



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 2557

DATE FILMED 4/16/91 CAMERA NO. 2

CAMERAMAN AS

91040314011

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Final Audit Report on the Committee to  
Elect Robert B. (ROB) Scribner

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)  
)  
)  
A87-4

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal  
Election Commission, do hereby certify that on December 7,  
1987, the Commission decided by a vote of 6-0 to approve  
the Final Audit Report on the Committee to Elect Robert  
B. (ROB) Scribner, as recommended in the Audit Division  
memorandum to the Commission dated December 2, 1987.

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

Attest:

12-7-87

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 12-3-87, 9:06  
Circulated on 48 hour tally basis: Thurs., 12-3-87, 11:00  
Deadline for vote: Mon., 12-7-87, 11:00

AR-87-64

ALEX1/120887



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

A87-4  
December 8, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

THROUGH: JOHN C. SURINA  
STAFF DIRECTOR

FROM: ROBERT J. COSTA  
ASSISTANT STAFF DIRECTOR  
AUDIT DIVISION

SUBJECT: REFERRAL OF MATTERS IN THE AUDIT OF THE COMMITTEE  
TO ELECT ROBERT B. (ROB) SCRIBNER

On December 7, 1987, the Commission approved the final audit report on the Committee to Elect Robert B. (Rob) Scribner which included referral of the attached matters to your office.

If you have any questions regarding these matters, please contact Alex Boniewicz or Ray Lisi at 376-5320.

Attachments:

- Exhibit A - Apparent Corporate Contributions
- Exhibit B - Apparent Excessive Contributions

21040314013

Matter Referred  
Committee to Elect Robert B. (Rob) Scribner  
Final Audit Report

Exhibit A  
Page 1 of 1

Apparent Corporate Contributions

Section 441b of Title 2 of the United States Code states, in relevant part, that it is unlawful for any corporation to make a contribution in connection with any election at which a Representative in Congress is to be voted for, or in connection with any primary election to select candidates for the foregoing office, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section.

During the course of the audit it was noted that the Committee received 25 apparent corporate contributions, from ten contributors, which totaled \$9,640 (see Attachment A). The Audit staff contacted the California Secretary of State-Corporate Division and confirmed that these entities were incorporated at the time the contributions were made. The Treasurer of the Committee was provided with schedules detailing this information.

In the Interim Audit Report the Audit staff recommended that the Committee either demonstrate that these contributions were not prohibited or refund the contributions to the corporations and provide the Audit staff evidence of such refunds (ie. copies, front and back, of negotiated refund checks). If monies were not available to fully refund all contributions, the Audit staff recommended that those contributions not refunded be disclosed as debts on Committee disclosure reports until such time as monies become available to make the refunds.

The Committee's response, received on November 3, 1987, provided the following narrative explanations for these apparent prohibited contributions. For six items (\$340), the Committee's response "recognized" the need to refund these items, or list them as debts. For one item (\$100), according to the Committee's response, "the company is no longer a corporation."

The Committee's response attributes the remaining 18 contributions (\$9,200) to named and unnamed individuals, and goes on to state that, "[f]ollow-up documentation will be provided to this affect." To date, supporting documentation for these narrative statements has not been received.

Recommendation

The Audit staff recommends this matter be referred to the Office of General Counsel.



Matter Referred  
Committee to Elect Robert B. (Rob) Scribner)  
Final Audit Report

LN8/112087  
Exhibit A  
Attachment A  
Page 1 of 2

Apparent Prohibited Contributions

Name	Date of Deposit	Amount of Contribution	Date of Incorporation <u>1/</u>
1. W. D. Hoag Co., Inc.	5/13/85	\$ 25.00	12/26/74
2. Windsor Financial Company	6/24/85 8/6/86 10/22/86	500.00 1,000.00 200.00	3/23/71
3. Bayco Financial Corporation	11/1/85	150.00 200.00 200.00 200.00 150.00 150.00 150.00 250.00 200.00 175.00 175.00 150.00 150.00 200.00	12/6/66
4. Bracy Plumbing	11/18/85	100.00	2/13/73
5. Wilshire Westwood Financial Group <u>2/</u>	3/24/86	5,000.00	2/4/86
6. Hebson Agency Inc.	4/2/86	100.00	11/1/85
7. C&M Transportation Co.	8/15/86	100.00	4/15/52
8. Henry K. Hasserjian MD., Inc.	9/12/86	50.00	4/17/85
9. General Security Service, Inc.	10/3/86	50.00	8/6/73
10. Robert W. Boos & Co., Inc.	10/22/86	15.00	1/18/73

25 Contributions from  
10 Contributors totaling

\$9,640.00

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**Matter Referred  
Committee to Elect Robert B. (Rob) Scribner)  
Final Audit Report**

**Exhibit A  
Attachment A  
Page 2 of 2**

- 
- 1/ As provided by the CA Secretary of State - Corporate Division. Additionally, these are all corporations in good standing.
- 2/ CANDIDATE'S BUSINESS according to the Treasurer.

91040314016

Matter Referred  
Committee to Elect Robert B. (Rob) Scribner)  
Final Audit Report

Exhibit B  
Page 1 of 2

Apparent Excessive Contributions

Section 441a(a)(1)(A) of Title 2 of the United States Code states, in part, that no person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000.

Section 431(8)(A)(i) of Title 2 of the United States Code states that the term contribution includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purposes of influencing any election for Federal office.

The Committee forwarded to the Audit Division photocopies of a contributor card file which covered the period January 1, 1985 through April 30, 1986, and a computer printout that included contributions from individuals, which covered the period January 1, 1986 through December 31, 1986. It should be noted that since the review was performed at the Audit Division's offices, check copies were not available.

As a result of the Audit staff's review of the contributor histories, apparent excessive contributions from 13 contributors were noted, the excessive portions of which totaled \$8,659.40.

In the opinion of the Audit staff, the above problems appear to result primarily from the Committee's lack of a single consolidated contributor history as a basis for their recordkeeping system for contributions from individuals.

The Treasurer was provided with copies of workpapers detailing the above noted errors.

In the Interim Audit Report the Audit staff recommended that the Committee either demonstrate that these contributions were not excessive or refund the excessive portions to the contributors and provide the Audit staff evidence of such refunds (ie. copies, front and back, of negotiated refund checks). If monies were not available to fully refund these items, the Audit staff recommended that those items not refunded be disclosed as debts on Committee disclosure reports until such time as monies become available to make the refunds.

The Committee's response, received on November 3, 1987, narratively addressed all of the excessive amounts, either attributing the excessive portion to the spouse or noting that the excessive portion was to be "applied to the campaign debt of 1984." Documentation supporting the reattributions and redesignations of these excessive items was not provided.

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**Matter Referred  
Committee to Elect Robert B. (Rob) Scribner)  
Final Audit Report**

**Exhibit B  
Page 2 of 2**

**Recommendation**

**The Audit staff recommends this matter be referred to the  
Office of General Counsel.**

91040314018



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

A87-4  
December 15, 1987

MEMORANDUM

TO: FRED EILAND  
CHIEF, PRESS OFFICE

FROM: ROBERT J. COSTA *RJC*  
ASSISTANT STAFF DIRECTOR  
AUDIT DIVISION

SUBJECT: PUBLIC ISSUANCE OF FINAL AUDIT REPORT-  
COMMITTEE TO ELECT ROBERT B. (ROB) SCRIBNER

Attached please find a copy of the final audit report on the Committee to Elect Robert B. (Rob) Scribner which was approved by the Commission on December 7, 1987.

Informational copies of the report have been received by all parties involved and the report may be released to the public.

Attachment as stated

cc: FEC Library  
RAD  
Public Disclosure  
Office of General Counsel

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

87 DEC 16 AM 11:55

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

A87-4

REPORT OF THE AUDIT DIVISION  
ON THE  
COMMITTEE TO ELECT ROBERT B. (ROB) SCRIBNER

I. Background

A. Overview

21040314020  
This report is based on an audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee"), undertaken by the Audit Division of the Federal Election Commission in accordance with the Commission's audit policy to determine whether there has been compliance with the provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The audit was conducted pursuant to Section 438(b) of Title 2 of the United States Code which states, in part, that the Commission may conduct audits and field investigations of any political committee required to file a report under Section 434 of this title. Prior to conducting any audit under this section, the Commission shall perform an internal review of reports filed by selected committees to determine if the reports filed by a particular committee meet the threshold requirements for substantial compliance with the Act.

The Committee registered with the Clerk of the House of Representatives on April 5, 1984 and maintains its headquarters in Santa Monica, California.

The audit covered the period January 1, 1985, through December 31, 1986. The Committee reported a cash balance on January 1, 1985 of \$660.60; total receipts for the period of \$390,979.70; total disbursements for the period of \$390,911.70; and a closing cash balance on December 31, 1986 of \$788.31.<sup>1/</sup>

This report is based on documents and working papers supporting each of its factual statements. They form part of the record upon which the Commission based its decisions on the matters in this report and were available to Commissioners and appropriate staff for review.

<sup>1/</sup> Reported totals do not calculate correctly due to the reporting discrepancies noted in Finding II.A.

## B. Key Personnel

The Treasurer of the Committee during the period covered by the audit was Mr. Harrison W. Sommer ("the Treasurer").

## C. Scope

The audit included such tests as verification of total reported receipts and disbursements and individual transactions; review of required supporting documentation; analysis of Committee debts and obligations; and such other audit procedures as deemed necessary under the circumstances.

## II. Audit Findings and Recommendations

### A. Misstatement of Financial Activity

Sections 434(b)(1), (2) and (4) of Title 2 of the United States Code state, in part, that each report shall disclose the amount of cash-on-hand at the beginning of each reporting period, the total amount of all receipts, and the total amount of all disbursements for the period and calendar year.

#### 1. 1985 Bank Reconciliation

The Audit staff performed a reconciliation of Committee bank accounts to reports filed and noted the following discrepancies. For the period January 1, 1985 through December 31, 1985, the reported disbursements were overstated by \$2,796.55 and ending cash-on-hand was understated by \$3,171.17.

The misstatements relative to reported activity for calendar year 1985 resulted from: (a) \$9,069.27 in disbursements reported twice, (b) \$6,272.72 in disbursements (NET) not reported, and (c) 374.62 in receipts (NET) not reported.

#### 2. 1986 Bank Reconciliation

The Audit staff performed a reconciliation of Committee bank accounts to reports filed and noted the following discrepancies for the period January 1, 1986 through December 31, 1986. Beginning cash-on-hand was understated by a net amount of \$3,171.17 (See Finding II.A.1.). Additionally, total receipts were overstated by a net amount of \$3,654.87; total disbursements were overstated by a net amount of \$175.68; and ending cash-on-hand was overstated by a net amount of \$307.72.

These misstatements were the result of numerous errors on several reports. In the case of receipts and

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disbursements, reported totals were found to be inaccurate on several reports. Although the net differences are relatively small, the Audit staff identified reporting errors (both overstatements and understatements) of approximately \$18,000.00 with respect to disbursements and approximately \$19,000 and \$16,000, for receipts.

The Treasurer was provided with schedules detailing all of the above misstatements and agreed to file the necessary amendments.

In the Interim Audit Report, the Audit staff recommended that the Committee submit comprehensive amendments for 1985 and 1986 correcting these misstatements. On November 3, 1987, the Committee filed the requisite amendments for 1985 and 1986 correcting the misstatements.

#### Recommendation #1

The Audit staff recommends no further action on this matter.

#### B. Disclosure of Contributions Received from Individuals

Section 434(b)(3) of Title 2 of the United States Code states that each report under this section shall disclose the identification of each person who makes a contribution to the reporting committee whose contribution or contributions have an aggregate amount or value in excess of \$200 within the calendar year, or in any lesser amount if the reporting committee should so elect, together with the date and amount of any such contribution. Section 431(13)(A) of Title 2 of the United States Code defines the term "identification" to mean, in the case of any individual, the name, the mailing address, and the occupation of such individual, as well as the name of his or her employer.

In addition, 11 C.F.R. § 104.3(a)(4) provides, in relevant part, that the itemization of receipts for authorized committees shall include the aggregate year-to-date total for each person, other than a committee, whose contribution or contributions aggregate in excess of \$200 per calendar year.

The Committee maintained copies of contributor checks ordered by deposit. A review of these records revealed material problems with respect to the adequacy of disclosure and the itemization of contributions received from individuals. Additionally, these records were not maintained in a manner which allowed for testing the Committee's aggregation system. The Audit staff requested contributor histories for the audit period in order to complete our review. This information was provided for 1986, and, separately, at a later date, for 1985.



The Audit staff identified the following problems related to itemization and disclosure after a review of the contributor histories provided by the Committee.

The Committee did not itemize 47 contributions from individuals, totaling \$14,670, as required. Additionally, the Audit staff determined that for those contributions which the Committee did itemize, the disclosure information was inadequate or missing for 68 contributions totaling \$28,355. For the majority of these disclosure errors, the Committee had incorrectly disclosed the aggregate year-to-date information.

The Audit staff believes that the noted errors resulted primarily from the Committee's lack of a reliable consolidated recordkeeping system for contributions from individuals.

The Committee was provided with copies of workpapers detailing the errors noted above.

As part of the Interim Audit Report, the Audit staff recommended that the Committee submit Schedules A, as part of comprehensive amendments for 1985 and 1986, to correct the irregularities detailed above.

On November 3, 1987, the Committee submitted comprehensive amendments for 1985 and 1986 which included the requisite Schedules A correcting the irregularities noted above.

#### Recommendation #2

The Audit staff recommends no further action on this matter.

#### C. Disclosure of Expenditures

Section 434(b)(5) of Title 2 of the United States Code states, in relevant part, that each report under this section shall disclose the name and address of each person to whom an expenditure in an aggregate amount or value in excess of \$200 within the calendar year is made by the reporting committee to meet a candidate or committee operating expense, together with the date, amount, and purpose of such operating expenditure.

During the course of the audit it was noted that 143 expenditures totaling \$26,183.34 were not itemized as required. The Audit staff believes these errors resulted primarily from the Committee's lack of a reliable system for aggregating expenditures.

Additionally, the Audit staff determined that for those expenditures which the Committee did itemize, the disclosure information was inadequate or missing for 42 expenditures

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totaling \$57,152.03. For the majority of these items the Committee failed to provide a complete address; other problems included incorrect or inadequate amounts, purposes and/or payees.

The Treasurer was provided schedules detailing these errors and agreed to file amendments.

In the Interim Audit Report the Audit staff recommended that the Committee submit Schedules B, as part of comprehensive amendments for 1985 and 1986, to correct the irregularities detailed above. On November 3, 1987, the Committee filed comprehensive amendments for 1985 and 1986 correcting the irregularities.

### Recommendation #3

The Audit staff recommends no further action on this matter.

#### D. Disclosure of Contributions Received from Political Committees

Section 434(b)(3)(B) of Title 2 of the United States Code states that each report under this section shall disclose the identification of each political committee which makes a contribution to the reporting committee during the reporting period, together with the date and amount of any such contribution. Identification is defined at 2 U.S.C. § 431(13)(B) as meaning, in the case of any person, the full name and address of such person. Further, 2 U.S.C. § 431(11) defines person to include a committee. Section 104.3(a)(4)(ii) of Title 11 of the Code of Federal Regulation specifies the itemization of all committee (including political committees and committees which do not qualify as political committees under the Act) which make contributions to the reporting committee during the reporting period.

During the course of the Audit staff's review of contributions received from political committees/organizations, it was determined that the Committee failed to itemize 22 such contributions, totaling \$3,285.91.

Additionally, the Audit staff noted that for those contributions which the Committee did itemize, nine(9) items, totaling \$3,489.25, were inadequately disclosed, lacking a full address in all instances.

The Treasurer, who was provided with a schedule detailing these errors, agreed to file the necessary amendments.

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In the Interim Audit Report the Audit staff recommended that the Committee, as part of comprehensive amendments for 1985 and 1986, submit Schedules A to correct the errors detailed above. On November 3, 1987, the Committee filed the requisite amendments correcting these errors.

#### Recommendation #4

The Audit staff recommends no further action on this matter.

#### E. Disclosure of Debts and Obligations

Section 434(b)(8) of Title 2 of the United States Code states, in relevant part, that each report under this section shall disclose the amount and nature of outstanding debts and obligations owed by the committee. Section 104.11(a) of Title 11 of the Code of Federal Regulations provides, in relevant part, that debts and obligations owed by a political committee which remain outstanding shall be continuously reported until extinguished. Additionally, 11 C.F.R. § 104.11(b) states, in relevant part, that any loan, debt or obligation, the amount of which is over \$500.00 shall be reported as of the time of the transaction. Section 104.3(d) of Title 11 of the Code of Federal Regulations provides that outstanding debts and obligations be disclosed on Schedule C or D as appropriate.

During the course of the audit it was determined that the Committee failed to report the receipt of a \$7,000.00 loan,<sup>2/</sup> received from the candidate on June 11, 1986, on either Schedule C or Schedule A. Further, it appears that in an attempt to rectify this, the Committee overstated the amount of loans received on a later report.

Additionally, the Audit staff noted 4 debts to vendors, totaling \$5,799.10, which were not disclosed as outstanding at December 31, 1986. The Treasurer was provided with workpapers detailing these items and agreed to file amendments as needed.

In the Interim Audit Report the Audit staff recommended that the Committee submit appropriate schedules disclosing the items noted above. On November 3, 1987, the Committee submitted amendments adequately disclosing these items.

#### Recommendation #5

The Audit staff recommends no further action on this matter.

<sup>2/</sup> See Finding II.A.2. The amount of this loan is included in the understatement of receipts.

**F. Itemization of Refunds/Rebates**

Section 104.3(a)(4)(V) of Title 11 Code of Federal Regulations states that each report shall disclose the identification of each person who provides a rebate, refund or other offset to operating expenditure to the reporting committee in an aggregate amount or value in excess of \$200 within the calendar year, together with the date and amount of any such receipt.

The Audit staff's review of refunds and rebates received by the Committee revealed that refunds/rebates totaling \$2,246.43 were not itemized as required. These items accounted for 100% of the dollar amount and number of refunds/rebates requiring itemization.

In the Interim Audit Report the Audit staff recommended that the Committee itemize the refunds/rebates noted above on Schedules A, as part of the comprehensive amendments for 1985 and 1986. The Committee's response, received November 3, 1987, substantially complied with this request.

**Recommendation #6**

The Audit staff recommends no further action on this matter.

**G. Matters Referred to the Office of General Counsel**

Certain matters were referred to the Commission's Office of General Counsel.

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SENSITIVE

RECEIVED  
FEDERAL ELECTION COMMISSION  
SECRETARIAT

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

88 FEB 23 AM 10:10

EXECUTIVE SESSION  
MAR 01 1988

FIRST GENERAL COUNSEL'S REPORT

MUR #2557  
STAFF MEMBER: Frances B. Hagan

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENTS: Committee to Elect Robert B. (Rob) Scribner  
Harrison W. Sommer, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441b(a)  
2 U.S.C. § 441a(a)(1)(A)  
2 U.S.C. § 441a(f)  
11C.F.R. § 110.1(k)

INTERNAL REPORTS CHECKED: Disclosure indexes  
Audit Work Papers

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was referred to the Office of the General Counsel by the Audit Division as a result of the audit of the Committee to Elect Robert B. (Rob) Scribner pursuant to 2 U.S.C. § 438(b).

II. FACTUAL AND LEGAL ANALYSIS

Corporate Contributions

2 U.S.C. § 441b(a) prohibits the making or knowing acceptance of a corporate contribution.

During the audit, the auditors noted that the Committee received from 10 contributors 25 apparent corporate contributions totaling \$9,640.\* The interim audit report recommended that the

\* The auditors confirmed these as corporate entities by contacting the California Secretary of State-Corporate Division.

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Committee refund the prohibited contributions or provide evidence that they were not prohibited. The Committee explained the receipts to the auditors as follows:

- a) six items (\$340) should be refunded;
- b) one item (\$100) is acceptable because "the company is no longer a corporation;"
- c) 18 items (\$9,200) are attributable to individuals, named and unnamed, but no documentation has been provided to confirm such attributions.

Because the Committee accepted apparent prohibited contributions and has not documented its assertions regarding the legality of the sources, this Office recommends a finding of reason to believe that the Committee violated 2 U.S.C. § 441b(a). Concomitantly, this Office recommends findings of reason to believe against the 10 corporate entities for violations of 2 U.S.C. § 441b(a).

#### Excessive Contributions

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000. 2 U.S.C. § 441a(f) prohibits the knowing acceptance of such excessive contributions.

The auditors noted that the Committee accepted from 13 contributors contributions with excessive portions totaling

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\$8,659.40. The auditors reviewed contributions which the Committee maintained on both a contributor card file and on computer lists. The auditors attributed the excessives problems to the Committee's lack of a "single consolidated contributor history as a basis for the recordkeeping system for contributions from individuals."

The interim audit report recommended that the Committee refund the excessive portions of contributions or show evidence that the contributions did not exceed limits. The Committee responded by reattributing the excessives to a spouse or by applying the excessives "to the campaign debt of 1984." The Committee provided no documentation for its corrective attributions. Should the Committee provide such documentation, it would be viewed as mitigating the violation.

Because the Committee accepted excessive contributions, this Office recommends a finding of reason to believe that the Committee violated 2 U.S.C. § 441a(f). In addition, it appears that one contributor, Mr. Dick Ailanjian, contributed \$3,750 (or \$2,750 excessive) to the Committee for the primary election. Therefore, this Office recommends a finding of reason to believe against Mr. Ailanjian for a violation of 2 U.S.C. § 441a(a)(1)(A). As to the other contributors, we make no recommendation regarding their contributions at this time pending a response from the Committee.

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### III. RECOMMENDATION


1. Find reason to believe that the Committee and Harrison W. Sommer, as treasurer violated:
  - a. 2 U.S.C. § 441b(a);
  - b. 2 U.S.C. § 441a(f).
2. Find reason to believe that the following corporate entities violated 2 U.S.C. § 441b(a):
  - a) W. D. Hoag Co., Inc.
  - b) Windsor Financial Company
  - c) Bayco Financial Corporation
  - d) Bracy Plumbing
  - e) Wilshire Westwood Financial Group
  - f) Hebson Agency, Inc.
  - g) C & M Transportation Co.
  - h) Henry K. Hasserjian, MD, Inc.
  - i) General Security Service, Inc.
  - j) Robert W. Boos & Co., Inc.
3. Find reason to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).
4. Approve the attached letters (12) and Factual and Legal Analyses (12).

Lawrence M. Noble  
General Counsel

Date

2/22/88

BY:

  
Lois G. Lerner  
Associate General Counsel

#### Attachments

Audit Referral

Proposed Letters and Factual and Legal Analyses

91040314030





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

MEMORANDUM TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN *Jm*

DATE: FEBRUARY 25, 1988

SUBJECT: OBJECTION TO MUR 2557 - FIRST G. C. REPORT  
SIGNED FEBRUARY 22, 1988

The above-captioned document was circulated to the Commission on Tuesday, February 23, 1988 at 4:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X

This matter will be placed on the Executive Session agenda for March 1, 1988.

