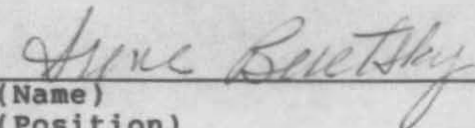
BY:


Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:


(Name)
(Position)

Date

Dec 30, 1990

93040931144



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1991

Joanne O'Toole
819 Pine Woods Drive
Pottsville, PA 17901

RE: MUR 3007
Joanne O'Toole

Dear Ms. O'Toole:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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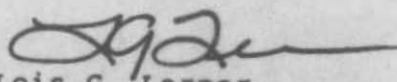
Joanne O'Toole
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931146

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Joanne O'Toole)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Joanne O'Toole ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Joanne O'Toole is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:

Joanne O'Toole
(Name)
(Position)

Date

93040931150



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

Janet Smith
1630 E. Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Janet Smith

Dear Ms. Smith:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

93040931151

8

Janet Smith
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931152

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Janet Smith)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Janet Smith ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Janet Smith is a person within the meaning of 2 U.S.C. § 431(11).

93040931153

2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

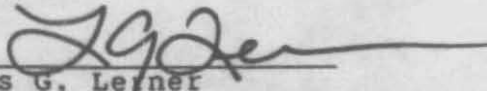
93040931155

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel


BY:


Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:


(Name)
(Position)

Date

Dec 20, 1990

93040931156



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1991

James Yacobacci
1333 W. Market Street
Pottsville, PA 17901

RE: MUR 3007
James Yacobacci

Dear Mr. Yacobacci:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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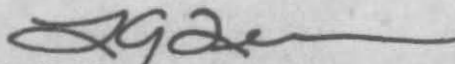
James Yacobacci
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931158

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
James Yacobacci)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that James Yacobacci ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. James Yacobacci is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for his check to the Committee, Respondent allowed his name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted his name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

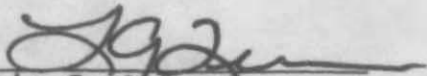
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oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

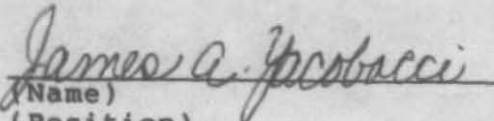
BY:


Lois G. Lerner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:


(Name)
(Position)

Date

12/4/90

93040931162



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

Joseph Geles
564 Lewis Street
Minersville, PA 17954

RE: MUR 3007
Joseph Geles

Dear Mr. Geles:

On January 14, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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Joseph Geles
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931164

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3007
Joseph Geles)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Joseph Geles ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Joseph Geles is a person within the meaning of 2 U.S.C. § 431(11).

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2. Edward E. Kopko is a person within the meaning of 2 U.S.C. § 431(11).

3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. § 431(4).

4. Pursuant to 2 U.S.C. § 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to the Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent for the full amount of Respondent's check.

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10. Respondent's check to the Committee constituted a contribution to that committee.

11. By accepting reimbursement from Edward Kopko for his check to the Committee, Respondent allowed his name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted his name to be used by another person to make a contribution in violation of 2 U.S.C. § 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

93040931167

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

Lois G. Berner
Lois G. Berner
Associate General Counsel

Date

1/18/91

FOR THE RESPONDENT:

Joseph Heller

(Name)
(Position)

Date

12-80-90

93040931168

EDWARD E. KOPKO

Lawyer

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Tuesday
February 5, 1991

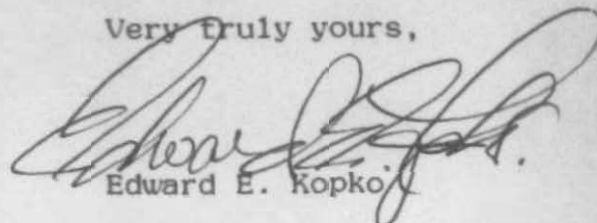
Federal Election Commission
Washington, DC 20463

In Re: MUR 3007
Franklin Fetter

Dear Sir/Madam:

Along with this letter I am delivering to you the
Conciliation Agreement with regard to the above-captioned matter.

Very truly yours,



Edward E. Kopko

EEK:das
Enclosure

93040931169

Tuesday
February 5, 1991

Federal Election Commission
Washington, DC 20463

In Re: MUR 3007
Franklin Fetter

Dear Sir/Madam:

I hereby request conciliation with regard to the enclosed agreement.