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

91040314031

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Committee to Elect Robert B. ) MUR 2557  
(Rob) Scribner )  
Harrison W. Sommer, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of March 1, 1988, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2557:

1. Find reason to believe that the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, violated 2 U.S.C. §§ 441b(a) and 441a(f).
2. Find reason to believe that the following corporate entities violated 2 U.S.C. § 441b(a), and take no further action with respect to them: W.D. Hoag Co., Inc.; Bracy Plumbing; Hebson Agency, Inc.; C & M Transportation Co.; Henry K. Hasserjian, MD, Inc.; General Security Service, Inc.; and Robert W. Boos & Co., Inc.
3. Find reason to believe that the following corporate entities violated 2 U.S.C. § 441b(a): Windsor Financial Company; Bayco Financial Corporation; and Wilshire Westwood Financial Group.

(continued)

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4. Find reason to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).
5. Direct the Office of the General Counsel to send the appropriate letters and Factual and Legal Analyses.

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

Attest:

3/2/88

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B. (Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect  
Robert B. (Rob) Scribner  
Harrison W. Sommer, as  
treasurer

Dear Mr. Sommer:

On March 1, 1988, the Federal Election Commission found that there is reason to believe the Committee to Elect Robert B. (Rob) Scribner ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441b(a), provisions 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 the Committee and you, as treasurer. 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 the Committee and you, as treasurer, 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.

91040314034

Letter to Harrison W. Sommer  
Page 2

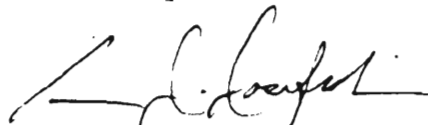
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Thomas J. Josefiak  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

21040314035

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Committee to Elect MUR: 2557  
Robert B. (Rob) Scribner  
Harrison W. Sommer, as treasurer

Corporate Contributions

2 U.S.C. § 441b(a) prohibits the making or knowing acceptance of a corporate contribution.

During the audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee"), the auditors noted that the Committee received from 10 contributors 25 apparent corporate contributions totaling \$9,640.\* / The interim audit report recommended that the Committee refund the prohibited contributions or provide evidence that they were not prohibited. The Committee explained the receipts to the auditors as follows:

- a) six items (\$340) should be refunded;
- b) one item (\$100) is acceptable because "the company is no longer a corporation;"
- c) 18 items (\$9,200) are attributable to individuals, named and unnamed, but no documentation has been provided to confirm such attributions.

Because the Committee accepted apparent prohibited contributions and has not documented its assertions regarding the legality of the sources, there is reason to believe that the Committee violated 2 U.S.C. § 441b(a).

\* / The auditors confirmed these as corporate entities by contacting the California Secretary of State-Corporate Division.

### Excessive Contributions

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000. 2 U.S.C. § 441a(f) prohibits the knowing acceptance of such excessive contributions.

The auditors noted that the Committee accepted from 13 contributors contributions with excessive portions totaling \$8,659.40. The auditors reviewed contributions which the Committee maintained on both a contributor card file and on computer lists. The auditors attributed the excessives problems to the Committee's lack of a "single consolidated contributor history as a basis for the recordkeeping system for contributions from individuals."

The interim audit report recommended that the Committee refund the excessive portions of contributions or show evidence that the contributions did not exceed limits. The Committee responded by reattributing the excessives to a spouse or by applying the excessives "to the campaign debt of 1984." The Committee provided no documentation for its corrective attributions. Should the Committee provide such documentation, it would be viewed as mitigating the violation. Because the Committee accepted excessive contributions, there is reason to believe that the Committee violated 2 U.S.C. § 441a(f).

21040314037





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

W.D. Hoag, Inc.  
11740 Wilshire Blvd., Suite A-2009  
Los Angeles, CA 90025

RE: MUR 2557  
W.D. Hoag, Inc.

Dear Sir or Madam:

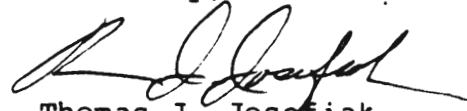
On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

21040314038



**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** W.D. Hoag Co., Inc.

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the W.D. Hoag Co., Inc. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
W.D. Hoag Co., Inc.	5/13/85	\$ 25.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that the W.D. Hoag Co., Inc. violated 2 U.S.C. § 441b(a).

91040814039



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Robert W. Boos & Co., Inc.  
11777 San Vincente Blvd., Suite 503  
Los Angeles, CA 90049

RE: MUR 2557  
Robert W. Boos & Co.,  
Inc.

Dear Sir or Madam:

On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

91040314040

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Robert W. Boos & Co., Inc.

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that Robert W. Boos & Co., Inc. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Robert W. Boos & Co., Inc.	10/22/86	\$15.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that Robert W. Boos & Co., Inc. violated 2 U.S.C. § 441b(a).

91040314041



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

General Security Service, Inc.  
14009 S. Crenshaw Blvd.  
Hawthorne, CA 90250

RE: MUR 2557  
General Security Service,  
Inc.

Dear Sir or Madam:


On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

91040314042

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** General Security  
Service, Inc.

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the General Security Service, Inc. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
General Security Service, Inc.	10/3/86	\$15.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that General Security Service, Inc. violated 2 U.S.C. § 441b(a).

21040814043



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Henry K. Hasserjian, M.D., Inc.  
2200 Santa Monica Blvd., Suite 200  
Santa Monica, CA 90404

RE: MUR 2557  
Henry K. Hasserjian,  
M.D., Inc.

Dear Sir:

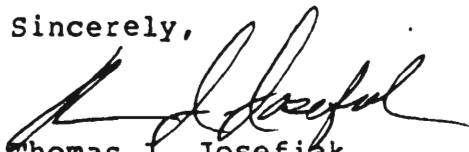
On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

91040314044

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Henry K. Hasserjian, M.D., Inc. **MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that Henry K. Hasserjian, M.D., Inc. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Henry K. Hasserjian Md., Inc.	9/12/86	\$50.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that Henry K. Hasserjian, M.D., Inc. violated 2 U.S.C. § 441b(a).

21040814045





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

C and M Transportation Co.  
1515 West Mission Road  
Alhambra, CA 91803

RE: MUR 2557  
C and M Transportation  
Co.

Dear Sir or Madam:

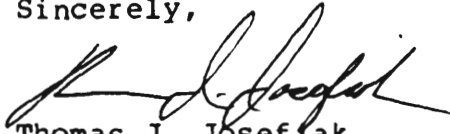
On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefak  
Chairman

Enclosure  
Factual and Legal Analysis

21040314046



**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** C&M Transportation Co.

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the C&M Transportation Co. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
C&M Transportation Co.	8/15/86	\$100.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that the C&M Transportation Co. violated 2 U.S.C. § 441b(a).

91040314047



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Hebson Agency, Inc.  
22925 Arlington Avenue, Suite 1  
Torrance, CA 90501

RE: MUR 2557  
Hebson Agency, Inc.

Dear Sir or Madam:

On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

91040814048

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Hebson Agency Inc.

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the Hebson Agency Inc. made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Hebson Agency Inc.	4/2/86	\$100.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that the Hebson Agency Inc. violated 2 U.S.C. § 441b(a).

91040314049



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

March 10, 1988

Bracy Plumbing, Inc.  
638 Cypress  
Hermosa Beach, CA 90254

RE: MUR 2557  
Bracy Plumbing, Inc.

Dear Sir or Madam:

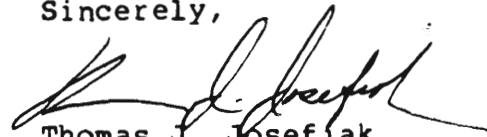
On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action as it pertains to your corporation. The Factual and Legal Analysis which formed a basis for the Commission's finding is attached for your information.

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 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.

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If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosure  
Factual and Legal Analysis

91040314050

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Bracy Plumbing

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that Bracy Plumbing made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Bracy Plumbing	11/18/85	\$100.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that Bracy Plumbing violated 2 U.S.C. § 441b(a).

91040314051



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Windsor Financial Company  
16255 Ventura Blvd., Suite 615  
Encino, CA 91436

RE: MUR 2557  
Windsor Financial Company

Dear Sir or Madam:

On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), 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 your corporation. 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 your corporation, 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.

21040314052


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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

91040814053



**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Windsor Financial Company

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the Windsor Financial Company made the following contributions to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Windsor Financial	6/24/85	\$ 500.00
Company	8/06/86	1,000.00
	10/22/86	200.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that the Windsor Financial Company violated 2 U.S.C. § 441b(a).

91040314054



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Bayco Financial Corporation  
24050 Madison Street, Suite 215  
Torrance, CA 90505

RE: MUR 2557  
Bayco Financial  
Corporation

Dear Sir or Madam:

On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), 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 your corporation. 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 your corporation, 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.

91040314055

Letter to Bayco Financial Corporation  
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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

91040314056

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Bayco Financial Corporation

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the Bayco Financial Corporation made the following contributions to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Bayco Financial Corporation	11/1/85	\$150.00
		200.00
		200.00
		200.00
		150.00
		150.00
		150.00
		250.00
		200.00
		175.00
		175.00
		150.00
		150.00
		200.00

Because the corporation apparently made contributions in connection with a federal election, there is reason to believe that the Bayco Financial Corporation violated 2 U.S.C. § 441b(a).

21040314057



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Wilshire Westwood Financial Group  
10880 Wilshire Blvd., Suite 2211  
Los Angeles, CA 90024

RE: MUR 2557  
Wilshire Westwood  
Financial Group

Dear Sir or Madam:

On March 1, 1988, the Federal Election Commission found that there is reason to believe your corporation violated 2 U.S.C. § 441b(a), 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 your corporation. 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 your corporation, 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.

91040314058

Letter to Wilshire Westwood Financial Group  
Page 2

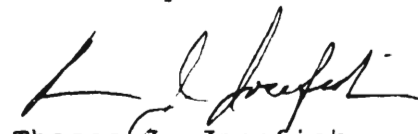
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

91040314059

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT:** Wilshire Westwood Financial  
Group

**MUR:** 2557

2 U.S.C. § 441b(a) makes it unlawful for a corporation to make a contribution or expenditure in connection with a federal election.

A Federal Election Commission audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee") indicated that the Wilshire Westwood Financial Group made the following contribution to the Committee during the 1986 election cycle:

<b>NAME</b>	<b>DATE OF COMMITTEE RECEIPT</b>	<b>AMOUNT</b>
Wilshire Westwood Financial Group	3/24/86	\$5,000.00

Because the corporation apparently made a contribution in connection with a federal election, there is reason to believe that the Wilshire Westwood Financial Group violated 2 U.S.C. § 441b(a).

21040314060





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 10, 1988

Mr. Dick Ailanjian  
2535 Maricopa Street  
Torrance, CA 90503

RE: MUR 2557  
Dick Ailanjian

Dear Mr. Ailanjian:

On March 1, 1988, the Federal Election Commission found that there is reason to believe violated 2 U.S.C. § 441a(a)(1)(A), 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.

21040314061

Letter to Dick Ailanjian  
Page 2

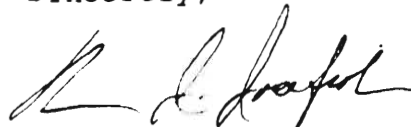
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Thomas J. Josefiak  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

91040314062

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Dick Ailanjian

MUR: 2557

2 U.S.C. § 441a(a)(1)(A) states, in part, that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000.

An audit of the Committee to Elect Robert B. (Rob) Scribner indicated that an individual contributor, Mr. Dick Ailanjian, gave \$3,750 to the Committee for the 1986 primary election. Because the Act limits contributions to \$1,000 per election, it appears that Mr. Ailanjian made an excessive contribution of \$2,750 to the Committee. To date, the Committee has not refunded the excessive portion. Therefore, there is reason to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).

21040314063

CCC # 8823

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF FEDERAL COUNSEL

# BERGLUND & JOHNSON

## Law Offices

MAR 18 PM 3:38

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Andrina G. Hanson  
Ralph C. Quiroz  
Negotiation Specialist  
Gary E. Tarr  
Administrator  
Nora Hughes  
Of Counsel  
James E. Clark

\*a professional corporation

A Partnership  
of Professional  
Corporations

March 16, 1988

Thomas J. Josefiak  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 2557  
Committee to Elect Robert B. (Rob) Scribner  
Harrison W. Sommer, as Treasurer

Dear Mr. Josefiak:

I am in receipt of your letter dated March 10, 1988. It is my understanding that a reply brief to the FACTUAL AND LEGAL ANALYSIS which you submitted is due to your office within fifteen (15) days of our receipt. I personally received the letter on the evening of March 15, 1988.

The primary purpose of this letter is to formally request a forty-five day extension to respond.

My reason for that request is based upon the inordinate demands which are now placed on my time by my trial schedule. Obviously, I had no advance warning that this situation would arise at this time and was unable to prepare for it to any degree. I believe that the extent of our cooperation with the audit conducted by your commission should stand as good evidence of our intention to deal openly, honestly and forthrightly with any investigation initiated by your commission.

On March 21, 1988, I am scheduled to begin a trial in the case of Drake vs. Eastern Pacific in the Van Nuys Superior Court. That case has an estimate of five (5) to seven (7) days. On March 29, 1988, I am scheduled to begin a trial in the case of Karch vs. International Harvester in the Los Angeles Superior Court. This case is considerably more complicated and involved. Time estimates from all counsel indicate that the matter will take three (3) or more weeks to try.

These cases have been pending for a considerable period of time and much time, effort and expense have gone into their preparation. With respect to the Karch case I have witnesses coming in to testify from New Mexico and North Carolina.

15650 Devonshire

Suite 310

Granada Hills

California

91344-7241

818-791-1671

213-873-2363

Other offices:

Peoria

805-656-0229

Newport Beach

714-756-1434

Bonita

714-623-1600

San Diego

619-291-6281

Santa Ana

800-443-4878

Riverside

800-443-4878

31040313065

The issues under review are obviously of great concern to both the candidate and myself. I certainly hope that you will be receptive to my request for an extension and conciliation. Since it is my intention to enter into conciliation, there will be no designation of counsel to act on my behalf before the commission. I would appreciate receiving any materials available which more fully explain the conciliation process.

Very truly yours,

~~DICTIONATED~~ BUT NOT READ  
Signed in writer's absence  
to avoid delay

cc: Robert B. Scribner  
David Crawford



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 22, 1988

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B. (Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert  
B. (Rob) Scribner;  
Harrison W. Sommer, as  
treasurer

Dear Mr. Sommer:

This is in response to your letter dated March 16, 1988, requesting an extension of 45 days to respond to the Commission's reason to believe finding in the above-referenced matter.

Considering the Federal Election Commission's responsibilities to act expeditiously in the conduct of investigations, I cannot grant your full request, but can only agree to a 30 day extension. Accordingly, the response is due by close of business on April 29, 1988.

If you have any questions, please contact Frances B. Hagan, the staff member handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

  
By: Lois G. Lerner  
Associate General Counsel

91040314066

**C & M TRANSPORTATION**

1515 W. MISSION ROAD • ALHAMBRA, CALIFORNIA 91803  
(213) 289-0214

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 MAR 21 AM 10: 22

March 16, 1988

Federal Election Commission  
Washington, D.C. 20463

Attn: Frances B. Hagan

Re: MUR 2557 C and M Transportation Co.

Dear Ms. Hagan,

C and M Transportation Co. is not a corporation. It is a sole proprietorship and, therefore, could not violate the section prohibiting corporate contributions in connection with a federal election.

I have attached a copy of the fictitious business name statement filed with the state of California as verification of C and M's status.

Regards,



Dennis Dahlhausen

DD/lm

Encl:

88 MAR 21 PM 3: 16

RECEIVED  
FEDERAL ELECTION COMMISSION

21040311067



LOS ANGELES COUNTY CLERK  
BUSINESS FILING AND REGISTRATION  
111 N. HILL STREET, ROOM 106  
LOS ANGELES, CALIFORNIA 90012

**FILED**

SEP 01 1983

JOHN J. CORCORAN, COUNTY CLERK

SEE REVERSE SIDE FOR INSTRUCTIONS

**REMINDER**

Submit Original and 3 copies.  
Filing Fee \$10.00.  
Provide return Envelope, if mailed.  
Remove carbon before mailing.

**FICTITIOUS BUSINESS NAME STATEMENT**

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:

Fictitious Business Name(s)

**C & M TRANSPORTATION CO.**

Street Address, City & State of Principal place of Business in California

Zip Code

**1515 WEST MISSION ROAD, ALHAMBRA, CALIFORNIA**

**91803**

Full name of Registrant

(if corporation - show state of incorporation)

**ALPHA M. PASSINO DBA C & M TRANSPORTATION CO.**

Residence Address

City

State

Zip Code

**1515 WEST MISSION ROAD, ALHAMBRA, CALIFORNIA**

**91803**

Full name of Registrant

(if corporation - show state of incorporation)

Residence Address

City

State

Zip Code

Full name of Registrant

(if corporation - show state of incorporation)

Residence Address

City

State

Zip Code

Full name of Registrant

(if corporation - show state of incorporation)

Residence Address

City

State

Zip Code

This business is conducted by ( ) an individual ( ) a general partnership ( ) a limited partnership ( ) an unincorporated association other than a partnership ( ) a corporation ( ) a business trust (CHECK ONE ONLY)

Signed

*Alpha M. Passino*

Typed or Printed

**ALPHA M. PASSINO**

If Registrant a corporation sign below:

Corporation Name

Signature & Title

This statement was filed with the County Clerk of Los Angeles County on date indicated by file stamp above.

New Fictitious business name statement ☐

Refile. Statement expires Dec. 31st. ☐

FILE NO. **78-045097**

**CERTIFICATION**

I hereby certify that the foregoing is a correct copy of the original on file in my office.

JOHN J. CORCORAN, County Clerk

By

*P. Watkins*

FILE NO. **83 51233**

CCC#8842

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 MAR 22 AM 8:30

WINDSOR FINANCIAL COMPANY  
16255 Ventura Blvd., Suite 615  
Encino, California 91436

March 16, 1988

Frances B. Hagan  
Federal Election Commission  
Washington, D.C. 20463

RE: Windsor Financial Company - MUR 2557

Dear Ms. Hagan,

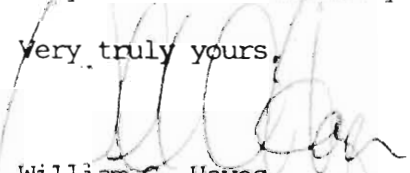
I am in receipt of the March 10, 1988 letter from Thomas J. Josefiak concerning contributions I made to the campaign of Robert Scribner. Mr. Josefiak indicated I should address my reply to you.

In response to Mr. Josefiak's inquiry, you must understand that Windsor Financial Company is NOT a corporation, it is a sole proprietorship. I, William C. Hayes, as an individual, do business as (DBA) Windsor Financial Company. This "DBA" involves several shopping centers that I own personally, as an individual, and all those activities are reported on my personal income tax return - NOT any corporation or partnership tax return. All the property of Windsor Financial Company is in my name, William C. Hayes, as an individual.

The word "Company" does NOT mean a "Corporation". In order to be a corporation, the words, Corporation, Incorporated or Inc. must be used after the name of the entity.

I hope this answers the questions in your letter. Please contact me if you have additional questions or I can be of further assistance.

Very truly yours,

  
William C. Hayes  
DBA Windsor Financial Company

cc: Thomas J. Josefiak

88 MAR 22 AM 9:23

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FEDERAL ELECTION COMMISSION  
MAIL ROOM

6  
9  
C  
4  
1  
8  
C  
4  
C  
1  
2

**WINDSOR FINANCIAL COMPANY**16255 VENTURA BLVD., STE. 615  
ENCINO, CA 91436**MITSUMI-MANUFACTURERS BANK**  
16255 VENTURA BLVD.  
ENCINO, CALIFORNIA 91436

1204

16-2607/1222

*THIS IS NOT AN INCORPORATED COMPANY*

May 31 19 85

PAY THE SUM 500.00 DOLLARS \$ 500.00

Scribner for Congress

TO  
THE  
ORDER  
OF

JUN 25 85

⑈001204⑈ ⑆122226078⑆ 13 110 850⑈

⑈0000050000⑈

DELUXE CHECK PRINTERS

*William C. Hayes DBA*  
**WINDSOR FINANCIAL COMPANY**16255 VENTURA BLVD., STE. 615 818-981-6513  
ENCINO, CA 91436**MITSUMI MANUFACTURERS BANK**  
16255 VENTURA BLVD.  
ENCINO, CALIFORNIA 91436

1676

16-2607/1222

October 20 19 86

PAY THE SUM 200.00 DOLLARS \$ 200.00

Scribner for Congress

TO  
THE  
ORDER  
OF*BURNS  
229 SANTA MONICA BLVD  
SANTA MONICA CA 90401*

⑈001676⑈ ⑆122226076⑆ 13 110 850⑈

⑈0000020000⑈

DELUXE CHECK PRINTERS

**WINDSOR FINANCIAL COMPANY**16255 VENTURA BLVD., NO. 615 818-981-6513  
ENCINO, CA 91436**MITSUMI MANUFACTURERS BANK**  
16255 VENTURA BLVD.  
ENCINO, CALIFORNIA 91436

1418

16-2607/1222

July 31 19 86

PAY THE SUM 1000.00 DOLLARS \$ 1,000.00

Scribner For Congress

TO  
THE  
ORDER  
OF*Gala*VALID UNDER \$2,000.00  
TWO SIGNATURES REQUIRED  

⑈001418⑈ ⑆122226076⑆ 13 191 575⑈

⑈0000100000⑈

DELUXE CHECK PRINTERS



# Wilshire Westwood Financial, Inc.

5777 WEST CENTURY BOULEVARD • SUITE 930 • LOS ANGELES, CA 90045

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 MAR 28 AM 10:49

(213) 670-5777

MUR 2557

88 MAR 28 PM 3:58

RECEIVED  
FEDERAL ELECTION COMMISSION

March 21, 1988

Federal Election Commission  
999 E Street  
N.W., Washington, D.C. 20403

Dear Sir or Madam:

In response to your letter dated March 10, 1988 (see copy attached), please note the following:

On March 24, 1986, the Wilshire Westwood Financial Group made a contribution of \$5,000. to the Committee to Elect Rob Scribner. The company was not, however, at this time an incorporated entity, but rather a sole proprietorship owned and operated 100% by Rob Scribner, the candidate.

Therefore, we believe that no violations of the law have occurred, and that no further action should be taken against the company.

Thank you for your consideration in this matter, and do not hesitate to contact our office if you should have any questions.

Sincerely,

*Dave Crawford*

Dave Crawford  
Controller for Wilshire Westwood Financial Group.

DICK AILANJIAN  
535 MARICOPA STREET  
TORRANCE, CA 90503

6CC #8919  
RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 MAR 28 AM 9:28

March 21, 1988

Federal Election Commission  
Washington, D.C. 20463

Attn: Mr. Thomas J. Josefiak, Chairman

Re: MUR 2557  
Dick Ailanjian

Dear Mr. Josefiak:

In response to your March 10, 1988 letter, I would like to present the following facts:

My wife, Betty Rose Ailanjian, and I contributed \$1,000.00 each to the campaign of Rob Scribner, which was to be used to help pay-off the debt left from his 1984 primary campaign. These funds were not to be allocated to the 1986 campaign.