Very truly yours,


Marcella Kopko

Enclosure

93040931170

EDWARD E. KOPKO

Lawyer

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 FEB -7 AM 10:16

FIRST FEDERAL BUILDING
111 EAST NORWEGIAN STREET
POTTSVILLE, PENNSYLVANIA 17901
(717) 621-3300

Tuesday
February 5, 1991

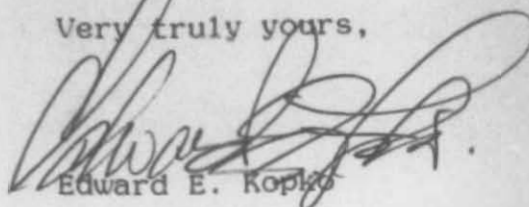
Federal Election Commission
Washington, DC 20463

In Re: MUR 3007
Marcella Kopko

Dear Sir/Madam:

Along with this letter I am delivering to you the
Conciliation Agreement with regard to the above-captioned matter.

Very truly yours,



Edward E. Kopko

EEK:das
Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 FEB -7 PM 1:15

91 FEB -7 PM 1:14

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91 FEB 26 AM 11:30

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Marcella Kopko and Franklin) MUR 3007
Fetter)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 3, 1990, the Commission found reason to believe that Debra Kopko, Marcella Kopko, Franklin Fetter, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz each violated 2 U.S.C. § 441f. On the same date, the Commission also found reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f and approved a conciliation agreement for Mr. Kopko. These violations arose out of contributions made by Edward Kopko to Haig for President (the "Committee") in the names of the other respondents. The Committee was seeking contributions in order to retire debts from the 1988 Presidential campaign.

Subsequently, responses were received from Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, James Yacobacci, Tami Poslosky, Joseph Geles, Henry Trasatt and David Wentz. Each of these respondents admitted being reimbursed for a check made out to a political committee, and each requested pre-probable cause conciliation. On January 15, 1991, the Commission accepted signed conciliation agreements and closed the file in this matter with respect to each of these individuals. Previously, on December 5, 1990, the Commission

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had determined to take no further action against Debra Kopko, as she had passed away. Thus, only three respondents now remain -- Marcella Kopko, Franklin Fetter and Edward E. Kopko.

On February 7, 1991, Marcella Kopko and Franklin Fetter submitted requests to enter into conciliation with the Commission prior to a finding of probable cause to believe. At the same time, they each submitted proposed conciliation agreements which are identical in their terms to those signed by the nine other respondents.¹ Both Marcella Kopko and Franklin Fetter have submitted a civil penalty of \$250.²

II. ANALYSIS

Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act. FEC v. Ted Haley Congressional Committee, 852 F.2d 1111, 1115 (9th Cir. 1988). Pursuant to 2 U.S.C. § 441f, no person shall knowingly permit his name to be used to

1. The conciliation agreement proposed by Franklin Fetter contains minor grammatical errors which have been corrected with his consent. Likewise, the request for conciliation submitted by Marcella Kopko contains an error in the caption which was corrected with her consent.

2. Thus, Edward E. Kopko remains as the lone respondent with whom this Office has yet to conciliate this matter.

make a contribution in the name of another person.

By submitting proposed agreements, both Marcella Kopko and Franklin Fetter have admitted the violations as found by the Commission. Therefore, this Office recommends that the Commission enter into conciliation with Marcella Kopko and Franklin Fetter prior to finding probable cause to believe that violations of 2 U.S.C. § 441f have occurred, that it accept the proposed conciliation agreements submitted by these two respondents, and that it close the file as it pertains to them and approve the appropriate letters.

II. RECOMMENDATIONS

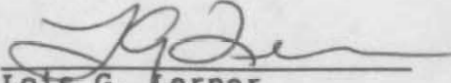
1. Accept the attached conciliation agreements for Marcella Kopko and Franklin Fetter.
2. Close the file as to these respondents.
3. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

2/25/91

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Requests for conciliation (2)
1. Conciliation agreements (2)
2. Photocopies of civil penalty checks (2)

Staff Assigned: Tony Buckley

93040931174

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Marcella Kopko and Franklin) MUR 3007
Fetter.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 28, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3007:

1. Accept the conciliation agreements for Marcella Kopko and Franklin Fetter, as recommended in the General Counsel's Report dated February 25, 1991.
2. Close the file as to these respondents.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated February 25, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry, voted affirmatively for the decision; Commissioner Thomas did not cast a vote.