We also contributed \$1750.00 to his 1986 primary campaign. \$1000.00 was from myself and \$750.00 from my wife.

It was my understanding that we were well within our limits for campaign contributions made by individual contributors.

Very truly yours,



Dick Ailanjian

RECEIVED  
FEDERAL ELECTION COMMISSION  
88 MAR 28 PM 2:44

216041072

BETTY ROSE AILANJIAN  
2300 SOUTH CLOVIS AVENUE  
FRESNO, CA 90503

March 21, 1988

Federal Election Commission  
Washington, D.C. 20463

Attn: Mr. Thomas J. Josefiak, Chairman

Re: MUR 2557  
Dick Ailanjian

Dear Mr. Josefiak:

In response to your letter of March 10, 1988, I, Betty Rose Ailanjian willingly contributed \$1000.00 to the campaign of Robert B. (Rob) Scribner. These funds were to be used to help retire his 1984 primary debt.

I also contributed \$750.00 which was to go toward his 1986 primary.

Very truly yours,

*Betty Rose Ailanjian*

Betty Rose Ailanjian

91040314073



88 MAY -3 PM 3:27

# BERGLUND & JOHNSON

## *Law Offices*

May 2, 1988

A Partnership  
of Professional  
Corporations

Thomas J. Josefiak, Chairman  
Federal Election Commission  
Washington D.C. 20463

Re: MUR 2557  
Committee to Elect Robert B. (Rob) Scribner  
Harrison W. Sommer, as Treasurer

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Andrina G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

\*a professional  
corporation

Dear Mr. Josefiak:

It is the position of the Committee to Elect Robert B. (Rob) Scribner and the undersigned as Treasurer that no action should be taken against the Committee on the basis of the materials contained in your Factual and Legal Analysis. It is our position that the corporate contributions other than those from W.D. Hoag Company Inc. - \$25.00, Hepson Agency Inc. - \$100.00, Henry K. Hasserjian, M.D. Inc.- \$50.00, General Security Services Inc. - \$50.00 and Robert W. Boos and Company Inc. - \$15.00, are, in fact, not corporate contributions. The following will further explain and demonstrate the basis for our position.

### 1. Windsor Financial Company

A letter was sent by the principal of this company, Bill Hayes directly to the Federal Election Commission indicating that Windsor Financial Company is not a corporation. Mr. Hayes has indicated that this company has filed no Articles of Incorporation and does not bear the description of Inc. on any of its papers or documents. Therefore, the alleged prohibited corporate contributions of June 24, 1985, August 6, 1986, and October 22, 1986, are not corporate contributions but are directly attributable to individuals, Mr. and Mrs. Bill Hayes;

### 2. Bayco Financial Corporation

Attached to this letter are copies of the various checks totalling \$2,500.00 and comprising fourteen separate contributions. It should be noted that each of the contributions is attributed to separate individuals and separate apartment houses and are drawn from separate accounts. None of the checks are drawn from the account of Bayco Financial Corporation. None of the contributions were made by Bayco Financial Corporation. The presence of Bayco Financial Corporation is simply as a management company and is listed as a mailing address for the separate apartment unit accounts. Therefore, none of these

15650 Devonshire

Suite 310

Granada Hills

California

91341-7241

818 899-1854

213 873-2363

Other offices:

Tempe

805 656-0223

Newport Beach

714 756-1434

Phoenix

714 623-1600

San Diego

619 293-6281

Santa Ana

800 443-4878

Riverside

800 443-4878

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAY -4 AM 10:07



Page Two  
May 2, 1988  
Re: Rob Scribner

fourteen contributions constitute a prohibited corporate contribution. The signators on the checks, Evelyn Kelly, has moved to the state of Florida. We have made efforts to contact her to determine the specific names of the individuals who are the separate owners of the various apartment buildings. The committee has exhausted its efforts in obtaining that information. However, it must be stressed even without the designation of the named individuals for the various apartment buildings, none of the apartment building accounts constitutes a corporate account or a prohibited corporate contribution.

Additionally, information communicated directly from Evelyn Kelly to the Candidate, Rob Scribner, indicated that these contributions were made on behalf of individuals. Please see the attached Declaration of Robert B. Scribner.

3. Bracy Plumbing

Attached to this correspondence is a copy of the check dated November 2, 1985, received from Bracy Plumbing. As is clear, there is no indication of the check that Bracy Plumbing is a corporation as there is no designation of that status. Our information at that time was that Bracy Plumbing was a sole proprietorship and that the contribution was being made directly by Mr. Bracy. There is no evidence or indication of a knowing acceptance of a corporate contribution from Bracy Plumbing.

4. Wilshire Westwood Financial Group

This contribution was made directly by the Candidate, Rob Scribner, as an individual, not from a corporate source. There are two entities with similar name designations and the Auditors obtained information with respect to Wilshire Westwood Financial Inc. which is a corporation and was incorporated on February 4, 1986. This contribution was made from the account of Wilshire Westwood Financial Group which is a sole proprietorship and not a corporation. As further evidence of this fact please see the attached Declaration of Robert B. Scribner.

5. C & M Transportation Company

C & M Transportation Company is not designated as a corporation on the contribution. A copy of the check dated August 7, 1986, is attached which does not contain any corporate designation. In fact, at the time the contribution was received inquiry was made as to whether or not this company was a corporation. On the copy of the check which is attached there is an indication designated "not a corporation". This information was on the original copy of the

Page Three  
May 2, 1988  
Re: Rob Scribner

record which we kept a part of the deposit record. Again, there is no indication that this was a knowing acceptance of a corporate contribution.

#### POSSIBLE EXCESSIVE CONTRIBUTIONS

With respect to the possible excessive contributions, the information contained in our November 2, 1987, letter to Alex Boniewicz remains accurate. Attached to this correspondence are letters from Randall Putnam, James J. Rhodes, Richard W. Traweck, Henry Zdonek and Robert Ashford which verify the information previously communicated by our committee.

Our communications with Dick Ailanjian indicate that he has independently sent a letter to the Federal Election Commission indicating that his contribution breakdown is as set forth in our November 2, 1987, letter.

We will provide similar letters from James Scott Watt, Ron Norris, Hayward Andrews, W. E. Bloomfield, Kenneth T. Carey, James A. Collins and Thomas W. Olds. As of the date that we were required to respond to the Factual and Legal Analysis, these letters had not yet been received. They will be sent directly to you upon receipt. Our indications are, however, that they will support and verify the information contained in our November 2, 1987, letter.

#### CONCLUSION

Based upon the information contained in this letter as well as the supporting documents and declarations, it is the position of the Committee and the Treasurer that there has been no violation of 2 U.S.C. Section 441 b(a) or 2 U.S.C. Section 441 a(a)(f). Each of the contributions has been explained such that they do not fit within the prohibition of those Sections. Additionally, in those specific instances where there was an allegation of receipt of a corporate contribution, there was no indication on the actual contributions themselves that the contributions were, in fact, from a corporate source, therefore, there could be no knowing acceptance of the corporate contribution. The Committee made good efforts to screen all corporate contributions. Every solicitation included language advising against corporate contributions.

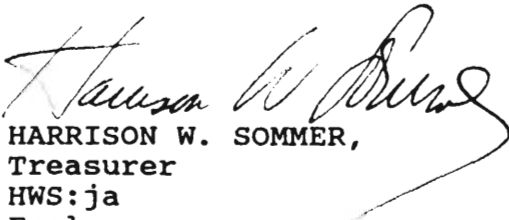
With respect to the alleged possible excessive contributions, the supporting documentation provided indicates that those contributions are not excessive. I can represent to you that the letters which follow provide the same information and account for all of the possible excessive contributions.

Page Four  
May 2, 1988  
Re: Rob Scribner

This is to notify you that, in the event that you decide to proceed with the materials contained in your Factual and Legal Analysis, that it is the desire of the Committee and the Treasurer to enter into conciliation prior to a finding of probable cause. It is our belief that all of the matters in question have been explained and that it would be much easier and more direct to agree by way of a settlement type document to all matters alleged to be in dispute by the Commission rather than proceeding with a more formal investigation.

Please advise if the information and documentation provided ends the proceedings. If it is necessary to proceed with conciliation, I would ask that you provide the information which will require our response.

Very truly yours,

  
HARRISON W. SOMMER,  
Treasurer  
HWS:ja  
Enclosures  
cc: Robert Scribner

21040814077

1  
2  
3 DECLARATION OF ROBERT B. SCRIBNER  
4

5 I Robert B. Scribner declare as follows:

6 1. That I was the Candidate for the 27th Congressional  
7 District for the Republican Party in the Elections of 1984 and  
8 1986;

9 2. That I am a resident of the County of Los Angeles,  
10 State of California.

11 3. That all matters contained within this declaration are  
12 within my personal knowledge.

13 4. That with respect to the alleged prohibited corporate  
14 contribution of Wilshire Westwood Financial Group on March 24,  
15 1986, in the amount of \$5,000.00, that this contribution was made  
16 by me as an individual. Wilshire Westwood Financial Group has  
17 never been and is not presently a corporation. It is a sole  
18 proprietorship which is owned 100% by me. The indication by the  
19 Auditors that Wilshire Westwood Financial Group was incorporated  
20 on February 4, 1986, is not correct. There is a corporate  
21 entity known as Wilshire Westwood Financial Inc. which was  
22 incorporated on February 4, 1986. Funds from that entity were  
23 not provided by way of contribution to the campaign.

24 5. That with respect to the alleged prohibited corporate  
25 contributions from Bayco Financial Corporation, I personally  
26 discussed this matter with Evelyn Kelly, the signator on the  
27 various checks. Ms. Kelly indicated to me that each of these  
28 fourteen contributions were from individual separate accounts

91040314078

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that were simply managed by Bayco Financial Corporation. None of the funds from these contributions came from Bayco Financial Corporation. I asked Ms. Kelly to provide the names of the specific individuals for the specific accounts. At the time of receipt of the contributions she did not have the specific names but indicated that they would be provided to the Committee. Follows up requests were made by myself and campaign manager to obtain the names of the individuals. We did not receive the names of these specific individuals and Ms. Kelly has moved to the state of Florida. I have been unable to discuss this matter further with her. However, I can state that none of the monies received were from a corporate source. This is based upon the fact of the separate accounts on which the checks are drawn and the information communicated to me by Evelyn Kelly.

I declare under penalty of perjury that the foregoing is true and correct and within my personal knowledge.

Executed this 29th day of April, 1988 at Pacific Palisades, California,

  
Robert B. Scribner  
Declarant



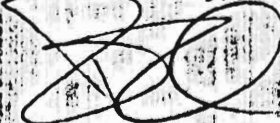
April 26, 1988

Federal Election Commission  
Washington, D. C.

To Whom It May Concern:

Please be advised that \$500.00 of the monies I contributed to Rob Scribner's campaign was allocated to the debt retirement of his 1984 campaign.

Yours truly,



Richard W. Traweck

RWT:rd

TRAWEEK INVESTMENT COMPANY, INC.  
11150 Olympic Boulevard, Suite 1180  
Los Angeles, California 90064  
(213) 312-1191

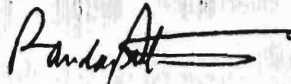
April 22, 1988

FEDERAL ELECTION COMMISSION  
Washington, D.C.

To whom it may concern,

Contributions made to the Scribner for Congress  
campaign after November 1984 in the amount of \$200.00 should  
be allocated to debt retirement for the 1984 campaign.

Trusting this statement meets your needs.



Randall & Teresa Putnam

91040314081



April 25, 1988

Federal Election Commission  
Washington, D.C.

To whom it may concern:

This is to clarify the nature of the contributions we made to the  
Scribner for Congress campaign \$950 of our total 1986  
contribution was intended to be used to retire the 1984 campaign  
debt.

Sincerely,

A handwritten signature in dark ink, appearing to read "James J. Rhodes", with a long horizontal flourish extending to the right.

James J. Rhodes

21040314082

HENRY ZDONEK, C.P.A.  
25500 HAWTHORNE BOULEVARD  
SUITE 2120  
TORRANCE, CALIFORNIA 90505

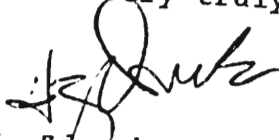
April 26, 1988

Federal Election Commission  
Washington, D.C.

Gentlemen:

This is to confirm that \$300 of the contribution made by Henry Zdonek, after November 1984 was for debt retirement of the 1984 Rob Scribner For Congress campaign.

Yours very truly,

  
H. Zdonek

HZ/dlm

21040814083



SECURITY COLLECTION BUREAU, INC.

4-28-88

Federal Election Commission  
Washington D.C.

To Whom it may Concern —

Please take note — our contribution to  
The Scrubini (300<sup>00</sup> of the total) was to take care  
of 1984 campaign debt.

Mr & Mrs Robert E Ashford  
3105 Peters Circle  
Island Lake, Calif. 91208  
818 246-8689

P.S. It is a good feeling that your efforts reach so far  
down the ladder — I'm sure you really work hard to  
keep the small guy out! Do you work as hard with  
the incumbents?

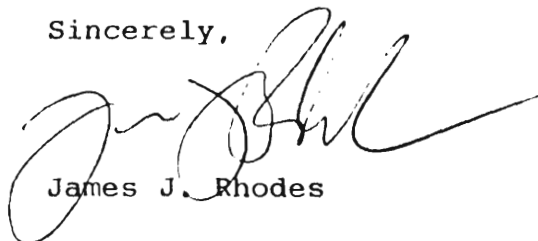
April 25, 1988

Federal Election Commission  
Washington, D.C.

To Whom It May Concern:

I would like to clarify my intention regarding contributions made to the Scribner for Congress campaign. \$950.00 should have been allocated to retiring the 1984 campaign debt.

Sincerely,



James J. Rhodes

JJR:cld

21040314085

**CASA DE ORO APARTMENTS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338006 **150 DOLS 00 CTS**

DOLLARS \$150.00

Comm. to Elect Rob Scribner

23930 OCEAN AVENUE, TORRANCE

*[Signature]*

10-17?

⑈001000⑈ ⑆122000247⑆0605 081561⑈

**COPA PACIFIC APTS.**

C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE DEL AMO  
**WELLS FARGO BANK**  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 09075

16-24/  
1220(7)

CHECK NO. 9075

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338006 **200 DOLS 00 CTS**

DOLLARS \$200.00

Comm. to Elect Rob Scribner

23930 OCEAN AVENUE, TORRANCE

*[Signature]*

10-17?

⑈009075⑈ ⑆122000247⑆0605 081538⑈

**ROBERT G. BROWNSON**  
**VIRGINIA A. BROWNSON**  
558-0682  
4808 HOLLOW CORNER ROAD, NO. 137  
CULVER CITY, CA 90230

350

Date Oct. 29 19 85

90-700 1222

Pay to the order of

Scribner for Congress

\$ 250.00

Two hundred fifty and <sup>no</sup> 100ths

Dollars



**HOME FEDERAL**  
Alamo

Westwood Office  
10920 Wilshire Boulevard  
Los Angeles, CA  
90024

Signature

*[Signature]*

⑆322270013⑆ ⑆0270036709⑈0350

COUNTRY VILLAGE dba  
CROCKER BANK BUILDING ACCOUNT  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
WELLS FARGO BANK  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

DATE 10-17-85

DOLLARS \$150.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 I 50 DOLS 00 CTS

COUNTRY VILLAGE

Comm. to Elect Rob Scribner

(10-17?) HV

*[Signature]*

⑈001000⑈ ⑆122000247⑆0605 081629⑈

COPA TRIANA APARTMENTS  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
WELLS FARGO BANK  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01301

16-24/  
1220(7)

CHECK NO. 1301

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 I 50 DOLS 00 CTS DOLLARS \$150.00

3711 - 230TH STREET, TORRANCE

Committee to Elect Rob Scribner

(10-17?) HV

*[Signature]*

⑈001301⑈ ⑆122000247⑆0605 080787⑈

COPA LADEENE  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
WELLS FARGO BANK  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 200 DOLS 00 CTS DOLLARS \$200.00

23920 ANZA, TORRANCE 90503

Comm. to Elect Rob Scribner

(10-17?) HV

*[Signature]*

⑈001000⑈ ⑆122000247⑆0605 081611⑈

**THE PINE TREE**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
**WELLS FARGO BANK**  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 505

16-24  
1220(7)

CHECK NO. 1505

DATE 10-17-85

DOLLARS \$200.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 200 DOLS 00 CTS

Comm. to Elect Rob Scribner

THE PINE TREE

*Cynthia Kelly*

⑈001505⑈ ⑆122000247⑆0605 080795⑈

2-16-86 PP BOOK

**COUNTRY VILLAGE, dba THE FOUNTAINS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

DATE 10-17-85

DOLLARS \$175.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 175 DOLS 00 CTS

Comm. to Elect Rob Scribner

10101 SLATER AVENUE

*Cynthia Kelly*

⑈001000⑈ ⑆122000247⑆0605 081637⑈

**BAYCO FINANCIAL CENTER**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

CENTURY PLAZA OFFICE  
**FIRST INTERSTATE BANK**  
Los Angeles, CA 90067

No. 05045

16 21-307  
1220

CHECK NO. 5045

DATE 10-17-85

DOLLARS \$175.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 175 DOLS 00 CTS

Comm. to Elect Rob Scribner

BAYCO FINANCIAL CENTER

*Cynthia Kelly*

⑈005045⑈ ⑆122000218⑆30770279⑈ 11



**SKYPARK**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

**WELLS FARGO BANK**  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 9331

1220(7)

CHECK NO. 9331

DATE 10-17-85

DOLLARS \$150.00

PAY  
TO THE ORDER

REGISTERED  
R8N338006 I 50 DOLS 00 CTS

Comm. to Elect Rob Scribner

*Ernest Kelly* ✓

10-17

⑈009331⑈ ⑆122000247⑆0605 081546⑈

**SKYPARK**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE DEL AMO  
**WELLS FARGO BANK**  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 9330

16-24  
1220(7)

CHECK NO. 9330

DATE 10-17-85

DOLLARS \$150.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 I 50 DOLS 00 CTS

Comm. to Elect Rob Scribner

*Ernest Kelly* ✓

10-17

⑈009330⑈ ⑆122000247⑆0605 081546⑈

**THE WILLOW TREE**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
**WELLS FARGO BANK**  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01682

16-24  
1220(7)

CHECK NO. 1682

DATE 10-17-85

DOLLARS \$250.00

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 250 DOLS 00 CTS

Comm. to Elect Rob Scribner

*Ernest Kelly* ✓

10-17

⑈001682⑈ ⑆122000247⑆0605 080803⑈

**CAMINO DE ORO APARTMENTS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
WELLS FARGO BANK  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 147

16-24  
1220(7)

CHECK NO. 1447

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 200 DOLS 00 CTS  
R8N338006 DOLLARS \$200.00

23825 ANZA, TORRANCE, 90503

Comm. to Elect Rob Scribner

⑈001447⑈ ⑆122000247⑆0605 080761⑈

**CASA DEL AMO APARTMENTS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
WELLS FARGO BANK  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24  
1220(7)

CHECK NO. 1000

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 200 DOLS 00 CTS  
R8N338006 DOLLARS \$200.00

22555 NADINE CIRCLE, TORRANCE

Comm. to Elect Rob Scribner

⑈001000⑈ ⑆122000247⑆0605 081553⑈

**THE OLIVE TREE**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
WELLS FARGO BANK  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01269

16-24  
1220(7)

CHECK NO. 1269

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 150 DOLS 00 CTS  
R8N338006 DOLLARS \$150.00

THE OLIVE TREE

Comm. to Elect Rob Scribner

⑈001269⑈ ⑆122000247⑆0605 080779⑈

91040314091

**BRACY PLUMBING**  
638 CYPRESS 373-5277  
HERMOSA BEACH, CA 90254

*card*

9500

16-8/1220

PAY TO THE ORDER OF Rob Scribner for Congress \$100.00 ✓  
One hundred and 00/100 DOLLARS

**CROCKER NATIONAL BANK**  
RIVIERA VILLAGE OFFICE  
1701 SOUTH ELENA AVENUE, REDONDO BEACH, CALIFORNIA 90277

FOR 11/2

1100950011 12200000851 34510486911 33

*High Bracy*

**MARCELLA A. McCARTY**  
5536 BALBOA BOULEVARD 990-3546  
ENCINO, CALIFORNIA 91316

*card*

No 1848

Endorsement of Check Acknowledges Receipt  
in Full For Items Listed

Donation  
1984 Retiree  
Debit

*Nov. 6 1985*

Pay to the Order of Scribner for Congress \$100.00 ✓  
One hundred and 00/100 Dollars

**First Interstate Bank**

First Interstate Bank  
of California  
Encino Office  
16633 Ventura Boulevard  
Encino, CA 91436

*Marcella A. McCarty*

1100184811 122000218121172873511

4/15/86

24  
CENTURY CITY OFFICE  
1800 CENTURY PARK EAST LOS ANGELES, CA 90067

2929  
Aug 6 1986

Pay to the order of Scribner for Congress \$ 50.00  
Fifty and no cents Dollars

LLOYD A. STRAITS  
RUTH L. STRAITS  
17501 TRAMONTO DR.  
PACIFIC PALISADES, CA 90272

11827

Ruth L. Straits

41220002471929 0619 23196211

BY ENDORSEMENT THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ITEMS

DESCRIPTION	AMOUNT
<u>Political Center</u>	<u>500 -</u>

CHARGE      GROSS AMOUNT  
                 DISCOUNT  
                 AMOUNT PAYABLE

JOHN D. LUSK  
SEPARATE PROPERTY ACCOUNT  
17550 GILLETTE AVENUE  
P. O. BOX C-19560  
IRVINE, CALIFORNIA 92713

8368      No 2399

Aug 8 1986      16-4 1220

PAY TO THE ORDER OF Scribner for Congress \$ 500.00  
Five Hundred & 00/100 DOLLARS

SECURITY PACIFIC NATIONAL BANK  
Whittier Center Office #0105  
15742 E. Whittier Blvd., Whittier, CA 90603

Donna


002399 122000043105015976

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS.

DATE	AMOUNT

Donna


Not a Corporation

 C & M TRANSPORTATION CO.  
1515 WEST MISSION ROAD 289-0214  
ALHAMBRA, CALIFORNIA 91803

7065      8.7      1986

16-21/189 1220

PAY TO THE ORDER OF Scribner for Congress \$ 100.00  
THE SUM 100 DOLS 00 CTS DOLLARS

 First Interstate Bank  
First Interstate Bank of California  
El Monte Office  
11757 Exline Street  
El Monte, CA 91732

C & M TRANSPORTATION CO.

Harvey Kaufman

7908 122000218189227958

Century City Regional Office  
UNION BANK  
100 Ave. of the Stars, Los Angeles, Ca. 90067

MAURICE MAC GOODSTEIN  
ATTORNEY AT LAW  
1880 CENTURY PARK EAST 213-277-1228  
LOS ANGELES, CA 90067

4910

12021

August 5, 1986      16-77/20 1220

PAY TO THE ORDER OF Scribner for Congress \$ 25.00  
Twenty-Five and No/100 DOLLARS

GC

MAURICE MAC GOODSTEIN  
ATTORNEY AT LAW

000#9251

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

# BERGLUND & JOHNSON

*Law Offices*

MAY 10 PM 12:34

A Partnership  
of Professional  
Corporations

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Andrina G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

\*a professional  
corporation

May 6, 1988

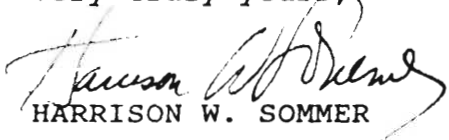
Thomas J. Josefiak  
Federal Elections Committee  
999 E Street N.W.  
Washington, D.C. 20463

RE: MUR 2557 - Committee to Elect Robert (Rob) Scribner

Dear Mr. Josefiak:

Please accept this additional documentation as evidence of the allocation of the alleged excessive contributions.

Very truly yours,

  
HARRISON W. SOMMER

HWS/ds  
Enclosures

15650 Devonshire

Suite 310

Granada Hills

California

91344-7241

818 791 1851

213 873 2363

Other offices:

Reston  
805 556 0223

Westport Beach  
714 756 1414

Thousand Oaks  
714 523 0507

San Diego  
619 296 6181

Santa Ana  
800 443 4878

Riverside  
800 443 4878

88 MAY 10 PM 3:48

RECEIVED  
FEDERAL ELECTION COMMISSION

JAMES A. COLLINS  
955 North Bundy Drive  
Los Angeles, California 90049

May 2, 1988

Federal Elections Committee  
Washington, D. C.

To Whom it May Concern:

All of the contributions contributed to the Scribner for Congress 1986 Campaign were contributed equally by James A. Collins and Carol L. Collins for our community property account.

If you have futher questions, you can contact me at the above address.

Yours truly,

  
James A. Collins

  
Carol L. Collins

JAC:lah

91040314094

April 27, 1988

91040314095  
Federal Election Committee  
c/o Rob Scribner  
711 Chapala Drive  
Pacific Palisades, CA 90272

Gentlemen:

This letter will confirm that on July 29, 1986, a contribution of \$1,000 was made to the Rob Scribner for Congress campaign. From those monies, \$250 was to be allocated to the retirement of the 1984 campaign.

Sincerely,

  
J. Scott Watt

JSW:crb



**WILLIAM C. HAYES**  
16255 Ventura Boulevard, Suite 615  
Encino, CA 91436  
(213) 981-6513

May 3, 1988

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

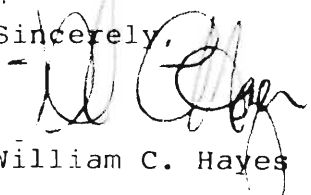
To Whom It May Concern:

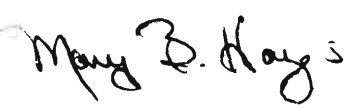
The following contributions to the Rob Scribner Campaign was a joint contribution between my wife, Mary B. Hayes and myself, with each of us credited with half:

	<u>Bill Hayes</u>	<u>Mary Hayes</u>	<u>Total</u>
June 1985	\$250.00	\$250.00	\$ 500.00
August 1986	\$500.00	\$500.00	\$1000.00
October 1986	\$100.00	\$100.00	<u>\$ 200.00</u>
TOTAL CONTRIBUTIONS			<u>\$1700.00</u>

Thank you.

Sincerely,

  
William C. Hayes

  
Mary B. Hayes

91040814096

REGULAR MAIL

FEDERAL ELECTION COMMISSION

MAY 21 1988

88 MAY 23 AM 10:18

BCC #9383

- Mm 2557

May 10, 1988

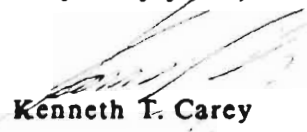
FEDERAL ELECTION COMMISSION  
Washington D.C.

RE: Scribner for Congress

To Whom It May Concern:

Please be advised that my contributions to the above referenced campaign were joint contributions from both myself and my wife.

Very truly yours,

  
Kenneth T. Carey

KTC/np

  
Elizabeth S. Carey

RECEIVED  
MAY 24 11:31  
FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION COMMISSION  
88 MAY 27 PM 12:36

71040314097

2

Federal Election Commission  
Washington, D.C.

To Whom It May Concern:

I (We) would like to clarify my (our) intention regarding  
contributions made to the Scribner for Congress campaign.  
\$750.00 should have been allocated to retiring the 1984  
campaign debt.

Signed:

&fname lname&

Signed:

&sfname slname&

21040314098

RECEIVED  
HOUSE OF REPRESENTATIVES  
MAY 24 11:31

88 JUN -9 AM 11:13

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as ) MUR 2557  
treasurer )  
Windsor Financial Company )  
Bayco Financial Corporation )  
Wilshire Westwood Financial )  
Group )  
Dick Ailanjian )

## GENERAL COUNSEL'S REPORT

## I. BACKGROUND

On March 1, 1988, the Commission found reason to believe that the Committee to Elect Robert B. (Rob) Scribner ("the Committee") and Harrison W. Sommer, as treasurer, violated 2 U.S.C. § 441b(a) for receipt of prohibited corporate contributions, and violated 2 U.S.C. § 441a(f) for receipt of excessive contributions. The Commission also found reason to believe that the following corporations violated 2 U.S.C. § 441b(a) by making prohibited contributions to the Committee: Windsor Financial Company, Bayco Financial Corporation, and Wilshire Westwood Financial Group. The Commission found that Dick Ailanjian violated 2 U.S.C. § 441a(a)(2)(A) for excessive contributions made to the Committee.

At the same time, the Commission determined to find reason to believe, but take no further action against the following corporate entities for a violation of 2 U.S.C. § 441b(a): W.D. Hoag Co., Inc.; Bracy Plumbing; Hebson Agency Inc.; C & M

91040314099

Transportation Co.; Henry K. Hasserjian, M.D., Inc.; General Security Service, Inc.; and Robert W. Boos & Co., Inc.

## II. ANALYSIS

The Committee requested and received a 30 day extension to respond to the findings. The response, received on May 3, 1988, requested pre-probable cause conciliation should the Commission decide to proceed with the findings against the Committee. Based on new information in that response, the Office of the General Counsel is recommending that the Commission decline at this time to enter into conciliation until the new issues can be investigated.

The Committee's response raised significant questions regarding the reporting of certain presumably corporate receipts which may actually have originated from individuals or non-corporate entities. Review of audit workpapers and state corporate records will be necessary. Further, the Committee provided numerous allocation statements from contributors that must be reviewed and analyzed in terms of their impact on the violations; at least two such letters were routed to the Clerk of the House and have just been received.

In addition, based on responses from the Committee, corporations, and certain of the entities against whom the Commission took no further action, this Office must review audit workpapers to determine whether additional documentation from the California Secretary of State's office is necessary to confirm their status. Such evidence will significantly affect the preparation of a proposed conciliation agreement.

91040814100

### III. RECOMMENDATIONS


1. Decline at this time to enter into conciliation prior to a finding of probable cause to believe with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer.
2. Approve the attached letter.

Lawrence M. Noble  
General Counsel

Date

6/8/88

BY:

  
Lois G. Lerner  
Associate General Counsel

#### Attachments

- A. Request for conciliation
- B. Proposed letter.

Staff Person: Frances B. Hagan

91040314101

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as )  
treasurer )  
Windsor Financial Company )  
Bayco Financial Corporation )  
Wilshire Westwood Financial )  
Group )  
Dick Ailanjian )

MUR 2557

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 13, 1988, the Commission decided by a vote of 5-0 to take the following actions in MUR 2557:

1. Decline at this time to enter into conciliation prior to a finding of probable cause to believe with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer.
2. Approve the letter, as recommended in the General Counsel's Report signed June 8, 1988.

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

Attest:

6-13-88

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of the Commission Secretary: Thurs., 6-09-88, 11:18  
Circulated on 48 hour tally basis: Thurs., 6-09-88, 4:00  
Deadline for vote: Mon., 6-13-88, 4:00





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1988

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B. (Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner; Harrison W.  
Sommer, as treasurer

Dear Mr. Sommer:

On March 10, 1988, you were notified that the Federal Election Commission found reason to believe that the Committee to Elect Robert B. (Rob) Scribner and you, as treasurer, violated 2 U.S.C. §§ 441a(f) and 441b(a). On May 2, 1988, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has considered your request and determined, because of the need to complete the investigation, to decline at this time to enter into conciliation prior to a finding of probable cause to believe.

At such time when the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

21040314103



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

August 29, 1988

POSTMASTER  
Torrance, California 90505

RE: MUR 2557

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Bayco Financial Corporation. According to our records, the address of Bayco Financial Corporation was 24050 Madison Street, Suite 215, Torrance, California 90505 as of November 1, 1985.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Envelope

91040314104



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 SEP -8 AM 9:10

August 29, 1988

POSTMASTER  
Torrance, California 90505

RE: MUR 2557

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Bayco Financial Corporation. According to our records, the address of Bayco Financial Corporation was 24050 Madison Street, Suite 215, Torrance, California 90505 as of November 1, 1985.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Envelope

23430 Suite 210 Hawthorne Blvd  
TORRANCE Ca 90505  
effective 8/25/86  
Kny  
905004

88 SEP -8 PM 3:38

RECEIVED  
FEDERAL ELECTION COMMISSION

21040314105



**B · A · Y · C · O**  
**FINANCIAL CORPORATION**

RECEIVED  
FEDERAL ELECTION COMMISSION  
88 SEP 20 PM 12:03  
23430 Hawthorne Ave., Suite 210  
Skypark Three  
Norwalk, CT 06854  
(213) 373-8787

September 14, 1988

Mr. Thomas J. Josefiak, Chairman  
Federal Elections Commission  
Washington, D.C. 20463

**RE: MUR2557**  
**Bayco Financial Corporation**

Dear Mr. Josefiak,

Your letter dated March 10, 1988, and postmarked August 29, 1988 arrived in our office on September 1, 1988 and was waiting for me when I returned from Florida on September 9th.

There has been a great error in the manner in which your office or Robert Scribners office, recorded 14 checks made payable to the Committee to Elect Rob Scribner during the 1986 election cycle.

Bayco Financial Corporation did not contribute one dime to Rob Scribner nor to his committee or campaign as you can see by the copies of the 14 checks you are questioning. (copies enclosed).

The checks came from the personal properties of a number of people in Limited and General Partnerships.

Bayco Financial Corporation is a management company only. The firm does not own any of the properties. We manage them under contract. None of them are owned by corporations; they are all owned by individuals with a vast majority holding interest as community property. Therefore, if you divided the total of the 14 checks (\$2500) by the number of individuals involved (80), the contribution per person is \$31.25. Some properties have 2 owners; some have 20 and some have 33, 12, 3, 5 & 10. These were individuals who chose through the power of attorney of the general partners in each property to contribute to Mr. Scribners campaign.

Where the confusion probably arose in your office or in Mr. Rob Scribners was that instead of listing the

contributions by the entity involved, it was lumped under Bayco Financial Corporation for the simple reason that as you can see by each check, the name of the entity appears in the top left hand corner plus "c/o Bayco Financial Corporation". That is for mailing purposes only. It does not imply or mean Bayco owns those properties.

Bayco receives invoices and pays bills for each of the individually owned properties and makes disbursements at the direction of those owners.

As President of Bayco on 10-17-85, I had check signing authority on each account; at the individual property owners direction, I signed the checks.

I do not have an ownership interest in any of the properties in question.

The one thing that is common to all the properties in question is that Robert Cohen and Frank Torino are General Partners in 12 of the properties, but their individual interest in those 12 range from 10% to 50% with other partners numbering from 1 to 32. In 4 of the properties James Bower was also a General Partner with Cohen & Torino.

Therefore, any test you wish to use for these 14 checks will prove to you that;

- (1) Bayco Financial Corporation did not contribute one cent to Mr. Scribners campaign. I as President for the management company managing the properties, simply signed the checks.
- (2) If you divide the total contribution by the number of partners in those entities plus the spouses of those wherein interest is held as community property, each individual contributed less than \$30 per person.
- (3) Exhibit A shows the ownership interest of the 3 persons who have common interest in some of them - and the maximum contribution by any one of those individuals would be Torino at \$822.

By taking the contribution from each entity and applying Torino's personal ownership interest to the amount contributed, you will arrive at the same conclusion.

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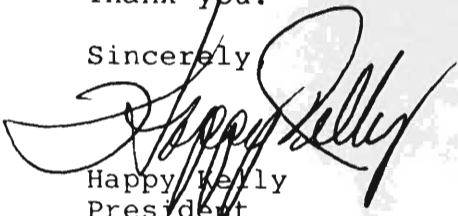
Mr. Thomas J. Josefiak  
September 14, 1988  
Page Three

I trust that I have been helpful in clearing up this matter for you.

If you have any questions feel free to call me or our General Manager, Brenda McKinnon at (213) 373-8787.

Thank you.

Sincerely



Happy Kelly  
President

HK:ja

cc: Frances B. Hagan  
Rob Scribner

Encl: Copies of checks  
Exhibit A

91040814108

	Camino de Oro	Casa del Amo	9 1 Copa Pacific	0.4 Copa Ladeene	0.3 Casa de Oro	1.4 Copa Triana	1.0 Widow Tree	Bayco Center	Fount.	Crocker	Olive Tree	Skypark	Pine Tree
TOTAL CONTRIBUTIONS	200	200	200	200	150	150	250	175	175	150	150	300	200

Ownership:

COHEN	10%	27.5%	33 %	33 %	25	-0-	10%	50%	50%	50%	15%	50%	50%
TORINO	10%	27.5%	33 %	33 %	25	20%	10%	50%	50%	50%	15%	50%	50%
BOWER	10%	-0-	33 %	33 %	-0-	-0-	10%						
*Other Individuals	70%	45%	-0-	-0-	50%	80%	70%	-0-	-0-	-0-	70%	-0-	-0-
Total of other Individuals	30	10	-0-	-0-	10	4	17	-0-	-0-	-0-	8	-0-	-0-



COUNTRY VILLAGE 458  
CRACKER BANK BUILDING ACCOUNT  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

WELLS FARGO BANK  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000  
CHECK NO. 1000  
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED \$150 DOLS 00 CTS

DOLLARS \$150.00

Comm. to Elect Rob Scribner

COUNTRY VILLAGE  
**NON NEGOTIABLE**

THE OLIVE TREE  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
WELLS FARGO BANK  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01269

16-24  
1220(7)

CHECK NO. 1269

DATE 10-17-85

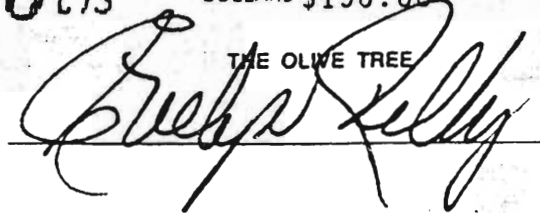
PAY  
TO THE ORDER  
OF

REGISTERED \$150 DOLS 00 CTS

DOLLARS \$150.00

Comm. to Elect Rob Scribner

THE OLIVE TREE



⑈001269⑈ ⑆122000247⑆0605 080779⑈

⑈0000015000⑈

SKYPARK  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE DEL AMO  
WELLS FARGO BANK  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 9330

16-24  
1220(7)

CHECK NO. 9330

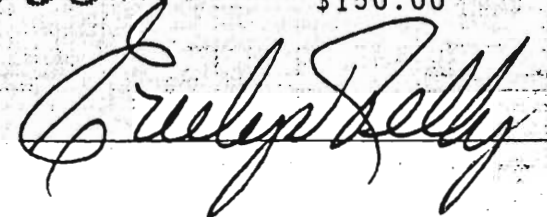
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED \$150 DOLS 00 CTS

DOLLARS \$150.00

Comm. to Elect Rob Scribner



⑈009330⑈ ⑆122000247⑆0605 081546⑈

⑈0000015000⑈

91040314110

**THE WILLOW TREE**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO  
**WELLS FARGO BANK**  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01682

16-24  
1220(7)

CHECK NO. 1682

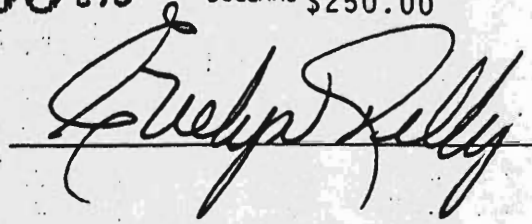
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 250 DOLS 00 CTS

DOLLARS \$250.00

Comm. to Elect Rob Scribner



⑈001682⑈ ⑆122000247⑆0605 080803⑈

⑈0000025000⑈

**BAYCO FINANCIAL CENTER**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

CENTURY PLAZA OFFICE  
**FIRST INTERSTATE BANK**  
Los Angeles, CA 90067

No. 05045

16-21-307  
1220

CHECK NO. 5045

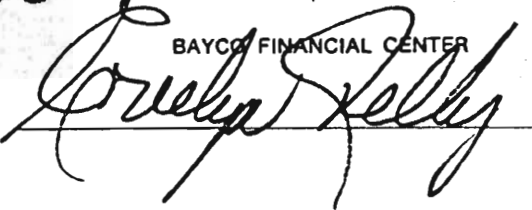
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PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 I75 DOLS 00 CTS

DOLLARS \$175.00

Comm. to Elect Rob Scribner

BAYCO FINANCIAL CENTER  


⑈005045⑈ ⑆122000218⑆307702791⑈ 11

⑈0000017500⑈

**COUNTRY VILLAGE, aka THE FOUNTAINS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1980

16-21  
1220(7)

CHECK NO. 1980

DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 I75 DOLS 00 CTS

DOLLARS \$175.00

Comm. to Elect Rob Scribner

10101 BAKEN AVENUE  
**NON NEGOTIABLE**

**COPA LADEENE**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

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1220(7)

CHECK NO. 1000

DATE 10-17-85

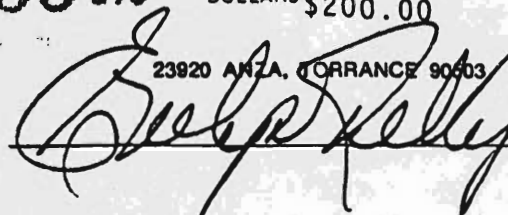
PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 200 DOLS 00 CTS

DOLLARS \$200.00

Comm. to Elect Rob Scribner

23920 ANZA, TORRANCE 90503



⑈001000⑈ ⑆122000247⑆0605 081611⑈

⑈0000020000⑈

**CASA DE ORO APARTMENTS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

DATE 10-17-85

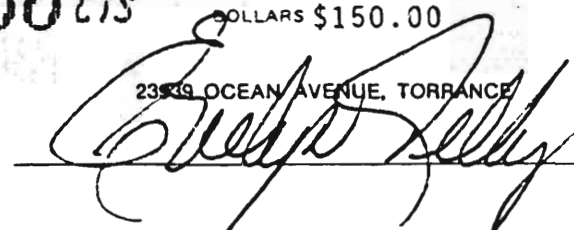
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TO THE ORDER  
OF

REGISTERED  
R8N338005 150 DOLS 00 CTS

DOLLARS \$150.00

Comm. to Elect Rob Scribner

23939 OCEAN AVENUE, TORRANCE



⑈001000⑈ ⑆122000247⑆0605 081561⑈

⑈0000015000⑈

**COPA TRIANA APARTMENTS**  
C/O BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
**WELLS FARGO BANK**  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01301

16-24/  
1220(7)

CHECK NO. 1301

DATE 10-17-85

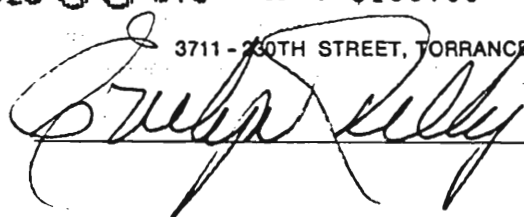
PAY  
TO THE ORDER  
OF

REGISTERED  
R8N338005 150 DOLS 00 CTS

DOLLARS \$150.00

Committee to Elect Rob Scribner

3711 - 230TH STREET, TORRANCE



⑈001301⑈ ⑆122000247⑆0605 080282⑈

⑈0000015000⑈

21040814112

**CAMINO DE ORO APARTMENTS**  
c/o BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO OFFICE  
**WELLS FARGO BANK**  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 01447

16-24  
1220(7)

CHECK NO. 1447

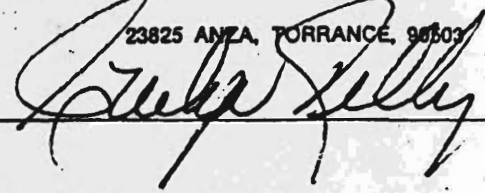
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 200 DOLS 00 CTS  
R8N338006 DOLLARS \$200.00

Comm. to Elect Rob Scribner

23825 ANZA, TORRANCE, 90503



⑈001447⑈ ⑆122000247⑆0605 080761⑈

⑈0000020000⑈

**CASA DEL AMO APARTMENTS**  
c/o BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE-DEL AMO REGIONAL  
COMMERCIAL BANKING OFFICE  
**WELLS FARGO BANK**  
National Association  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 1000

16-24/  
1220(7)

CHECK NO. 1000

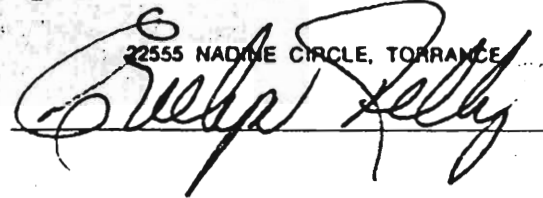
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 200 DOLS 00 CTS  
R8N338006 DOLLARS \$200.00

Comm. to Elect Rob Scribner

22555 NADINE CIRCLE, TORRANCE



⑈001000⑈ ⑆122000247⑆0605 081553⑈

⑈0000020000⑈

**COPA PACIFIC APTS.**  
c/o BAYCO FINANCIAL CORPORATION  
24050 MADISON ST., SUITE 215  
TORRANCE, CALIFORNIA 90505  
(213) 373-8787

TORRANCE DEL AMO  
**WELLS FARGO BANK**  
REGIONAL COMMERCIAL BANKING OFFICE  
21323 Hawthorne Blvd.  
Torrance, CA 90503

No. 09075

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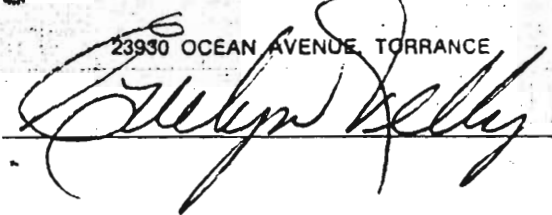
DATE 10-17-85

PAY  
TO THE ORDER  
OF

REGISTERED 200 DOLS 00 CTS  
R8N338006 DOLLARS \$200.00

Comm. to Elect Rob Scribner

23930 OCEAN AVENUE, TORRANCE



⑈009075⑈ ⑆122000247⑆0605 081538⑈

⑈0000020000⑈

21040314113



91040314114

**SKYPARK**  
**C/O BAYCO FINANCIAL CORPORATION**  
 24050 MADISON ST., SUITE 215  
 TORRANCE, CALIFORNIA 90505  
 (213) 373-8787

TORRANCE DEL AMO  
**WELLS FARGO BANK**  
 REGIONAL COMMERCIAL BANKING OFFICE  
 21323 Hawthorne Blvd.  
 Torrance, CA 90503

No. **9331**  
 CHECK NO. 9331  
 DATE 10-17-85

16-24  
 1220(7)

**PAY**  
 TO THE ORDER  
 OF

REGISTERED  
 R8N338005 **150 DOLS 00 CTS**

DOLLAR \$150.00

Comm. to Elect Rob Scribner

*[Signature]*

⑈009331⑈ ⑆122000247⑆0605 081546⑈

⑈0000015000⑈

**THE PINE TREE**  
**C/O BAYCO FINANCIAL CORPORATION**  
 24050 MADISON ST., SUITE 215  
 TORRANCE, CALIFORNIA 90505  
 (213) 373-8787

TORRANCE-DEL AMO OFFICE  
**WELLS FARGO BANK**  
 21323 Hawthorne Blvd.  
 Torrance, CA 90503

No. **1505**  
 CHECK NO. 1505  
 DATE 10-17-85

16-24  
 1220(7)

**PAY**  
 TO THE ORDER  
 OF

REGISTERED  
 R8N338005 **200 DOLS 00 CTS**

DOLLARS \$200.00

Comm. to Elect Rob Scribner

*[Signature]*  
 THE PINE TREE

⑈001505⑈ ⑆122000247⑆0605 080795⑈

⑈0000020000⑈



B • A 88 SEP 16 AM 11:35 • O  
FINANCIAL CORPORATION

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

RECEIVED  
FEDERAL ELECTION COMMISSION

23430 Hawthorne Blvd., Suite 210  
Skypark Tower  
Irvine, CA 92614  
(714) 373-8787

OGC  
459

88 SEP 20 AM 8:58

September 15, 1988

Ms. Frances B. Hagan  
Office of General Counsel  
999 E Street N.W.  
Washington, D.C. 20463

RE: MUR2557

Dear Ms. Hagan:

I was so happy to hear your pleasant, helpful voice on the other end of the telephone line today.