Attest:

3-1-91

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

Received in the Secretariat: Tues., Feb. 26, 1991 11:30 a.m.
Circulated to the Commission: Tues., Feb. 26, 1991 4:00 p.m.
Deadline for vote: Thurs., Feb. 28, 1991 4:00 p.m.

dr

93040931175



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1991

Franklin Fetter
Park Crest
Barnsville, PA 18214

RE: MUR 3007
Franklin Fetter

Dear Mr. Fetter:

On February 28, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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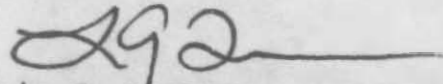
Franklin Fetter
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931177

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

:

MUR 3007

Franklin Fetter

:

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Franklin Fetter ("Respondent") violated 2 U.S.C. Section 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. Section 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Franklin Fetter is a person within the meaning of 2 U.S.C. Section 431(11).

2. Edward E. Kopko is a person within the meaning of 2 U.S.C. Section 431(11).

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3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. Section 431(4).

4. Pursuant to 2 U.S.C. Section 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. Section 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000.00 by means of personal checks of \$250.00 each from twelve individuals, each check payable to Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250.00 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent the full amount of Respondent's check.

10. Respondent's check to the Committee constituted a

contribution to that committee.

11. By accepting reimbursement from Edward Kopko for ^{TB his} ~~her~~ check to the Committee, Respondent allowed his name to the used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted ^{TB his} ~~her~~ name to be used by another person to make a contribution in violation of 2 U.S.C. Section 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two ~~hundred~~ and Fifty dollars (\$250.00), pursuant to 2 U.S.C. Section 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. Section 437g(a)(1) concerning the matters 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~~ institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire

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agreement between the parties on the matters raised herein, and no other statement, promise or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

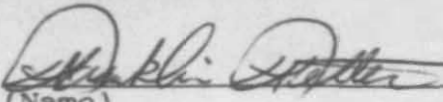
FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Date 3/8/91

FOR THE RESPONDENT:

BY: 
(Name)
(Position)

Date 2/5/91

93040931181



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1991

Marcella Kopko
441 South Third Street
Minersville, PA 17954

RE: MUR 3007
Marcella Kopko

Dear Ms. Kopko:

On February 28, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to you.

This matter will become a part of the public record within 30 days after it has been closed with respect to all other respondents involved. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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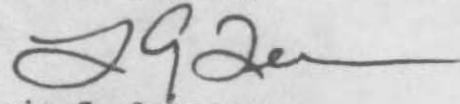
Marcella Kopko
Page 2

to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

93040931183

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of :
: MUR 3007
Marcella Kopko :

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Marcella Kopko ("Respondent") violated 2 U.S.C. Section 441f.

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. Section 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Marcella Kopko is a person within the meaning of 2 U.S.C. Section 431(11).

2. Edward E. Kopko is a person within the meaning of 2 U.S.C. Section 431(11).

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3. Haig for President ("Committee") is a political committee within the meaning of 2 U.S.C. Section 431(4).

4. Pursuant to 2 U.S.C. Section 441f, no person shall allow another person to make a contribution in his or her name.

5. Pursuant to 11 C.F.R. Section 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act.

6. In an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Edward E. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989.

7. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000.00 by means of personal checks of \$250.00 each from twelve individuals, each check payable to Haig for President. The Committee was seeking to retire debt incurred during the 1988 presidential primary campaign.

8. Mr. Kopko obtained one check of \$250.00 from each of twelve individuals, including Respondent. Mr. Kopko delivered these checks to the Committee on May 26, 1989.

9. Contemporaneous with receiving the check from the Respondent, Mr. Kopko reimbursed Respondent the full amount of Respondent's check.

10. Respondent's check to the Committee constituted a

contribution to that committee.

11. By accepting reimbursement from Edward Kopko for her check to the Committee, Respondent allowed her name to be used by Edward Kopko to make a contribution to that Committee.

V. Respondent permitted her name to be used by another person to make a contribution in violation of 2 U.S.C. Section 441f.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Two Hundred and Fifty dollars (\$250.00), pursuant to 2 U.S.C. Section 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. Section 437g(a)(1) concerning the matters 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 a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

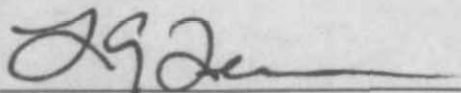
X. This Conciliation Agreement constitutes the entire

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agreement between the parties on the matters raised herein, and no other statement, promise or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

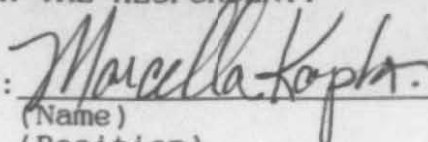
FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

3/8/91
Date

FOR THE RESPONDENT:

BY: 
(Name)
(Position)

Jan. 31, 1991
Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Edward E. Kopko

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)
)

MUR 3007

SENSITIVE

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter, based on the assessment of the information presently available.