Per your request, I am enclosing the first pages of each of the partnership agreements we have on file so that you can see that the entities involved in contributing funds to Rob Scribner were partnerships -not Corporations.

Note: In some of the documents you will see the name Robert Collins. On others you will see Robert Cohen. They are one & the same. A few years ago, Mr. Collins changed his name back to Cohen.

Exhibit 1 - 1st page of Certificate of Limited Partnership for Camino de Oro owned by Torino, Cohen & Bower (at 10% interest each) plus 30 other partners.

Contributed \$200.

Exhibit 2 - 1st page of Limited Partnership Agreement of Casa del Amo. Owned by Cohen & Torino at 27.5% interest each plus 10 other partners.

Contributed \$200

Exhibit 3 - 2 pages - Page 1 shows how Mr. Bower became a partner with Collins & Torino in the Copa Pacific Apartments, a General Partnership, & page 2 of 2 further shows the partners.

Contributed \$200.

88 SEP 20 AM 8:58

Ms. Frances B. Hagan  
September 15, 1988  
Page Two

Exhibit 4 - Statement of Partnership of Copa Ladeene  
a General Partnership owned by Cohen, Torino  
& Bower at 33 1/3 % interest each.

Contributed \$200.

Exhibit 5 - Certificate of Limited Partnership of Casa  
de Oro Apartments. Owned 25% Cohen, 25%  
Torino plus 10 other individuals.

Contributed \$150.

Exhibit 6 - 1st page of Partnership Agreement of Copa  
Triana; shows 5 owners - each owns 20%.

Contributed \$150.

Exhibit 7 - Statement of Partnership of Madison Airport  
Center aka Bayco Financial Center. Caution  
- In that "Bayco Financial Center" is the  
name of the property, it is easy to confuse  
the name with Bayco Financial Corporation.  
Bayco Financial Corporation was an anchor  
tenant in that building and had the building  
named after the firm. Bayco Financial Corp.  
has no ownership in the property. Cohen  
& Torino own it.

Contributed \$175.

Exhibit 8 - Agreement of Limited Partnership of the  
Olive Tree. Caution - Note that Bayco  
Property Management Inc. sold its interest  
to Jack Macdonald in 1974 - See page 2 of  
2 of this Exhibit.

This property is owned by Cohen & Torino  
at 15% interest each plus 8 other in-  
dividuals.

Exhibit 9 - Skypark - 1st page of Partnership Agreement  
owned 50% by Cohen & 50% by Torino as in-  
dividuals.

Total Contributed \$300 (by 2 separate checks  
of \$150 each - one each from 2 buildings  
on the site).

91040314116



Ms. Frances B. Hagan  
September 15, 1988  
Page Three

Exhibit 10 - 1st page of the Pine Tree Partnership Agreement. Owned 50/50 by Cohen & Torino.

Contributed \$200.

Exhibit 11 - 1st page of a typical management agreement between the properties and Bayco Financial Corporation.

I am sorry I cannot submit copies of Partnership Agreements on Willow Tree in that Bayco no longer manages it. I can tell you unequivocally that it is a Limited Partnership with Cohen, Torino & Bower as General Partners along with at least 17 other individuals.

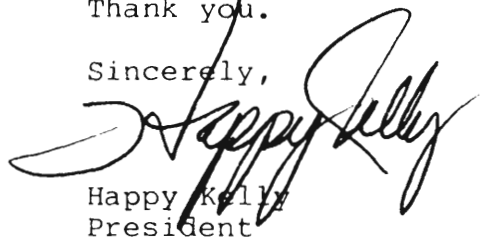
Fountains & Crocker buildings were sold in 1986 & 1987 and I do not have any records on those two partnerships either but they were both General Partnerships with Cohen & Torino as owners.

I sincerely hope this puts the matter to rest. However, if you have any further questions, don't hesitate to call me or Brenda McKinnon, our General Manager.

Needless to say we are not too happy with Mr. Scribners error in the manner in which he or his committee reported these checks and, of course, have taken the opportunity to advise him of same.

Thank you.

Sincerely,



Happy Kelly  
President

HK:ja

Enclosure as stated

91040314117

WHEN RECORDED MAIL TO:  
HOROWITZ & HOWARD  
1100 Wilshire Square Building  
3345 Wilshire Blvd.  
Los Angeles, California  
90005

RECORDED AT  
REQUEST OF  
WYLLIE INSURANCE & TRUST CO.

3367  
CERTIFICATE AND AGREEMENT  
OF LIMITED PARTNERSHIP OF  
CAMINO DE ORO

88 SEP 20. AM 8:58

RECEIVED  
FEDERAL ELECTIONS  
RECORDS  
RECORDED IN OFFICIAL RECORDS  
OF LOS ANGELES COUNTY, CALIF.

31 Min. 3 P.M. OCT 30 1969  
RAY E. LEE, Registrar-Recorder

FEE \$316° 58 M

9104031418  
The undersigned hereby certify and agree that they  
have associated themselves together as of January 1, 1969,  
as a limited partnership under the provisions of the Uniform  
Limited Partnership Act of the State of California and hereby  
certify and agree as follows:

1. Name.

The name of the partnership is "CAMINO DE ORO".

2. Business.

(a) The purpose of the partnership is to acquire  
that certain real property in the City of Torrance, Los Angeles  
County, California, described on Exhibit "A" attached hereto  
and made a part hereof, to cause the construction of an apart-  
ment project thereon and to own and operate said apartment pro-  
ject after its completion.

(b) The location of the principal place of busi-  
ness of the partnership shall be 3855 W. Pacific Coast Highway,  
Torrance, California, or such other place as is agreed upon by  
the general partners.

6 • Ex 82  
Nov 22 1968  
CASA  
BUTTS  
4541

LIMITED PARTNERSHIP AGREEMENT

OF

CASA DEL AMO APARTMENTS

THIS LIMITED PARTNERSHIP AGREEMENT entered into and effective as of the 21st day of October, 1968, between ROBERT COLLINS and FRANCIS P. TORINO, sometimes referred to as "General Partners", and those persons listed on Exhibit "A", attached hereto and made a part hereof, sometimes referred to as "Limited Partners", all of whom desire to form a Limited Partnership pursuant to the provisions of the California Corporations Code, Title 2, Chapter 2, known as the Uniform Limited Partnership Act:

W I T N E S S E T H:

WHEREAS, all of the parties hereto are acquainted with one another either personally or through past investments; and

WHEREAS, each of the parties to this Agreement desire to constitute themselves a Limited Partnership for the purpose and upon the terms, covenants and conditions hereinafter set forth:

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. NAME: The name of this Partnership shall be CASA DEL AMO APARTMENTS.

2. PURPOSE: The general nature and character of the business to be transacted by this Limited Partnership shall be the acquisition of that certain real property described on

91040314119

RECEIVED  
FEDERAL ELECTION COMMISSION  
EX 3  
88 SEP 20 AM 8:50  
10/2

AGREEMENT FOR SUBSTITUTION OF PARTNER IN

COPA PACIFIC APARTMENTS

This agreement is entered into and effective January 24, 1972 between Robert Collins ("Collins"), Francis P. Torino ("Torino"), and James S. Bower ("Bower").

WHEREAS, effective this date, Redondo Land Company has assigned to Bower its entire interest in that certain partnership known as Copa Pacific Apartments, formed pursuant to a partnership agreement entered into April 24, 1967; and

WHEREAS, pursuant to paragraph 19(D) of said partnership agreement it was agreed that Redondo Land Company might at any time freely transfer its partnership interest to Bower, and the remaining partners agreed that at such time they would accept Bower as a substituted partner for Redondo;

NOW, THEREFORE, it is hereby agreed as follows:

1. Collins and Torino hereby accept Bower as a substituted partner for Redondo Land Company in said Copa Pacific Apartments partnership, and from and after the date of this agreement Bower shall be entitled to the entire interest of Redondo in said partnership and to all of the rights and privileges of Redondo in said partnership.

2. Bower hereby accepts the partnership interest in Copa Pacific Apartments formerly held by Redondo and, from and after the date of this agreement, agrees to be bound by all of the terms and provisions of said partnership agreement.

IN WITNESS WHEREOF, the parties hereto have signed this agreement on the date first above written.

Robert Collins  
Robert Collins

Francis P. Torino  
Francis P. Torino

James S. Bower  
James S. Bower

91040314120

WHE RECORDED MAIL 10:

ROBERT COLLINS  
24050 Madison Street, Suite 214  
Torrance, California 90505

Ex-3  
09282

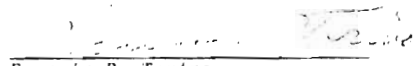
AMENDED STATEMENT OF PARTNERSHIP

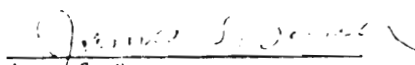
The undersigned, all of the partners of Copa Pacific Apartments,  
a partnership, created under the laws of the State of California, hereby make  
this certificate.

1. The name of the partnership is Copa Pacific Apartments.
2. The names of the partners are Robert Collins, Francis P.  
Torino, and James S. Bower.
3. The persons named in paragraph 2 of this certificate are all  
of the partners of said partnership;
4. That any two of the above named partners shall have the  
authority to exercise any or all of the following powers as to real property,  
any interest therein and/or any building thereon, held in the name of this  
partnership: To contract for, purchase, receive and take possession thereof  
and of evidence of title thereto; to lease the same for any term or purpose,  
including leases for business, residence, and oil and/or mineral development;  
to sell, exchange, grant or convey the same with or without warranty; and to  
mortgage, transfer in trust, or otherwise encumber or hypothecate the same to  
secure payment of a negotiable or non-negotiable note or performance of any  
obligation or agreement.

In Witness Whereof, the parties have hereunto set their hands  
the day and year set forth in their respective acknowledgements and verifica-  
tions of this certificate.

  
Robert Collins

  
Francis P. Torino

  
James S. Bower

91040314121

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FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 SEP 20 AM 8:56


6X4


STATEMENT OF PARTNERSHIP  
OF  
COPA LADEENE APARTMENTS  
A GENERAL PARTNERSHIP

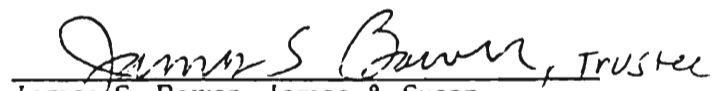
The undersigned, constituting all of the Partners of Copa Ladeene Apartments, created under the laws of the State of California on or about January 24, 1972, hereby make this certificate.

1. The name of this Partnership is Copa Ladeene Apartments.
2. The name of each of the Partners is as follows:
  - a. Robert Cohen, Trustee
  - b. Francis P. Torino, Trustee
  - c. James S. Bower, Trustee
3. The Partners named in this Statement are all of the Partners.
4. The written consent of (all, any two, et cetera) the Partners named in this Statement is required to convey title to any real property on behalf and in the name of the Partnership in a conveyance as defined in Section 15010.5(2) of the California Corporations Code.

Executed on this 5<sup>th</sup> day of May, 1987, at Torrance, California.

  
Robert Cohen, Trustee  
of the Cohen Family Trust  
Dated March 13, 1986

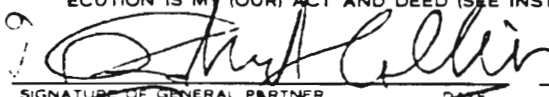

  
Francis P. Torino, Trustee  
of the Torino Living Trust  
Dated May 4, 1984

  
James S. Bower, Trustee  
James S. Bower, James & Susan  
Bower Revocable Family Trust  
Dated July 15, 1981

91040314122

This Certificate is presented for filing pursuant to Chapter 3, Article 2, Section 15621, California Corporations Code.

88 SEP 20 AM 8:58

1. NAME OF LIMITED PARTNERSHIP Casa de Oro		3. CITY AND STATE Torrance CA	4. ZIP CODE 90505
2. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 24050 Madison Street		6. CITY CALIF.	7. ZIP CODE
8. COMPLETE IF LIMITED PARTNERSHIP WAS FORMED PRIOR TO JULY 1, 1984 AND IS IN EXISTENCE ON DATE THIS CERTIFICATE IS EXECUTED. THE ORIGINAL LIMITED PARTNERSHIP CERTIFICATE WAS RECORDED ON <u>12/20</u> 19 <u>68</u> WITH THE RECORDER OF <u>Los Angeles</u> COUNTY. FILE OR RECORDATION NUMBER <u>2549</u>			
9. NAMES AND ADDRESSES OF ALL GENERAL PARTNERS: (CONTINUE ON SECOND PAGE, IF NECESSARY)			
NAME: Robert Collins ADDRESS: 24050 Madison Street #215 CITY: Torrance STATE California ZIP CODE 90505			
9A. NAME: Francis P. Torino ADDRESS: 24050 Madison Street #215 CITY: Torrance STATE California ZIP CODE 90505			
9B. NAME: ADDRESS: CITY: STATE ZIP CODE			
10. NAME AND ADDRESS OF AGENT FOR SERVICE OF PROCESS NAME: Bayco Financial Corporation Evelyn Kelly ADDRESS: 24050 Madison Street #215 CITY: Torrance STATE California ZIP CODE 90505			
11. TERM FOR WHICH THIS PARTNERSHIP IS TO EXIST 7/22/68 - 7/22/88			
12. FOR THE PURPOSE OF FILING AMENDMENTS, DISSOLUTION AND CANCELLATION CERTIFICATES PERTAINING TO THIS CERTIFICATE, THE <input type="radio"/> ACKNOWLEDGMENT OF <u>2</u> GENERAL PARTNERS IS REQUIRED.			
13. ANY OTHER MATTERS THE GENERAL PARTNERS DESIRE TO INCLUDE IN THIS CERTIFICATE MAY BE NOTED ON SEPARATE PAGES AND BY <input type="radio"/> REFERENCE HEREIN IS A PART OF THIS CERTIFICATE. NUMBER OF PAGES ATTACHED <input type="checkbox"/>			
14. IT IS HEREBY DECLARED THAT I AM (WE ARE) THE PERSON(S) WHO EXECUTED THIS CERTIFICATE OF LIMITED PARTNERSHIP, WHICH EXECUTION IS MY (OUR) ACT AND DEED (SEE INSTRUCTIONS)			
SIGNATURE OF GENERAL PARTNER 		DATE 6/29/84	
SIGNATURE OF GENERAL PARTNER 		DATE 6/29/84	
SIGNATURE OF OTHER THAN GENERAL PARTNER		TITLE OR DESIGNATION DATE	
16. RETURN ACKNOWLEDGMENT TO: NAME Bayco Financial Corporation ADDRESS 24050 Madison Street #215 CITY AND Torrance STATE California ZIP CODE 90505			

15. THIS SPACE FOR FILING OFFICER USE (FILE NUMBER, DATE OF FILING)  
8421500027  
  
FILED  
In the office of the Secretary of State of the State of California  
JUL 30 1984  
March Fong Eu  
MARCH FONG EU  
SECRETARY OF STATE

FORM LP-1—FILING FEE \$70  
Approved by the Secretary of State



88 SEP 20 AM 8:58  
EXPARTNERSHIP AGREEMENT OF  
COPA TRIANA APARTMENTS

This partnership agreement, entered into and effective as of the 22 day of March, 1968 between CLIFFORD HARRISON NICKLE, sometimes hereinafter referred to as "NICKLE", ROBERT COLLINS, sometimes hereinafter referred to as "COLLINS", FRANCIS P. TORINO, sometimes hereinafter referred to as "TORINO", CECIL M. HEFNER, sometimes hereinafter referred to as "HEFNER", and WALTER J. MICHAELIS, sometimes hereinafter referred to as "MICHAELIS".

W I T N E S S E T H:

WHEREAS, NICKLE, COLLINS, TORINO, HEFNER and MICHAELIS desire to associate themselves as partners for the purpose of acquiring and constructing a residential apartment building on certain land hereinafter described;

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. NAME: The name of this partnership shall be COPA TRIANA APARTMENTS.
2. PURPOSE: The general nature and character of the business to be transacted by this partnership shall be the ownership and operation of a residential apartment building to be constructed upon Lots 2, 3, 4, and 5, Tract # 28277, in the City of Torrance, County of Los Angeles, California, and any other business related thereto. The specification of a particular business shall not be deemed a limitation upon the general powers of the partnership. It is the desire and intention of each of the parties hereto to retain said property for investment purposes.

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EX 1


STATEMENT OF PARTNERSHIP  
OF

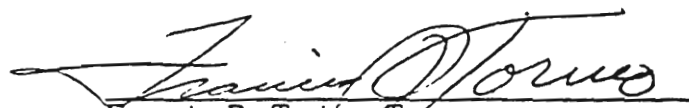
MADISON AIRPORT CENTER  
aka BAYCO FINANCIAL CENTER  
A GENERAL PARTNERSHIP

The undersigned, constituting all of the Partners of Madison Airport Center (aka Bayco Financial Center), created under the laws of the State of California on or about April 1, 1975, hereby make this certificate.

1. The name of this Partnership is Madison Airport Center.  
(aka Bayco Financial Center).
2. The name of each of the Partners is as follows:
  - a. Robert Cohen, Trustee
  - b. Francis P. Torino, Trustee
3. The Partners named in this Statement are all of the Partners.
4. The written consent of (all, any two, et cetera) the Partners named in this Statement is required to convey title to any real property on behalf and in the name of the Partnership.

Executed on this 5th day of May, 1987, at Torrance, California.

  
Robert Cohen, Trustee  
of the Cohen Family Trust  
Dated March 13, 1986

  
Francis P. Torino, Trustee  
of the Torino Living Trust  
Dated May 4, 1984

91040814125

7/18/74

Ex 8  
pg 1 of 2

BKM4752PG317

AGREEMENT OF LIMITED PARTNERSHIP OF  
THE OLIVE TREE

BAYCO PROPERTY MANAGEMENT, INC., a California corporation (at times hereinafter called "General Partner" or "original General Partner") and the persons listed as Limited Partners on Exhibit "A" attached hereto, as Limited Partners, hereby form a Limited Partnership pursuant to the provisions of the California Corporations Code and do hereby agree as follows:

1. NAME. The name of the Partnership is:

THE OLIVE TREE

2. PURPOSE. The purpose of the Partnership is to acquire for long term investment, hold, improve, maintain, operate, lease and sell the property described in Exhibit "B" (herein referred to as "the Property"), and to engage in any and all business activities related or appropriate thereto.

3. PRINCIPAL PLACE OF BUSINESS. The location of the principal place of business of the Partnership shall be 3855 Pacific Coast Highway, Suite 15, Torrance, California, until changed by the General Partner by giving written notice to the Limited Partners.

4. FILING AND RECORDING. The General Partner shall cause an executed and acknowledged copy of this document to be filed in the office of the County Recorder of each county in which the Property of the Partnership is located and in the county in which the principal place of business of the Limited Partnership is located.

5. FICTITIOUS NAME CERTIFICATE. The General Partner shall execute and cause to be published and filed a fictitious business name statement for the Partnership in the county where the principal place of business of the Limited Partnership is located.

6. TERM. The Limited Partnership shall commence as of the date hereof and shall continue for a period of twenty (20) years thereafter unless sooner terminated as hereinafter provided.

7. PARTNERS AND ADDRESSES. The name and place of residence of the original General Partner are BAYCO PROPERTY MANAGEMENT, INC., 3855 Pacific Coast Highway, Suite 15, Torrance, California. The names, places of residence and capital contributions of the Limited Partners are set forth in Exhibit "A".

Ex 8  
pg 2 of 2

A G R E E M E N T

BAYCO PROPERTY MANAGEMENT, INC. hereby relinquishes all right, title, and interest in a ten percent (10%) limited partnership interest it presently holds in The Olive Tree Limited Partnership, to JACK W. McDONALD, ~~Not a partner, California~~, for a consideration of Seventeen Thousand Five Hundred Dollars (\$17,500), receipt of which is hereby acknowledged.

Transfer of interest to J. W. McDONALD is effective September 1, 1974. All benefits accrued from the date of formation of the limited partnership to September 1, 1974, are the property of and payable to BAYCO PROPERTY MANAGEMENT, INC.

JACK W. McDONALD hereby acknowledges receipt of a copy of The Olive Tree Limited Partnership Agreement, and agrees to all terms and conditions contained therein.

JACK W. McDONALD further acknowledges that he was aware of the initial offering of limited partnership interests in The Olive Tree and would have participated at that time had he access to the necessary funds; in lieu of his name being placed on the partnership agreement at the onset, BAYCO PROPERTY MANAGEMENT, INC. purchased a 10 percent interest to be held for JACK W. McDONALD until the necessary funds were available.

DATED this 9 day of September, 1974.