Date

4/8/91


Lawrence M. Noble
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Edward E. Kopko

)
)
)

MUR 3007

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of personal checks of \$250 each from twelve individuals, each check payable to General Haig's principal campaign committee, Haig for President (the "Committee"). Mr. Kopko obtained these checks from his family and friends and delivered them to the Committee. The twelve individuals from whom Mr. Kopko obtained the checks are: Debra Kopko, Deborah Smink, Joanne O'Toole, Irene Beretsky, Janet Smith, Marcella Kopko, James Yacobacci, Tami Poslosky, Franklin Fetter, Joseph Geles, Henry Trasatt and David Wentz.

Because Mr. Kopko's letter, the sole piece of evidence at that time, was inconclusive as to whether Mr. Kopko's own monies were used to make the contributions at issue, and because Mr. Kopko's letter did acknowledge that he had served as a conduit by accepting the twelve checks and delivering them to the Committee, the Commission, on November 14, 1989, found

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reason to believe that Edward E. Kopko had violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c) by failing to file a report as required of all conduits. The Commission also approved sending a letter which asked Mr. Kopko to clarify whether he had reimbursed the twelve individuals who had written the checks to the Committee.

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Upon receiving notification of the Commission's finding, Mr. Kopko contacted this Office and stated that he had reimbursed some of the individuals but had not reimbursed others. Mr. Kopko further stated that he had not discussed these reimbursements with anyone from the Committee. Mr. Kopko was asked to put these statements into a letter, which was received on December 21, 1989. Because Mr. Kopko's letter was not clear as to whom he had reimbursed, this Office contacted him to request a clarification. In a telephone conversation on December 28, 1989, Mr. Kopko informed this Office that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee.

Subsequently, on April 3, 1990, the Commission found reason to believe that he violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, and decided to take no further action against Mr. Kopko with regard to the violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). Notification of the Commission's actions was mailed on April 13, 1990.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political

committee with respect to any election for Federal office which, in the aggregate, exceed \$1,000. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act. FEC v. Ted Haley Congressional Committee, 852 F.2d 1111, 1115 (9th Cir. 1988). Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person.

Mr. Kopko has acknowledged that he reimbursed twelve individuals for checks they made out to the Committee, and that the total amount reimbursed was \$3,000. Accordingly, this Office recommends that the Commission find probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A).

III. GENERAL COUNSEL'S RECOMMENDATION

1. Find probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A).

Date

4/18/91


Lawrence M. Noble
General Counsel

93040931191



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1991

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

Based on a complaint filed with the Federal Election Commission by you on July 3, 1989, the Commission, on November 14, 1989, found reason to believe that you violated 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c). Subsequently, as a result of information supplied by you, the Commission, on April 3, 1990, found reason to believe that you violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, and approved a conciliation agreement prior to a finding of probable cause to believe. Also on April 3, 1990, the Commission decided to take no further action with regard to the previously found violations of 2 U.S.C. § 441a(a)(8) and 11 C.F.R. § 110.6(c).

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

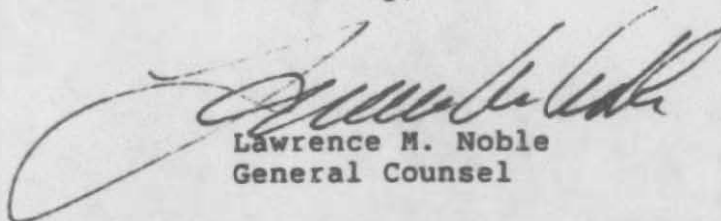
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Edward E. Kopko, Esq.
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

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SENSITIVE

JUN 4 1991

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Edward E. Kopko

)
) MUR 3007
)

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

I. BACKGROUND

According to a letter from Edward E. Kopko dated June 28, 1989, in an attempt to raise funds for his campaign for the office of District Attorney in Schuylkill County, Pennsylvania, Mr. Kopko had asked Alexander Haig, a former presidential candidate, to appear on his behalf in Schuylkill County on June 27, 1989. As compensation for General Haig's appearance, Mr. Kopko agreed to pay him \$3,000 by means of twelve individual personal checks of \$250 each, each check payable to General Haig's campaign committee, Haig for President ("the Committee"). Mr. Kopko obtained the checks from his family and friends and delivered them.