AGREED TO:

BAYCO PROPERTY MANAGEMENT, INC.

[Signature]  
[Signature]  
[Signature]

[Signature]  
JACK W. McDONALD

91040314127

*Stacy part*

*start file*  
*EX 9*

PARTNERSHIP AGREEMENT

THIS PARTNERSHIP AGREEMENT is entered into and effective as of April 1, 1980, by and between ROBERT COLLINS, an individual, and FRANCIS P. TORINO, an individual, hereinafter referred to as "the Partners", whereby it is agreed as follows:

1. RECITALS

The Partners desire to form a general partnership under the laws of the State of California, for the purposes and on terms, covenants and conditions stated in this agreement.

2. NAME

The name of the partnership shall be F.A.B. Industries. The partnership may also operate under such other or additional names and designations as the Partners hereof shall from time to time determine.

3. PURPOSE

The purpose of the partnership shall be to acquire, own, develop, hold, rent, sell, operate and/or invest in real and personal property.

4. PLACE OF BUSINESS

The principal place of business of this partnership shall be at 24050 Madison Street, Suite 214, Torrance, California 90505, or at such substituted offices and/or locations as the Partners shall from time to time determine.

5. PARTNERSHIP TERM

The partnership shall remain in existence unless,

- (a) dissolved by mutual agreement of both partners; or
- (b) dissolved as otherwise provided in this Agreement.

6. CAPITAL CONTRIBUTIONS

The Partners shall contribute capital to the partnership from time to time as they shall mutually determine. Such contributions shall be made concurrently and equally by both Partners.

91540314128

AMENDED AND RESTATED  
PARTNERSHIP AGREEMENT

OF

PINE TREE APARTMENTS

EX 10

THIS PARTNERSHIP AGREEMENT is made and entered into as of this 12th day of August 1988, by and between Francis P. Torino, as Trustee of the Torino Living Trust, and Robert Cohen as Trustee of the Cohen Family Trust.

R E C I T A L S

A. On July 1, 1972, Francis P. Torino and Robert Collins entered into a Partnership Agreement. By the terms of the Partnership Agreement, the general partnership created by the Agreement is scheduled to expire on June 30, 1992.

B. The partners desire to amend, restate and extend the life of the general partnership created by the Partnership Agreement of July 1, 1972, beyond June 30, 1992, and desire to adopt this Amended and Restated Partnership Agreement of Pine Tree Apartments to govern the partnership as of August 12, 1988.

C. With the consent of both partners, Francis P. Torino assigned his partnership interest to Francis P. Torino as Trustee of the Torino Living Trust, and Robert Collins assigned his partnership interest to Robert Cohen as Trustee of the Cohen Family Trust.

**BAYCO FINANCIAL CORPORATION**

**A California Corporation**

Ex 11

**MANAGEMENT AGREEMENT**

IN CONSIDERATION OF THE COVENANTS HEREIN CONTAINED

Copa Pacific

hereinafter called "Owner", and Bayco Financial Corporation, hereinafter designated as "Agent", agree as follows:

**A. EMPLOYMENT OF AGENT**

The Owner hereby employs and appoints the Agent as the sole and exclusive leasing and management agent of the property known as:

Copa Pacific Apartments

located at 23930 Ocean Avenue, Torrance, California 90505  
hereinafter referred to as the "Property", and any personal property thereon belonging to the Owner upon the terms hereinafter set forth, commencing on the 1st day of September, 1985, subject to termination of this agreement as outlined hereinafter.

**B. JOB DESCRIPTION AND MANAGEMENT STANDARDS**

The Agent shall act as the Owner's exclusive agent, and may perform either in the Agent's or Owner's name, to manage, operate, lease, and rent the property, including negotiating for, entering into, signing, renewing, transferring, and/or cancelling leases for the property or any part thereof.

The Agent shall use reasonable efforts and perform all measures necessary for the orderly management of the property. In furtherance thereof, Agent shall use diligence to lease and rent the premises, to enforce collection of rentals, and to comply with all other covenants contained in this Agreement.

**C. GENERAL AUTHORITY**

The Agent shall be authorized to ask for, demand, collect, and receive all rents due or to become due from tenants or occupants of said property, and give receipts therefore, to execute and serve notices to quit or pay rent, notices terminating tenancy and other notices affecting said property; to institute and prosecute such actions or other proceedings, either in Agent's or Owner's name, as may be deemed advisable by Agent to evict tenants, recover rent, charges, or other sum payable to Owner. Agent may, at its discretion, settle, compromise or discontinue any such action or proceeding.

The Agent is clothed with such other general authority and power as may be necessary or advisable to carry out the spirit and intent of the Agreement.

**D. ADVERTISEMENTS**

The Agent shall have the right to advertise at the expense of the Owner when the Agent deems it is advisable.

**E. EMPLOYMENT AND SUPERVISION OF LABOR**

The Agent shall hire, discharge and supervise all labor required for the operation and maintenance of said property. All employees, except contract labor, shall be considered as employees of the Agent and the Agent shall deduct from the employees salaries or wages, all taxes which may from time to time be proper in connection with state disability insurance, social security and withholding taxes, as well as any other taxes which may be applicable. The Agent shall make whatever reports may be required by the State and Federal Governments relative to such employee and employer taxes.

21040814130



06C#894



**B · A · Y · C · O**  
**FINANCIAL CORPORATION**

23430 Hawthorne Blvd., Suite 210  
Skypark Three  
Torrance, CA 90505  
(213) 373-8787

October 31, 1988

Ms. Francis B. Hagan  
Office of General Counsel  
999 E Street N.W.  
Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
88 NOV -3 AM 9:02

RE: MUR2557

Dear Ms. Hagan:

This is in response to the questions you asked on 10/27/88.

1. Percentage shares Limited Partners have in partnerships:

- a. Camino de Oro - 30 Limited Partners hold 70% interest
- b. Casa del Amo - 10 Limited Partners hold 45% interest
- c. Copa Pacific - General Partnership
- d. Copa Ladeene - General Partnership
- e. Casa de Oro - 10 Limited Partners hold 50% interest
- f. Copa Triana - General Partnership
- g. Madison Airport Center - General Partnership
- h. Olive Tree - 8 Limited Partners hold 70% interest
- i. Skypark - General Partnership
- j. Pine Tree - General Partnership
- k. Willow Tree - 17 Limited Partners hold 70% interest
- l. Fountains - General Partnership
- m. Crocker Bldg. - General Partnership

2. The number of Limited Partners who are partners in more than one property are:

- A. 37 Limited Partners are in 1 property only
- 12 Limited Partners are in 2 properties
- 3 Limited Partners are in 3 properties
- 2 Limited Partners are in 4 properties
- (3) Limited Partners are General Partners in Copa Triana

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88 NOV -4 PM 1:51

2104031

Ms. Francis B. Hagan  
October 31, 1988  
Page Two

Please let me know if you have any questions or need additional information.

Thank you.

Sincerely,



Brenda McKinnon  
General Manager

BM:ja

21040814132

	Camino de Oro	Casa del Amo	Copa Pacific	Copa Ladene	Casa de Oro	Copa Triana	Willow Tree	Bayco Center	Fount.	Crocker	Olive Tree	Skypark	Pine Tree
TOTAL CONTRIBUTIONS	200	200	200	200	150	150	250	175	175	150	150	300	200

Turn 2557

Ownership:

COHEN	10%	27.5%	33%	33%	25	-0-	10%	50%	50%	50%	15%	50%	50%
TORINO	10%	27.5%	33%	33%	25	20%	10%	50%	50%	50%	15%	50%	50%
BOWER	10%	-0-	33%	33%	-0-	-0-	10%	-0-	-0-	-0-	70%	-0-	-0-
per Individuals	70%	45%	-0-	-0-	50%	80%	70%	-0-	-0-	-0-	70%	-0-	-0-
of other Individuals	30	10	-0-	-0-	10	4	17	-0-	-0-	-0-	8	-0-	-0-

% owned by other Individuals

2.8	2.1	10.0	N/A	N/A	5.0	N/A	1.932	N/A	N/A	N/A	7.0	N/A	N/A
1.4	3.5	2.5			5.0		3.864				3.5		
2.1	.7	2.5			10.0		3.864				7.0		
2.1	3.5	5.0			5.0		3.400				3.5		
2.1	.7	2.5			5.0		1.932				10.5		
1.4	2.1	5.0			5.0		1.932				7.0		
.7	3.5	5.0			5.0		3.864				7.0		
2.8	2.8	2.5			2.5		4.794				10.5		
5.6	2.1	2.5			5.0		3.864				7.0		
1.4	1.4	5.0			2.5		3.864				7.0		
3.5	4.2						3.863						
.7	.7						2.318						
.875	2.625						5.486						
3.5	3.5						3.864						
1.4							7.727						
							2.160						
							3.091						
							2.727						
							2.727						
							2.727						
							70%						

70%

45%

50%

70%

70%

3:13

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BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

**EXECUTIVE SESSION**

**NOV 15 1988**

In the Matter of )  
 ) MUR 2557  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer )  
Windsor Financial Company )  
Bayco Financial Corporation )  
Wilshire Westwood Financial Group )  
Dick Ailanjian )

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On March 1, 1988, the Commission found reason to believe that the Committee to Elect Robert B. (Rob) Scribner ("the Committee") and Harrison W. Sommer, as treasurer, violated 2 U.S.C. § 441b(a) for receipt of prohibited corporate contributions, and violated 2 U.S.C. § 441a(f) for receipt of excessive contributions.

The Commission also found reason to believe that the following corporations violated 2 U.S.C. § 441b(a) by making prohibited contributions to the Committee: Windsor Financial Company, Bayco Financial Corporation ("Bayco"), and Wilshire Westwood Financial Group. The Commission found that Dick Ailanjian violated 2 U.S.C. § 441a(a)(2)(A) for excessive contributions made to the Committee.

At the same time, the Commission determined to find reason to believe, but take no further action against the following corporate entities for a violation of 2 U.S.C. § 441b(a): W.D. Hoag Co., Inc.; Bracy Plumbing; Hebson Agency Inc.; C & M Transportation Co.; Henry K. Hasserjian, M.D., Inc.; General

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Security Service, Inc.; and Robert W. Boos & Co., Inc.

21540314135  
The Committee requested and received a 30-day extension to respond to the findings. The response, received on May 3, 1988, requested pre-probable cause conciliation should the Commission decide to proceed with the findings against the Committee. Based on new information in that response, the Office of the General Counsel recommended that the Commission decline to enter into conciliation until the new issues could be investigated. On June 13, 1988, the Commission declined pre-probable cause conciliation at that time to allow for further discovery. During the investigation, another violation came to light which must be addressed before conciliation can commence.

## II. ANALYSIS

### Bayco Financial Corporation

FEC auditors reported that Bayco made 14 contributions to the Committee totaling \$2,500, an apparent violation of Section 441b(a). The audit review produced Committee contributor cards that listed the contributions under "Happy Kelly, Bayco Financial Corp." at Bayco's address. Beside each contribution was the name of a different apartment complex. Copies of contributor checks contained the name of each apartment property and below it "c/o Bayco Financial Corporation" and Bayco's address. Based on this information, Bayco was referred to the Office of the General Counsel as a possible corporate contributor.

The original reason to believe notification to Bayco was returned for inability to forward it. The Committee response stated that the corporation's principal (the signatory on the

checks) had moved to Florida and the corporation could not be located. The Committee indicated, as it had done in response to the audit, that according to previous discussions with Bayco, the contributions represented funds from "individual separate accounts that were simply managed by Bayco...."

During our investigation, this Office located Bayco and received responses by telephone and mail from Evelyn "Happy" Kelly, President of Bayco. Ms. Kelly explained that Bayco did not contribute to the Scribner campaign. According to Ms. Kelly, Bayco is a management company which manages the apartment properties noted in the Committee's contributor records. She stated that the properties represent partnerships and "[t]he checks came from the personal properties of a number of people in Limited and General Partnerships." Further, Ms. Kelly asserted that neither she nor Bayco owns the properties, that "they are all owned by individuals...."

According to Ms. Kelly, the problem arose because Bayco's name and address appear on the checks beneath the name of the apartment properties. She stated that the address is for "mailing purposes only. It does not imply or mean Bayco owns those properties. Bayco receives invoices and pays bills for each of the individually owned properties and makes disbursements at the direction of those owners." Copies of the contributor checks support this assertion by confirming that each check was drawn on a separate account for each apartment property.

Information from Bayco indicates that two individuals, Robert Cohen and Frank Torino, the shareholders (owners) of

Bayco, are general partners in 12 of the 13 properties;<sup>1</sup> and the general partners have power of attorney for the limited partners concerning these properties.<sup>2</sup> The general partners' individual interest in the properties ranges from 10 to 50 percent; there are 2 to 33 partners involved in the properties. Partnership documents have been provided for 10 of the properties; three were not available because one of the properties is no longer managed by Bayco, and two have been sold. Bayco asserted that the three were partnerships when the contributions were made.

Based on the information and supporting evidence from Bayco, it appears that the contributions to the Scribner Committee were not made from Bayco's corporate accounts and thus, no violation of Section 441b(a) occurred in this instance. Instead of indicating prohibited receipts by the Committee, the Bayco circumstances reflect a recordkeeping and reporting problem.

11 C.F.R. § 110.1(e) states that a contribution by a partnership shall be attributed to the partnership and to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be provided by the partnership to the political committee or candidate; or by agreement of the partners, as long as: only the profits of the partners to whom the contribution is attributed are reduced and these partners' profits are reduced in proportion

---

1. In four properties, James Bower is a general partner with Cohen and Torino.

2. Bayco's President stated that the limited partners "were individuals who chose through the power of attorney of the general partners in each property to contribute to Mr. Scribner's campaign."

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to the contribution attributed to each of them. A partnership contribution shall not exceed the limitations.

Pursuant to this regulation, partnerships are to provide committees with instructions as to how the contributions are to be attributed among the partners. Absent such guidance, a committee has the responsibility to look behind the partnership entity to ascertain the individual contributor attribution for aggregation purposes. 2 U.S.C. § 434(b). In this case, neither the partnerships nor the Committee adequately fulfilled these obligations.

Further, the partnership may either attribute its contributions in proportion to each partner's share of profits (or losses); or the partners may make their own determination, as long as only the funds of those partners making the contributions are affected by such attribution. 11 C.F.R. § 110.1(e). The Bayco response indicates that the contributions in question are to be attributed to each partner in proportion to that partner's share.<sup>3</sup>

The Committee at first did not itemize the contributions, and when it did--in response to the audit findings --the two

---

3. Bayco also indicates that, of the individual partners, "a vast majority [hold] interest as community property." It is the position of this Office that partnership contributions are not attributable to spouses of partners as spouses may not claim control before such funds are withdrawn from the partnership.

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partnership contributions greater than \$200 were listed as coming from Ms. Kelly with the apartment property names noted beside hers. No individual contributors were named. Based on the information provided by Bayco, the Committee did not determine the individual partners' shares of the contributions. Therefore, it appears that the Committee has violated 2 U.S.C. §§ 434(b)(2) and (3) for failure to itemize individual contributions aggregating more than \$200. This Office is recommending reason to believe concerning this issue.

Bayco has not requested pre-probable cause conciliation, and recommendations concerning this respondent will be made in the context of a General Counsel's brief.

### III. RECOMMENDATIONS

1. Find reason to believe that the Committee to Elect Robert B. Scribner and Harrison W. Sommer, as treasurer, violated 2 U.S.C. § 434(b)(2) and (3).
2. Approve the attached letter and factual and legal analysis.

Lawrence M. Noble  
General Counsel

11-2-88  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

### Attachments

- A. Bayco responses
- B. Letter and Factual and Legal Analysis

Staff assigned: Frances B. Hagan

91040314139



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/CANDACE M. JONES *[Signature]*  
COMMISSION SECRETARY

DATE: NOVEMBER 7, 1988

SUBJECT: OBJECTION TO MUR 2557 - GENERAL COUNSEL'S REPORT  
SIGNED NOVEMBER 2, 1988

The above-captioned document was circulated to the  
Commission on Thursday, November 3, 1988 at 11:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X

This matter will be placed on the meeting agenda  
for Tuesday, November 15, 1988.

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

21540311140

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Committee to Elect Robert B. )  
(Rob) Scribner )  
Harrison W. Sommer, as treasurer )  
Windsor Financial Company ) MUR 2557  
Bayco Financial Corporation )  
Wilshire Westwood Financial Group )  
Dick Ailanjian )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the  
Federal Election Commission executive session of November 15,  
1988, do hereby certify that the Commission decided by a vote  
of 6-0 to take the following actions in MUR 2557:

1. Find reason to believe that the Committee to  
Elect Robert B. Scribner and Harrison W.  
Sommer, as treasurer, violated 2 U.S.C.  
§§ 434(b)(2) and (3).
2. Approve the letter and factual and legal  
analysis attached to the General Counsel's  
report dated November 2, 1988.

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

Attest:

11-17-88

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 22, 1988

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B. (Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner  
Harrison W. Sommer, as  
treasurer

Dear Mr. Sommer:

On March 1, 1988, the Federal Election Commission found that there is reason to believe the Committee to Elect Robert B. (Rob) Scribner ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 441b(a) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and you were previously informed of these findings. On November 15, 1988, the Commission found reason to believe that the Committee and you, as treasurer, violated 2 U.S.C. §§ 434(b)(2) and (3). 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 the Committee and you, as treasurer. 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 the Committee and you, as treasurer, 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.

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Harrison W. Sommer, Treasurer  
Page 2


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.

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.

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures

91040314143

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Committee to Elect Robert B. (Rob) MUR 2557  
Scribner and Harrison W. Sommer,  
as treasurer

Bayco Financial Corporation

21040314144  
An FEC audit of the Committee to Elect Robert B. (Rob) Scribner revealed that Bayco made 14 contributions to the Committee totaling \$2,500, an apparent violation of Section 441b(a). The audit review produced Committee contributor cards that listed the contributions under "Happy Kelly, Bayco Financial Corp." at Bayco's address. Beside each contribution was the name of a different apartment complex. Copies of contributor checks contained the name of each apartment property and below it "c/o Bayco Financial Corporation" and Bayco's address. Based on this information, Bayco was referred to the Office of the General Counsel as a possible corporate contributor.

The original reason to believe notification to Bayco was returned for inability to forward it. The Committee response stated that the corporation's principal (the signatory on the checks) had moved to Florida and the corporation could not be located. The Committee indicated, as it had done in response to the audit, that according to previous discussions with Bayco, the contributions represented funds from "individual separate accounts that were simply managed by Bayco...."

Bayco's President, Evelyn "Happy" Kelly, responded by



telephone and mail, stating that Bayco did not contribute to the Scribner campaign. According to Ms. Kelly, Bayco is a management company which manages the apartment properties noted in the Committee's contributor records. She stated that the properties represent partnerships and "[t]he checks came from the personal properties of a number of people in Limited and General Partnerships." Further, Ms. Kelly asserted that neither she nor Bayco owns the properties, that "they are all owned by individuals...."

According to Ms. Kelly, the problem arose because Bayco's name and address appear on the checks beneath the name of the apartment properties. She stated that the address is for "mailing purposes only. It does not imply or mean Bayco owns those properties. Bayco receives invoices and pays bills for each of the individually owned properties and makes disbursements at the direction of those owners." Copies of the contributor checks support this assertion by showing that each check was drawn on a separate account for each apartment property.

Information from Bayco indicates that two individuals, Robert Cohen and Frank Torino, the shareholders (owners) of Bayco, are general partners in 12 of the 13 properties;<sup>1</sup> and the general partners have power of attorney for the limited partners concerning these properties.<sup>2</sup> The general partners' individual

---

1. In four properties, James Bower is a general partner with Cohen and Torino.

2. Bayco's President stated that the limited partners "were individuals who chose through the power of attorney of the general partners in each property to contribute to Mr. Scribner's campaign."

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interest in the properties ranges from 10 to 50 percent; there are 2 to 33 partners involved in the properties. Partnership documents have been provided for 10 of the properties; three were not available because one of the properties is no longer managed by Bayco, and two have been sold. Bayco asserted that the three were partnerships when the contributions were made.

11 C.F.R. § 110.1(e) states that a contribution by a partnership shall be attributed to the partnership and to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be provided by the partnership to the political committee or candidate; or by agreement of the partners, as long as: only the profits of the partners to whom the contribution is attributed are reduced and these partners' profits are reduced in proportion to the contribution attributed to each of them. A partnership contribution shall not exceed the limitations.

Pursuant to this regulation, partnerships are to provide committees with instructions as to how the contributions are to be attributed among the partners. Absent such guidance, a committee has the responsibility to look behind the partnership entity to ascertain the individual contributor attribution for aggregation purposes. 2 U.S.C. § 434(b). In this case, neither the partnerships nor the Committee adequately fulfilled these obligations.

Further, the partnership may either attribute its contributions in proportion to each partner's share of profits (or losses); or the partners may make their own determination, as

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long as only the funds of those partners making the contributions are affected by such attribution. 11 C.F.R. § 110.1(e). The Bayco response indicates that the contributions in question are to be attributed to each partner in proportion to that partner's share.<sup>3</sup>

The Committee at first did not itemize the contributions, and when it did--in response to the audit findings--the two partnership contributions greater than \$200 were listed as coming from Ms. Kelly with the apartment property names noted beside hers. No individual contributors were named. Based on the information provided by Bayco, the Committee did not determine the individual partners' shares of the contributions; therefore, there is reason to believe that the Committee has violated 2 U.S.C. § 434(b)(2) and (3) for failure to itemize individual contributions aggregating more than \$200.

---

3. Bayco also indicated that, of the individual partners, "a vast majority [hold] interest as community property." It is the position of this Office that partnership contributions are not attributable to spouses of partners as spouses may not claim control before such funds are withdrawn from the partnership.

21040314147

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RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

DEC -5 PM 11:46

# BERGLUND & JOHNSON

## Law Offices

A Partnership  
of Professional  
Corporations

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Andrina G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

November 30, 1988

Francis B. Hagan  
Federal Election Commission  
Washington D.C. 20463

\*a professional  
corporation

15650 Devonshire  
Suite 310

Granada Hills  
California

91444-7241

818-891-1851

213-873-2363

RE: MUR 2557

Dear Ms. Hagan:

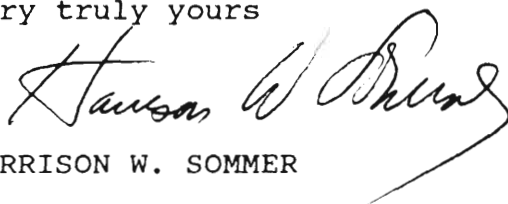
This will confirm our telephone conversation of November 29, 1988.

At that time, I indicated to you that I had been out of state and returned to work on November 29, 1988. On the basis of my absence and other matters on my calendar, I requested a twenty day extension to respond to the Factual and Legal Analysis regarding Bayco Financial Corporation.

Please confirm that you are granting the extension of twenty days from the date it would otherwise have been due.

Thank you for your attention to this matter I look forward to your response.

Very truly yours



HARRISON W. SOMMER

HWS/ds

Other offices

Ventura  
805-656-0223

Newport Beach  
714-756-1839

Phoenix  
714-825-1600

San Diego  
619-291-6281

San Jose  
800-343-8878

Alameda  
800-343-8878

88 DEC -5 AM 11:46



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 8, 1988

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B. (Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner  
Harrison W. Sommer, as  
treasurer

Dear Mr. Sommer:

This is in response to your letter dated November 30, 1988, which we received on December 5, 1988, requesting an extension of 20 days to respond to the Commission's latest reason to believe finding. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on January 3, 1989.

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to read "Lois G. Lerner".

BY: Lois G. Lerner  
Associate General Counsel

21040814149

# BERGLUND & JOHNSON

## Law Offices

A Partnership  
of Professional  
Corporations

December 29, 1988

Thomas J. Josefiak, Chairman  
Federal Election Commission  
Washington D.C., 20463

RE: MUR 2557  
Committee to Elect Robert B. (Rob) Scribner  
Harrison W. Sommer, as Treasurer

Dear Mr. Josefiak:

In response to the factual and legal analysis regarding Bayco Financial Corporation the Committee has undertaken to look behind the partnerships to ascertain the individual partners' shares of the contributions and to determine the aggregate of the individual contributors.

In my letter to you of May 2, 1988, I explained how we had approached the issue as regarding whether these were prohibited corporate contributions. I believe that both the Committee and the Commission have resolved that issue satisfactorily.

With respect to the partnership contributions it will be necessary for us to seek the assistance of the general partners involved in the properties to compile the necessary information. Since I do not have subpoena power it is necessary for me to seek voluntary compliance. The attached letter is an indication of our efforts and good faith attempts to obtain that information. As soon as I have had a response to the letter I will contact you and advise whether I will be able to look more deeply into the issue. I presume that the Commission has obtained certain records and documents from Bayco. If you would be willing to share those documents, it may assist us in tracking the individual contributions.

As we have maintained throughout the audit proceeding, it is our intention to cooperate and resolve the remaining issues. It remains our desire to request a pre-probable cause conciliation. We have attempted to provide full disclosure regarding all contributions and the Bayco situation is no exception.

Assuming that there is cooperation from the individual partners, it is further our intention to obtain the information and amend the report accordingly.

It is necessary for me to request that the Commission provide us

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Anna G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

\*a professional  
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15650 Devonshire

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California

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818-891-1851

213-873-2364

Order Offices

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805-456-0223

San Jose  
408-736-1834

Phoenix  
714-623-6690

San Diego  
619-293-6281

San Jose  
408-883-8878

Alameda  
415-433-8878

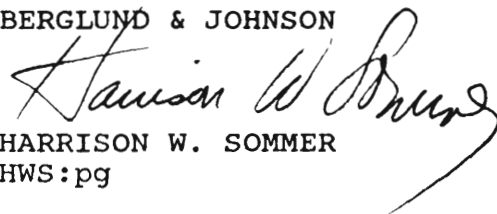
Page Two  
RE: MUR 2557  
December 29, 1988

some additional time to determine a response to the letter to the general partners. Obviously, without the specific information we cannot fully reply or comply. I will do what is within my power at this point to obtain that information.

Please advise and confirm that your office will be willing to provide us with this assistance by way of time extension prior to any pre-probable cause conciliation.

Very truly yours,

LAW OFFICES OF  
BERGLUND & JOHNSON

  
HARRISON W. SOMMER  
HWS:pg

21040311131



# BERGLUND & JOHNSON

## *Law Offices*

A Partnership  
of Professional  
Corporations

December 29, 1988

Robert Cohen

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Audrina G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

\*a professional  
corporation

RE: Committee to Elect Robert B. Scribner

Dear Mr. Cohen:

As treasurer of the Committee to Elect Robert B. Scribner, I am attempting to respond to inquires from the Federal Election Commission concerning contributions made to our campaign through Bayco. We have, apparently, satisfied the Commission that the contributions were not from a corporation but were merely paid through the corporation on behalf of individual accounts. I am enclosing copies of each of the checks which represent the contributions in question.

I am attempting to respond to the Commission by looking behind the partnership entities to ascertain the individual contributor involved. This is necessary for a determination as to whether or not a contribution aggregate has been met or exceeded.

It is our belief from the campaign that no violations have occurred and, certainly no violations through your partnerships. However, it is now incumbent upon us to demonstrate to the Commission that the contribution from each partner did not exceed the aggregate.

I realize that this an intrusion into your time and business. I would greatly appreciate the opportunity to either meet with you or have a phone conference to resolve this issue. Please contact me upon your receipt of this letter so that arrangements can be made.

Very truly yours,

HARRISON W. SOMMER  
HWS:pg

cc: Federal Election Commission  
Robert B. Scribner

15650 Devonshire  
Suite 310

Granada Hills  
California  
91344-2941

818. 891-1851  
213. 873.2363

Other offices:

Ventura  
805. 656.0223

Newport Beach  
714. 756.1434

Pomona  
714. 623.1600

San Diego  
619. 291.6281

Santa Ana  
800. 443.4878

Riverside  
800. 443.4878

# BERGLUND & JOHNSON

## *Law Offices*

A Partnership  
of Professional  
Corporations

December 29, 1988

Frank Torino

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer  
Blain C. Gibbs  
Norman R. Jones  
Andrina G. Hanson  
Ralph C. Quiroz

Negotiation Specialist  
Cary E. Tarr

Administrator  
Nora Hughes

Of Counsel  
James E. Clark

\*a professional  
corporation

RE: Committee to Elect Robert B. Scribner

Dear Mr. Torino:

As treasurer of the Committee to Elect Robert B. Scribner, I am attempting to respond to inquires from the Federal Election Commission concerning contributions made to our campaign through Bayco. We have, apparently, satisfied the Commission that the contributions were not from a corporation but were merely paid through the corporation on behalf of individual accounts. I am enclosing copies of each of the checks which represent the contributions in question.

I am attempting to respond to the Commission by looking behind the partnership entities to ascertain the individual contributor involved. This is necessary for a determination as to whether or not a contribution aggregate has been met or exceeded.

It is our belief from the campaign that no violations have occurred and, certainly no violations through your partnerships. However, it is now incumbent upon us to demonstrate to the Commission that the contribution from each partner did not exceed the aggregate.

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Very truly yours,

HARRISON W. SOMMER  
HWS:pg

cc: Federal Election Commission  
Robert B. Scribner

15650 Devonshire  
Suite 310

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91344-7241

818-891.1851  
213. 873.2363

Other offices:

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805. 656.0223

Newport Beach  
714 756.1434

Thomson  
714 623.1600

San Diego  
619. 291.6281

Santa Ana  
800. 443.4878

Riverside  
800 443 4878

89 JUN 30 AM 9:27

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2557  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer )  
Windsor Financial Company )  
Bayco Financial Corporation )  
Wilshire Westwood Financial Group )  
Dick Ailanjian )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 1, 1988, the Commission found reason to believe that the Committee to Elect Robert B. (Rob) Scribner ("the Committee") and Harrison W. Sommer, as treasurer, violated 2 U.S.C. § 441b(a) for receipt of prohibited corporate contributions totaling \$9,640, and violated 2 U.S.C. § 441a(f) for receipt of excessive contributions totaling \$8,659.40 (excessive portion).

The Commission also found reason to believe that the following corporations violated 2 U.S.C. § 441b(a) by making prohibited contributions to the Committee: Windsor Financial Company ("Windsor"), Bayco Financial Corporation ("Bayco"), and Wilshire Westwood Financial Group ("Wilshire Westwood"). The Commission found that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A) for excessive contributions made to the Committee.

The Committee's response, received May 3, 1988, requested pre-probable cause conciliation should the Commission decide to

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proceed with the findings against the Committee. Based on new information in that response, another violation came to light which had to be addressed before conciliation could commence. On June 13, 1988, the Commission declined pre-probable cause conciliation at that time to allow for further discovery.

As a result of this investigation, the Commission, on November 15, 1988, found reason to believe that the Committee and its treasurer violated 2 U.S.C. §§ 434(b)(2) and (3) for failure to itemize individual contributions aggregating more than \$200 in connection with the Bayco matter. The Committee's response to the additional finding as well as the remaining outstanding issues concerning the Committee and other respondents are analyzed below.

## II. ANALYSIS

### Corporate Contributions/Reporting of Contributions

#### Bayco Financial Corporation

In its referral to this Office, the Audit Division reported that Bayco, a corporation, made 14 contributions to the Committee totaling \$2,500, an apparent violation of Section 441b(a). The audit review produced Committee contributor cards that listed the contributions under "Happy Kelly, Bayco Financial Corp." at Bayco's address. Beside each contribution was the name of a different apartment complex. Copies of contributor checks contained the name of each apartment property and below it "c/o Bayco Financial Corporation" and Bayco's address. Based on this information, Bayco was referred to the Office of the General Counsel as a possible corporate contributor.

According to Evelyn "Happy" Kelly, Bayco's President, Bayco is a management company which manages the apartment properties noted in the Committee's contributor records. Ms. Kelly stated that the properties represent partnerships and "[t]he checks came from the personal properties of a number of people in Limited and General Partnerships."

According to Ms. Kelly, the problem arose because Bayco's name and address appear on the checks beneath the name of the apartment properties. She stated that the address is for "mailing purposes only. It does not imply or mean Bayco owns those properties. Bayco receives invoices and pays bills for each of the individually owned properties and makes disbursements at the direction of those owners." Copies of the contributor checks support this assertion by confirming that each check was drawn on a separate account for each apartment property.

Partnership documents were provided for 10 of the properties; three were not available because one of the properties is no longer managed by Bayco, and two properties have been sold. Bayco asserted that the three entities no longer under Bayco management were partnerships when the contributions were made.

Based on the information and supporting evidence from Bayco, it appears that the contributions to the Scribner Committee were not made from Bayco's corporate accounts and thus, no violation of Section 441b(a) occurred in this instance. Instead of indicating prohibited receipts by the Committee, the Bayco circumstances reflect a recordkeeping and reporting problem.

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11 C.F.R. § 110.1(e) states that a contribution by a partnership shall be attributed to the partnership and to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be provided by the partnership to the political committee or candidate; or by agreement of the partners, as long as: only the profits of the partners to whom the contribution is attributed are reduced and these partners' profits are reduced in proportion to the contribution attributed to each of them. A partnership contribution shall not exceed the limitations.

Pursuant to this regulation, partnerships are to provide committees with instructions as to how the contributions are to be attributed among the partners. Absent such guidance, a committee has the responsibility to look behind the partnership entity to ascertain the individual contributor attribution for aggregation purposes. 2 U.S.C. § 434(b). In this case, neither the partnerships nor the Committee adequately fulfilled these obligations.<sup>1</sup>

The Committee at first did not itemize the Bayco-related contributions, and when it did--in response to the audit findings--the two partnership contributions greater than \$200 were listed as coming from Ms. Kelly with the apartment property

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1. The Bayco response indicated that the contributions in question were to be attributed to each partner in proportion to that partner's share. Bayco also indicated that, of the individual partners, "a vast majority [hold] interest as community property." It is the position of this Office that partnership contributions are not attributable to spouses of partners as spouses may not claim control before such funds are withdrawn from the partnership.

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names noted beside hers. No individual contributors were named. Based on information provided by Bayco and the Committee, the Committee did not determine the individual partners' shares of the contributions. Based on this analysis, the Commission found reason to believe concerning the Section 434 violation.

As discussed in the General Counsel's Report dated November 2, 1988, information from Bayco indicates that two individuals, Robert Cohen and Frank Torino, the shareholders (owners) of Bayco, are general partners in 12 of the 13 apartment properties;<sup>3</sup> and the general partners have power of attorney for the limited partners concerning these properties.<sup>4</sup> The general partners' individual interest in the properties ranges from 10 to 50 percent; there are 2 to 33 partners involved in the properties.

According to Bayco, the number of limited partners who are partners in more than one of these property partnerships follow:

- 37 limited partners in 1 property only;
- 12 limited partners in 2 properties;
- 3 limited partners in 3 properties;
- 2 limited partners in 4 properties; and
- 3 limited partners are also general partners in 1 property.

3. In four properties, James Bower is a general partner with Cohen and Torino.

4. Bayco's President stated that the limited partners "were individuals who chose through the power of attorney of the general partners in each property to contribute to Mr. Scribner's campaign."

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Significantly, when individual partners' contributions are attributed by comparing the percentage of ownership in a partnership to the amount contributed by the particular partnership, no individual exceeds the Act's limits. Two general partners' contributions of \$822 (Torino) and \$792 (Cohen) appear to require itemization, but none appears to exceed limits. These figures are derived by aggregating their contributions through the partnerships alone; any other direct or in-kind contributions must also be aggregated.

In response to the added Section 434(b) reason to believe finding, and in follow-up telephone conversations, the Committee stated its intention to disclose the contributions as required upon receipt of the partnership/contributor information from Bayco. The Committee reaffirmed its desire to resolve the matter through pre-probable cause conciliation. There has been no further response concerning the Committee's receipt of contributor information. This Office is recommending that resolution of this reporting matter be included in a pre-probable cause conciliation proposal. The amount of \$2,500 will be omitted from the calculation of Section 441b violations, and the appropriate amendments will be required to correct the public record.

As for Bayco, recommendations will be made in the context of a General Counsel's brief.

Windsor Financial Company

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FEC auditors found Committee contributor records showing receipt of \$1,700 from the Windsor Financial Company, an apparent violation of 2 U.S.C. § 441b(a). The Committee response and a letter from William C. Hayes, principal of the company, stated that Windsor was a sole proprietorship and that the monies represented contributions from himself and his wife. On May 3, 1988, Mr. and Mrs. Hayes submitted a statement signed by both of them, attributing half the contributions to each spouse. Because the California Secretary of State confirmed the existence of a corporation of the same name and at the same address as Windsor, we reached Mr. Hayes by telephone to learn that there are two entities, a corporation and the sole proprietorship. Mr. Hayes affirmed that the contributions were drawn on the non-corporate entity (and the checks indicate "Company" rather than corporation).

Based on this information and supporting evidence, it appears that the contributions from Windsor do not represent funds from a prohibited source. Thus, \$1,700 will be excluded when calculating the amount of the Committee's Section 441b violation. Recommendations regarding Windsor will be discussed in a General Counsel's brief.

Wilshire Westwood Financial Group

The auditors found that Wilshire Westwood made a contribution of \$5,000 to the Committee, an apparent violation of Section 441b(a). The California Secretary of State confirmed the existence of a corporation listed as Wilshire Westwood Financial,

Inc. In a declaration from the candidate, Robert B. Scribner stated that there are two entities, a corporation and a sole proprietorship which he owns. He further stated that the funds provided to the campaign were from the unincorporated Wilshire Westwood Financial Group. Therefore, it appears that no violation of Section 441b(a) occurred concerning Wilshire Westwood's contributions; and \$5,000 will be excluded from the amount of the Committee's violation. Findings concerning Wilshire Westwood will be discussed in a General Counsel's brief.

Based on this analysis and evidence provided by respondents, the total amount of prohibited funds accepted by the Committee has been reduced to \$340.

#### **Excessive Contributions**

##### **Dick Ailanjian and other individual contributors**

The Committee accepted excessive contributions from 13 individuals during 1985 and 1986. The excessive portions totaled \$8,659.40. The Commission cited the Committee for receipt of excessives, and named an individual, Dick Ailanjian, whose excessive portion totaled \$2,750 for the primary election. 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f). Respondent Dick Ailanjian has not requested pre-probable cause conciliation; thus, the finding against him will be discussed in a General Counsel's Brief.

The Committee responded by stating that it had reallocated all of the excessive portions of contributions, and partially supported its action by providing statements from seven of the 13 individual contributors who redesignated excessive contributions

(redesignated portion = \$6,459.40 of \$8,659.40 total excessives) to the Committee's 1984 debt, or reattributed contributions to a spouse.<sup>5</sup>

The regulations in effect during the 1986 election cycle required that the treasurer refund apparently illegal contributions within a "reasonable time."<sup>6</sup> 11 C.F.R. § 103.3(b). The redesignations and reattributions in this case were made two to three years after the date of the contributions, and none of the excessives was refunded. Therefore, the documents from contributors do not vitiate the violations, but are considered in mitigation of the violation.

### III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

5. During the '83 - '84 election cycle, these 12 individuals made contributions with excessive portions ranging from \$100 to \$1,459.40. The excessive portions of contributions which are not supported by documented redesignations total \$2,200 from six contributors. These six individuals exceeded the contribution limits as follows: two gave \$100 excessive, two gave \$250 excessive, one gave \$500 excessive, and one gave \$1,000 excessive. In view of these amounts, and in consideration of the other individuals' redesignation statements, this Office makes no recommendation concerning the 12 individuals, but will include the excessives in the amount of the recipient Committee's Section 441a(f) violation.

6. In 1988, the regulations were changed to allow for redesignation and reattribution of contributions by the contributor, with specific instructions concerning the timing (within 60 days of the contribution) and the supporting evidence required of such reallocated funds. 11 C.F.R. § 110.1.

**IV. RECOMMENDATIONS**

1. Enter into conciliation with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Lawrence M. Noble  
General Counsel

Date

6/29/89

BY:

  
Lois G. Lerner  
Associate General Counsel

**Attachments**

- A. Request for conciliation
- B. Proposed Conciliation Agreement and letter

Staff assigned: Frances B. Hagan

91040311153



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS  
COMMISSION SECRETARY

DATE: July 5, 1989

SUBJECT: MUR 2557 - General Counsel's Report  
Signed June 29, 1989

The above-captioned document was circulated to the  
Commission on Friday, June 30, 1989, 2:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	<u>      X      </u>
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda  
for July 11, 1989.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer ) MUR 2557  
Windsor Financial Company )  
Bayco Financial Corporation )  
Wilshire Westwood Financial Group )  
Dick Ailanjian )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 11, 1989, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2557:

1. Enter into conciliation with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter attached to the General Counsel's report dated June 29, 1989.

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

Attest:

July 12, 1989  
Date

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 14, 1989

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B.  
(Rob) Scribner  
711 Chapala  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner  
Harrison W. Sommer, as  
treasurer

Dear Mr. Sommer:

On March 1 and November 15, 1988, the Federal Election Commission found reason to believe that the Committee to Elect Robert B. (Rob) Scribner ("the Committee") and you, as treasurer, violated 2 U.S.C. §§ 441b(a), 441a(f), and 434(b)(2) and (3). At your request, on July 11, 1989, 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

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Harrison W. Sommer, Treasurer  
Page 2

a mutually satisfactory conciliation agreement, please contact  
Frances B. Hagan, the staff member assigned to this matter, at  
(202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

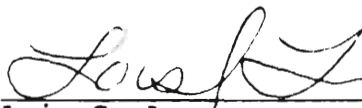
In the Matter of )  
 ) MUR 2557  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer )

GENERAL COUNSEL'S REPORT

On July 11, 1989, the Commission decided to enter into conciliation with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, prior to a finding of probable cause to believe, concerning violations of 2 U.S.C. §§ 441a(f), 441b(a), and 434(b)(2) and (3). On July 14, 1989, the proposed conciliation was mailed to the Committee. Based on negotiations with Committee counsel, it appears that the matter can be resolved through conciliation. Accordingly, this Office will continue conciliation for another 30 days.

Lawrence M. Noble  
General Counsel

8/9/89  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Staff assigned: Frances B. Hagan

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**SENSITIVE**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 2557  
Committee to Elect )  
Robert B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer )

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached is a conciliation agreement which has been signed by Harrison W. Sommer, treasurer of the Committee to Elect Robert B. (Rob) Scribner.

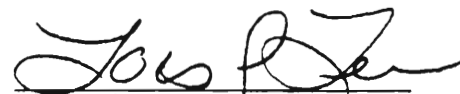
**II. RECOMMENDATIONS**

1. Accept the attached conciliation agreement with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

10-5-89  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

**Attachments**

- A. Conciliation Agreement
- B. Photocopy of civil penalty check
- C. Letter to Respondent

Staff Assigned: Frances B. Hagan

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FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS  
COMMISSION SECRETARY

DATE: October 18, 1989

SUBJECT: MUR 2557 - General Counsel's Report  
dated October 5, 1989

The above-captioned document was circulated to the  
Commission on Tuesday, October 10, 1989, 11:00.

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

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	XXXXXX
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda  
for Tuesday, October 24, 1989.

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2557  
Committee to Elect Robert )  
B. (Rob) Scribner )  
Harrison W. Sommer, as )  
treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 24, 1989, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 2557:

1. Accept the conciliation agreement with the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, as recommended in the General Counsel's report dated October 5, 1989.
2. Close the file as to these respondents.
3. Direct the Office of General Counsel to send an appropriate letter pursuant to the above-noted actions.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present.

Attest:

October 25, 1989

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

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 31, 1989

Harrison W. Sommer, Treasurer  
Committee to Elect Robert B.  
(Rob) Scribner  
1101 Fiske Street  
Pacific Palisades, CA 90272

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner  
1101 Fiske Street  
Pacific Palisades, CA 90272

Dear Mr. Sommer:

On October 24, 1989, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of the Committee to Elect Robert B. (Rob) Scribner and you, as treasurer, in settlement of violations of 2 U.S.C. §§ 441b(a), 441a(f), and 434(b)(2) and (3), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to your Committee and you, as treasurer. 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.

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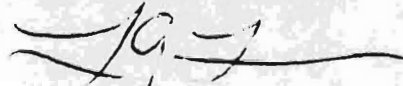


Harrison W. Sommer, Treasurer  
Page 2

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

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2557  
Committee to Elect )  
Robert B. (Rob) Scribner )  
Harrison W. Sommer, as treasurer )

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 the Committee to Elect Robert B. (Rob) Scribner and Harrison W. Sommer, as treasurer, ("Respondents") violated 2 U.S.C. §§ 441b(a), 441a(f), and 434(b)(2) and (3).

NOW, THEREFORE, the Commission and the Respondents, 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 Respondents 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. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. The Committee to Elect Robert B. (Rob) Scribner is a

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OFFICE OF GENERAL COUNSEL  
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political committee within the meaning of 2 U.S.C. § 431(4).

2. Harrison W. Sommer is treasurer of the Respondent Committee.

3. 2 U.S.C. § 441b(a) prohibits the making or knowing acceptance of a corporate contribution.

4. Respondents received contributions totaling \$340 from six corporate entities during the 1986 election cycle.

5. 2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000. 2 U.S.C. § 441a(f) prohibits the knowing acceptance of such excessive contributions.

6. Respondents accepted from 13 individual contributors contributions with excessive portions totaling \$8,659.40.

7. 2 U.S.C. § 434(b) requires the disclosure of receipts and expenditures in specific categories. 11 C.F.R. § 110.1(e) states that a contribution by a partnership shall be attributed to the partnership and to each partner in direct proportion to his or her share of the partnership profits, according to instructions which shall be provided by the partnership to the political committee or candidate; or by agreement of the partners, as long as: only the profits of the partners to whom the contribution is attributed are reduced and these partners' profits are reduced in proportion to the contribution attributed to each of them. A partnership contribution shall not exceed the limitations.