Subsequently, Mr. Kopko contacted this Office and stated that he had reimbursed some of the individuals but had not reimbursed others. In a telephone conversation on December 28, 1989, Mr. Kopko informed this Office that, after reviewing his records, he determined that he had reimbursed each of the twelve individuals who made out checks to the Committee. Accordingly,

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on April 3, 1990, the Commission found reason to believe that Edward E. Kopko violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

II. ANALYSIS (The General Counsel's Brief is incorporated herein by reference)

Pursuant to 2 U.S.C. § 441a(a)(1)(A), no person shall make contributions to any candidate and his authorized political committee with respect to any election for Federal office which, in the aggregate, exceed \$1,000. Pursuant to 11 C.F.R. § 110.1(g), monies paid to a political committee to retire debts resulting from elections held after December 31, 1974 are considered contributions for purposes of the Act. FEC v. Ted Haley Congressional Committee, 852 F.2d 1111, 1115 (9th Cir. 1988). Pursuant to 2 U.S.C. § 441f, no person shall make a contribution in the name of another person.

Mr. Kopko has acknowledged all along that he reimbursed twelve individuals for checks they made out to the Committee, and that the total amount reimbursed was \$3,000.

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When a significant period of time elapsed without further word from Mr. Kopko and without any response from him to our repeated attempts at contact, the General Counsel's Brief was issued. Although given the opportunity, Mr. Kopko has not responded to the General Counsel's Brief or otherwise denied the violations. Accordingly, this Office recommends that the Commission find probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

IV. RECOMMENDATIONS

1. Find probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A).
2. Approve the attached conciliation agreement and appropriate letter.

Date

5/17/91

Lawrence M. Noble
General Counsel

Attachment:

1. Conciliation Agreement

Staff assigned: Tony Buckley

93040931196

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Edward E. Kopko

)
) MUR 3007
)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 4, 1991, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 3007:

1. Find probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A).
2. Approve the conciliation agreement and appropriate letter as recommended in the General Counsel's report dated May 17, 1991, subject to certain corrections in the agreement as noted by the General Counsel during the meeting discussion.

Commissioners Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioners Aikens and McDonald were not present.

Attest:

June 5, 1991
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 7, 1991

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

On June 4, 1991, the Federal Election Commission found that there is probable cause to believe you violated 2 U.S.C. §§ 441f and 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with contributions by twelve persons to Haig for President which were reimbursed by you.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Tony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

July 29, 1991

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

On June 7, 1991, this Office notified you that the Federal Election Commission had found that there is probable cause to believe you violated 2 U.S.C. §§ 441f and 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with contributions by twelve persons to Haig for President which were reimbursed by you. That same notification informed you that the Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. Accompanying the letter was a proposed conciliation agreement that the Commission has approved in settlement of this matter.

Please note that pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), the conciliation period in this matter may not extend for more than 90 days, but may cease after 30 days. Insofar as more than 30 days have elapsed without a response from you, a

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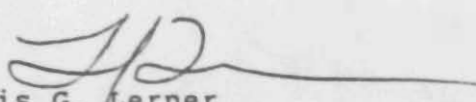
Edward E. Kopko, Esq.
Page 2

recommendation concerning the filing of a civil suit will be made to the Commission by the Office of the General Counsel unless we receive a response from you within 5 days of receipt of this letter. A copy of the agreement incorporating your proposed change is enclosed for your convenience.

Should you have any questions, please contact Tony Buckley at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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RECEIVED
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Edward E. Kopko

)
) MUR 3007
)

GENERAL COUNSEL'S REPORT

SENSITIVE
SEP 17 1991
EXECUTIVE SESSION

I. DISCUSSION

On June 4, 1991, the Federal Election Commission found that there is probable cause to believe that Edward E. Kopko violated 2 U.S.C. §§ 441f and 441a(a)(1)(A) by reimbursing a total of \$3,000 in contributions by twelve persons to Haig for President. The Commission's notification letter and proposed conciliation agreement were mailed to Mr. Kopko on June 7, 1991.

On July 29, 1991, a second letter was sent to Mr. Kopko reminding him that pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), the conciliation period in this matter may not extend for more than 90 days, and informing him that if this Office did not receive a response from him within five days of his receipt of that

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letter, we would recommend to the Commission that it file a civil suit against him. No response has been received from Mr. Kopko to that second letter.

When a significant period of time elapsed without further word from Mr. Kopko and without any response from him to our repeated attempts at contact, the General Counsel's Brief was issued. Although given the opportunity, Mr. Kopko never responded to the General Counsel's Brief or otherwise denied the violations. When the appropriate period of

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time elapsed, this Office recommended a finding of probable cause to believe.

It is the view of this Office that Mr. Kopko has had ample opportunity to respond in this matter and resolve the apparent violation short of a civil enforcement action. Since Mr. Kopko appears unwilling to take those few final steps necessary to resolve this matter, it is recommended that the Commission authorize this Office to file a civil suit.

II. RECOMMENDATIONS

1. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against Edward E. Kopko.
2. Approve the appropriate letter.

Date

8/23/91


Lawrence M. Noble
General Counsel

Staff Person: Tony Buckley

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Edward E. Kopko

)
) MUR 3007
)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 17, 1991, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 3007:

1. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against Edward E. Kopko.
2. Approve the appropriate letter as recommended in the General Counsel's report dated August 23, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

9-18-91
Date

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

93040931204



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 1991

Edward E. Kopko, Esq.
First Federal Building
111 East Norwegian Street
Pottsville, PA 17901

RE: MUR 3007
Edward E. Kopko

Dear Mr. Kopko:

You were previously notified that on June 4, 1991, the Federal Election Commission found probable cause to believe that you violated 2 U.S.C. §§ 441f and 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the General Counsel to institute a civil action for relief in the United States District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Stephen Hershkowitz, Assistant General Counsel, at (202) 219-3400, within five days of your receipt of this letter.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

93040931205

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FEDERAL ELECTION COMMISSION,)

Plaintiff,)

v.)

EDWARD E. KOPKO,)

Defendant.)

No. 91-CV-7764

STIPULATION AND ORDER

FILE

JUN 5 1992

MICHAEL E. KUNZ, Clerk
By [Signature] Dep. Clerk

STIPULATION AND ORDER

This is an action for declaratory, injunctive and other appropriate relief pursuant to the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §§ 431 et seq. The parties, through plaintiff's counsel and defendant pro se, now stipulate and agree to the entry of this order as evidenced by the signatures hereto;

I. IT IS HEREBY DECLARED that defendant Edward E. Kopko violated 2 U.S.C. § 441f as alleged in plaintiff's complaint in this action;

II. IT IS HEREBY ORDERED that defendant Edward E. Kopko is permanently enjoined from making contributions to federal candidates in the names of other persons, pursuant to 2 U.S.C. § 441f; and

III. IT IS FURTHER ORDERED that defendant Edward E. Kopko shall pay to the plaintiff Federal Election Commission, in settlement of this action, a civil penalty in the amount of

ENTERED: 6-8-92

CLERK OF COURT

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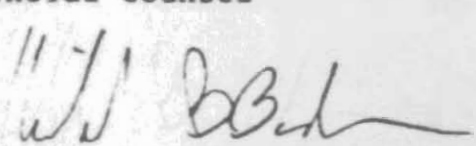
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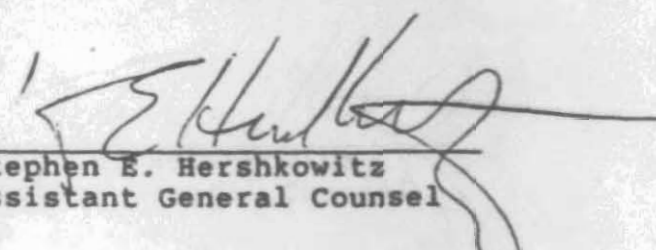
\$1,500 (one thousand five hundred dollars) within ten days of the entry of this order.


The undersigned parties hereby stipulate and agree to the entry of the foregoing order.

Respectfully submitted,


Lawrence M. Noble
General Counsel


Richard B. Bader
Associate General Counsel


Stephen E. Hershkowitz
Assistant General Counsel


V. Colleen Miller
Attorney

FOR THE PLAINTIFF
FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463
(202) 219-3400


Edward E. Kbpko

FOR THE DEFENDANT
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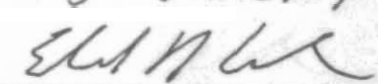
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SO ORDERED, this 22 day of May, 1992, in Philadelphia, PA.

The clerk shall close the docket for statistical
purpose

6-8-92

Copies to Justice


Edward N. Cahn
United States District Judge



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3007

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