Pursuant to this regulation, partnerships are to provide committees with instructions as to how the contributions are to

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be attributed among the partners. Absent such guidance, a committee has the responsibility to look behind the partnership entity to ascertain the individual contributor attribution for aggregation purposes. 2 U.S.C. § 434(b).

8. Respondents received contributions totaling \$2,500 from 13 real estate partnerships. In response to FEC audit findings, Respondents reported the contributions. Two partnership contributions totaling in excess of \$200 were itemized under the name of an officer of the real estate properties' management company. Respondents did not determine the identity of particular partners making contributions through the partnerships. Respondents did not itemize the individual partners making contributions in excess of \$200.  
2 U.S.C. § 434(b)(3).

V. 1. Respondents accepted corporate contributions in violation of 2 U.S.C. § 441b(a).

2. Respondents received contributions in excess of limitations in violation of 2 U.S.C. § 441a(f).

3. Respondents did not disclose the identity of contributors in violation of 2 U.S.C. § 434(b)(2) and (3).

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand five hundred dollars (\$1,500) pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondents will amend the appropriate reports to itemize the individual contributors in IV. 8. above.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue

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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 executed same and the Commission has approved the entire agreement.


IX. Respondents 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 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:**

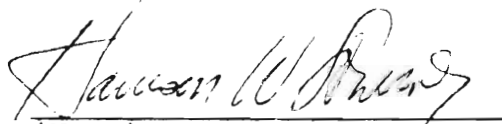
Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

10-31-89  
Date

**FOR THE RESPONDENTS:**

  
(Name)  
(Position) *Treasurer*

9/13/89  
Date

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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**SENSITIVE**

March 29, 1990

**MEMORANDUM**

TO: The Commission

FROM: Lawrence M. Noble  
General Counsel *[Signature]*

SUBJECT: MUR 2557

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause or no probable cause to believe were mailed on March 29, 1990. Following receipt of the respondents' reply to these notices, this Office will make a further report to the Commission.

**Attachments**

- A. Briefs (4)
- B. Letters to respondents

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 29, 1990

Mr. Dick Ailanjian  
2535 Maricopa Street  
Torrance, California 90503

RE: MUR 2557  
Dick Ailanjian

Dear Mr. Ailanjian:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on March 1, 1988, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation in this matter.

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 a violation has 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.

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.

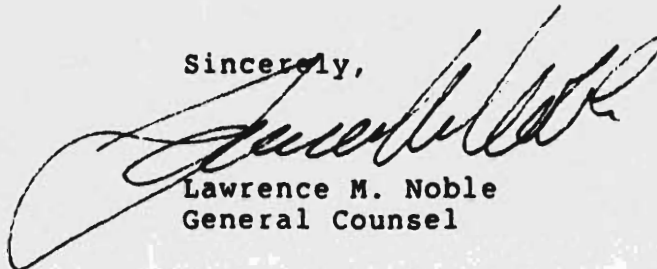
91040814179



Dick Ailanjian  
Page 2

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

91040314130

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Dick Ailanjian

)  
) MUR 2557  
)  
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

91040314131  
An audit of the Committee to Elect Robert B. (Rob) Scribner ("the Scribner Committee"), indicated that Dick Ailanjian gave \$3,750 to the Scribner Committee for the 1986 primary election. On March 21, 1988, Mr. Ailanjian sent a letter to the FEC stating that of the \$3,750 in contributions, he and his wife each contributed \$1,000 to the Scribner Committee to help retire the 1984 campaign debt; he contributed another \$1,000 to the 1986 Scribner primary campaign, and his wife contributed \$750 to the 1986 primary. On the same day, Betty Rose Ailanjian sent a letter agreeing that she contributed \$1,000 to the 1984 debt and \$750 to the 1986 campaign.<sup>1</sup>

II. ANALYSIS

2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000.

The Commission regulations in effect at 11 C.F.R. § 103.3(b) during the 1986 election cycle required that the treasurer of a

1. In another letter received by the Clerk of the House of Representatives on May 24, 1988, Mr. Ailanjian provided conflicting information, stating only that \$750 of the contributions should have been allocated to the 1984 Scribner campaign debt. However, this information does not affect the General Counsel's recommendation in this matter.

recipient committee refund apparently illegal contributions within a "reasonable time." In 1987, the regulations at 11 C.F.R. § 110.1 were changed to allow for redesignation and reattribution of contributions by the contributor, with specific instructions concerning the timing (within 60 days of the contribution) and the supporting evidence required of such reallocated funds. The Scribner Committee obtained refund or reattribution statements approximately two years after the contributions were made, well after the time period provided for in the regulatory provisions.

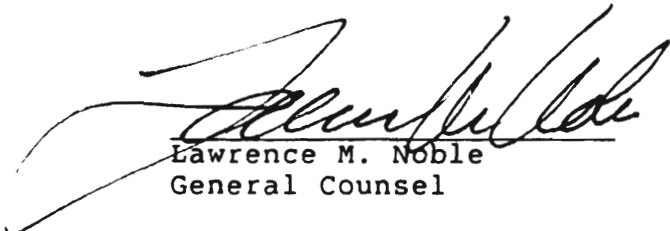
Therefore, because the excessive portion of the contributions totaled \$2,750, Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).

**III. GENERAL COUNSEL'S RECOMMENDATION**

Find probable cause to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).

Date

3/28/90

  
Lawrence M. Noble  
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1990

Mr. Robert B. Scribner  
Wilshire Westwood Financial Group  
5777 West Century Blvd., Suite 930  
Los Angeles, California 90045

RE: MUR 2557  
Wilshire Westwood Financial Group

Dear Mr. Scribner:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on March 1, 1988, 1988, the Federal Election Commission found reason to believe that Wilshire Westwood Financial Group violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has 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.

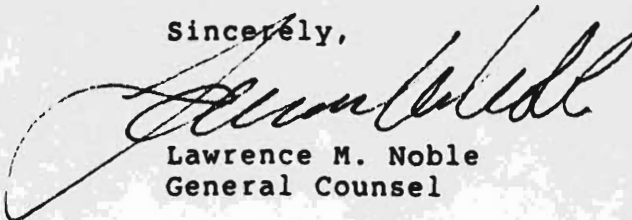
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

91040314133

Robert B. Scribner  
Page 2

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

21040814184

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2557  
Wilshire Westwood Financial Group )  
 )

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an audit of the Committee to Elect Robert B. (Rob) Scribner, FEC auditors found evidence that the Wilshire Westwood Financial Group made a contribution of \$5,000 to the Scribner Committee. The California Secretary of State confirmed the existence of a corporation listed as Wilshire Westwood Financial, Inc. On March 1, 1988, the Federal Election Commission found reason to believe that the Wilshire Westwood Financial Group violated 2 U.S.C. § 441b(a).

In a declaration from the candidate, Robert B. Scribner stated that two entities exist, Wilshire Westwood Financial, Inc., the corporation named by the California Secretary of State, and Wilshire Westwood Financial Group, an unincorporated sole proprietorship that Mr. Scribner owns. He further stated that the funds provided to the Scribner campaign were from the unincorporated Wilshire Westwood Financial Group.

II. ANALYSIS

2 U.S.C. § 441b(a) prohibits the making of corporate contributions in connection with a federal election.

Because the contribution in question came from an unincorporated business owned and operated by the candidate himself, it appears that no violation of 2 U.S.C. § 441b(a)

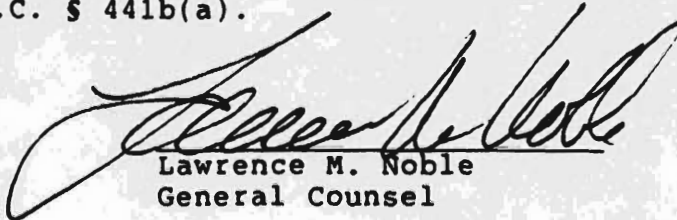
occurred concerning the contribution by the Wilshire Westwood Financial Group.

**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that the Wilshire Westwood Financial Group violated 2 U.S.C. § 441b(a).

Date

3/28/90

  
Lawrence M. Noble  
General Counsel

21040314186





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1990

Mr. William C. Hayes  
Windsor Financial Company  
16255 Ventura Boulevard, Suite 615  
Encino, California 91436

RE: MUR 2557  
Windsor Financial Company

Dear Mr. Hayes:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on March 1, 1988, 1988, the Federal Election Commission found reason to believe that Windsor Financial Company violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has 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.

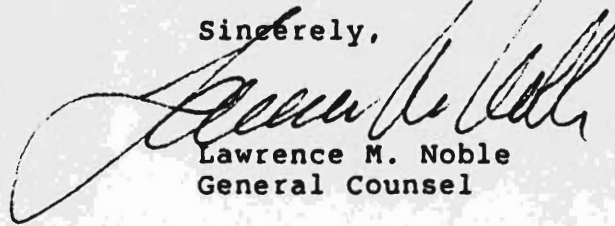
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

21040314187

William C. Hayes  
Page 2

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

21040314188

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Windsor Financial Company ) MUR 2557  
)  
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an audit of the Committee to Elect Robert B. (Rob) Scribner ("the Committee"), FEC auditors found contributor records showing receipt of \$1,700 from the Windsor Financial Company ("Windsor"), an apparent violation of 2 U.S.C. § 441b(a). The California Secretary of State confirmed the existence of a corporation of the same name and at the same address as Windsor. On March 1, 1988, the Federal Election Commission found reason to believe that the Windsor Financial Company violated 2 U.S.C. § 441b(a).

Letters from William C. Hayes, principal of the company, stated that Windsor was a sole proprietorship and that the monies in question represented contributions from himself and his wife. On May 3, 1988, Mr. and Mrs. Hayes submitted a statement signed by both of them, attributing half the contributions to each spouse. When reached by telephone, Mr. Hayes stated that there are two entities, a corporation and an unincorporated sole proprietorship. Mr. Hayes affirmed that the contributions were drawn on the non-corporate entity. In one letter, Mr. Hayes stated that "Windsor Financial Company is NOT a corporation...." He stated that he, as an individual, does business as Windsor Financial Company, and reports all related financial activity on

his personal income tax return. The contribution checks indicated "Company" rather than corporation.

**II. ANALYSIS**

2 U.S.C. § 441b(a) prohibits the making of corporate contributions in connection with a federal election.

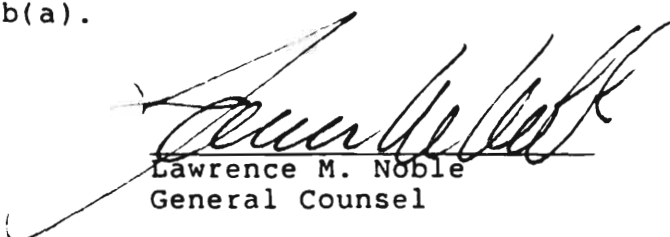
Based on the respondent information and supporting evidence, it appears that the contributions from Windsor do not represent funds from a prohibited source. Therefore, no violation of 2 U.S.C § 441b(a) occurred concerning the contributions to the Committee by the Windsor Financial Company.

**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that the Windsor Financial Company violated 2 U.S.C. § 441b(a).

Date

3/28/90

  
Lawrence M. Noble  
General Counsel

21040314120



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 29, 1990

Happy Kelly, President  
Bayco Financial Corporation  
23430 Hawthorne Boulevard, Suite 210  
Torrance, California 90505

RE: MUR 2557  
Bayco Financial Corporation

Dear Ms. Kelly:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on March 1, 1988, the Federal Election Commission found reason to believe that Bayco Financial Corporation, violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has 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.

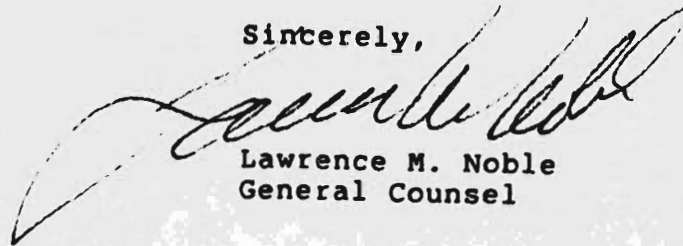
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

91040314191

Happy Kelly  
Page 2

Should you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

91340814122

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Bayco Financial Corporation ) MUR 2557  
)  
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an audit of the Committee to Elect Robert B. (Rob) Scribner ("the Scribner Committee"), FEC auditors found contributor records indicating that Bayco Financial Corporation ("Bayco") made 14 contributions to the Scribner Committee totaling \$2,500, an apparent violation of 2 U.S.C. § 441b(a). The audit review produced Scribner Committee contributor cards that listed the contributions under the name of "Happy Kelly, Bayco Financial Corp." at Bayco's address. Beside each contribution was the name of a different apartment complex. Copies of the contributor checks for these contributions contained the name of each apartment property and below it "c/o Bayco Financial Corporation" and Bayco's address. Based on this information, it appeared that Bayco made prohibited corporate contributions to the Scribner Committee. On March 1, 1988, the Federal Election Commission found reason to believe that Bayco violated 2 U.S.C. § 441b(a).

According to Evelyn "Happy" Kelly, Bayco's President, Bayco is a management company which manages the apartment properties noted in the Committee's contributor records. Ms. Kelly stated that the properties represent partnerships and "[t]he checks came from the personal properties of a number of people in Limited and



General Partnerships."

According to Ms. Kelly, the problem arose because Bayco's name and address appear on the checks beneath the name of the apartment properties. She stated that the address is for "mailing purposes only. It does not imply or mean Bayco owns those properties. Bayco receives invoices and pays bills for each of the individually owned properties and makes disbursements at the direction of those owners." Copies of the contributor checks support this assertion by confirming that each check was drawn on a separate account for each apartment property.

Evidence of partnership status was provided in the form of partnership documents for 10 of the properties; three were not available because one of the properties is no longer managed by Bayco, and two properties have been sold. Bayco asserted that the three entities no longer under Bayco management were partnerships when the contributions were made.

II. ANALYSIS

2 U.S.C. § 441b(a) prohibits the making of corporate contributions in connection with a federal election.

Based on the information and supporting evidence from Bayco, it appears that the contributions to the Scribner Committee were not made from Bayco's corporate accounts and thus, no violation of Section 441b(a) occurred in this instance.

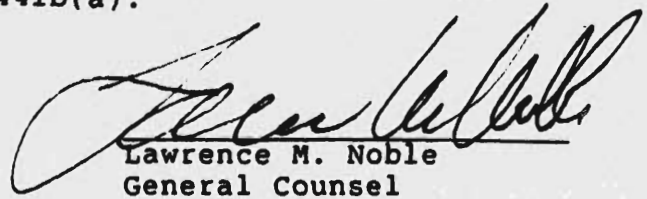
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**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that Bayco Financial Corporation violated 2 U.S.C. § 441b(a).

Date

3/28/98

  
Lawrence M. Noble  
General Counsel

21040314195

OGC 5880



B · A · Y · C · O  
FINANCIAL CORPORATION

23430 Hawthorne Blvd., Suite 210  
Skypark Three  
Torrance, CA 90505  
(213) 373-8787

90 APR -9 4:00

RECEIVED  
FEDERAL ELECTION COMMISSION  
WASHINGTON

April 6, 1990

Ms. Frances B. Hagan  
Office of General Counsel  
999 E Street N.W.  
Washington, D.C. 20463

RE: MUR 2557

Dear Ms. Hagan:

I have read the brief of Lawrence M. Noble, General Counsel to the Federal Election Commission, and concur with the Analysis and Recommendation outlined therein.

Accordingly, as I told you on the phone, Bayco will not be filing a responsive Brief.

Thank you.

Sincerely,

Brenda McKinnon  
President

BMK:loa

90 APR -9 PM12:29

21040314196

# BERGLUND & JOHNSON

## Law Offices

A Partnership  
of Professional  
Corporations

15650 Devonshire

Suite 310

Granada Hills

California

91344-7241

818 891-1851

213 873-2363

Other offices:

Denver

803 656-0223

Newport Beach

714 736-1434

West Chester

714 623-1600

San Diego

800 443-4878

Riverside

800 443-4878

Santa Ana

800 443-4878

OGC 6071

90 APR 30 PM 12:47

David W. Berglund\*  
Daniel W. Johnson\*  
Dale M. Kornreich  
Harrison W. Sommer

Andrina G. Hanson  
Jeffrey P. Jacobs  
Gordon R. Francisco  
Terry E. Wood

Director of Administration  
Nora L. Hughes

Case Administrators  
Kathy Didway  
Debby Dunham  
Gary E. Farr

\*a professional corporation

April 24, 1990

Federal Election Commission  
Office of the General Counsel  
Washington, D.C. 20463

Attention: Frances B. Hagan

RE: MUR 2557 Wilshire Westwood Financial Group & Dick Ailanjain

Dear Ms. Hagan:

Please be advised that Mr. Scribner is in agreement with the General Counsel's brief and the recommendation to find no probable cause to believe that Wilshire Westwood Financial Group violated 2 U.S.C. Section 441b(a).

With respect to Dick Ailanjain, I have been asked to provide assistance in responding to the finding of probable cause.

I would appreciate a brief extension of time to relocate certain records which were utilized during the Commissions audit of the Committee to Elect Rob Scribner. However, for present purposes I believe that the re-attribution statements obtained regarding the Ailianjain contribution clearly set forth the intent of the contributions. We have dealt with this from the standpoint of the Committee and I would certainly request that Mr. Ailanjain not be penalized as it was the intention of Mr. and Mrs. Ailanjain to contribute to the Scribner Campaign in the manner set forth.

It was Mr. Ailanjain's intent to make contributions to various election cycles for himself and his wife. When the totality of the contributions are considered and the attribution understood, it becomes clear that there was no violation of excess contributions.

It is my request that the Commission grant a brief extension to provide additional follow-up documentation. It is also my request that the Commission not fine or otherwise sanction Mr. Ailanjain as there was no intent to circumvent the contribution limits. All of the contributions were reported and the

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OFFICE OF THE GENERAL COUNSEL  
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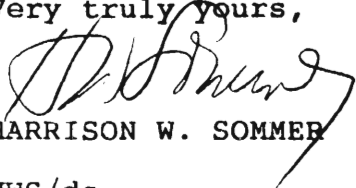
April 24, 1990  
Page -2-

re-attribution provided.

The Committee to elect Rob Scribner has paid a fine to the FEC pursuant to a Conciliation Agreement. It is strongly urged that a good faith contributor to the campaign and to the the American political system not be penalized in the same manner.

Thank you for your attention to this matter, I look forward to your response.

Very truly yours,



HARRISON W. SOMMER

HWS/ds

21040314123

OGC 6150

APRIL 27, 1990

SO MAY -7 PM 12:52

FEDERAL ELECTION COMMISSION  
999 E STREET  
N.W. WASHINGTON DC. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
MAY -8 AM 11:36

DEAR FRAN HAGAN

REG: MUR 2557  
DICK AILANJIAN

THIS LETTER WILL ADVISE YOU  
THAT ATTORNEY HARRISON SUMMER  
WILL REPRESENT ME ON ABOVE  
MATTER

THANK YOU.

Dick Ailanjian

DICK AILANJIAN  
2300 SO. CLOVIS AVE  
FRESNO, CALIF  
93727

PHONE - 209 255-7857

91040314199

90 AUG 30 PM 4:20

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

SEP 18 1990

**EXECUTIVE SESSION**

In the Matter of )  
Windsor Financial Company ) MUR 2557  
Bayco Financial Corporation )  
Wilshire Westwood Financial Group )  
Dick Ailanjian )  
W. D. Hoag, Inc. )  
Bracy Plumbing )  
Hebson Agency, Inc. )  
C & M Transportation Co. )  
Henry K. Hasserjian, M.D. )  
General Security Service, Inc. )  
Robert W. Boos & Co. )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 1, 1988, the Commission found reason to believe that the following corporations violated 2 U.S.C. § 441b(a) by making prohibited contributions to the Committee to Elect Robert B. (Rob) Scribner ("the Committee"): Windsor Financial Company ("Windsor"), Bayco Financial Corporation ("Bayco"), and Wilshire Westwood Financial Group ("Wilshire Westwood"). The Commission found that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A) for excessive contributions made to the Committee.<sup>1</sup>

At the same time, the Commission determined to find reason to believe, but take no further action against the following corporate entities for a violation of 2 U.S.C. § 441b(a): W. D. Hoag, Inc.; Bracy Plumbing; Hebson Agency, Inc.; C & M

1. During this investigation, the Commission also found reason to believe that the Committee to Elect Robert B. (Rob) Scribner ("the Committee") and Harrison W. Sommer, as treasurer, violated 2 U.S.C. §§ 441b(a), 441a(f), 434(b)(2) and (3). These issues were resolved through pre-probable cause conciliation and the case was closed as to these respondents on October 24, 1989.

21040314200



Transportation Co.; Henry K. Hasserjian, M.D.; General Security Service, Inc.; and Robert W. Boos & Co., Inc. This Office is making final recommendations to close the file as to these respondents.

On March 29, 1990, briefs were mailed to Windsor, Wilshire Westwood, Bayco, and Mr. Ailanjian notifying of the General Counsel's intent to recommend findings of probable cause or no probable cause to believe that violations occurred.

## II. ANALYSIS

This Office relies on the legal and factual analyses of these matters as set out in the General Counsel's Briefs dated March 29, 1990.

Two respondents, Bayco and Wilshire Westwood, responded to the no probable cause briefs, indicating their agreement with the proposed recommendations. Windsor did not respond to its no probable cause brief.

In response to Mr. Ailanjian's probable cause brief, counsel for Mr. Ailanjian stated that "the re-attribution statements obtained regarding the Ailanjian contribution clearly set forth the intent of the contributions.... It was Mr. Ailanjian's intent to make contributions to various election cycles for himself and his wife." [See General Counsel's Brief of 3/29/90 for reattribution and reallocation details.] Counsel stated that his client did not intend to circumvent the contribution limits, that all contributions were reported, and that reattribution statements had been provided. Counsel (who is also the Scribner Committee treasurer) requested that no civil penalty be assessed

91040314201

the individual contributor in view of the civil penalty paid by the Scribner Committee for receipt of this and other excessive contributions.

Mr. and Mrs. Ailanjian reattributed and redesignated the excessive portion of contributions totaling \$2,750 in letters signed approximately two years after the contributions were made, well after the regulatory time period provided for such reattributions and redesignations. [See General Counsel's Brief dated 3/29/90.] Therefore, the Office of the General Counsel recommends that the Commission find probable cause to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).

### III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

### IV. RECOMMENDATIONS

1. Find probable cause to believe that Dick Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).
2. Find no probable cause to believe that the following violated 2 U.S.C. § 441b(a):
  - a) Wilshire Westwood Financial Group;
  - b) Windsor Financial Company;
  - c) Bayco Financial Corporation.
3. Close the file as it pertains to the following:
  - a) W. D. Hoag, Inc.;
  - b) Bracy Plumbing;
  - c) Hebson Agency, Inc.;
  - d) C & M Transportation Co.;

21040814202

- e) Henry K. Hasserjian, M.D.;
- f) General Security Service, Inc.;
- g) Robert W. Boos & Co.;
- h) Wilshire Westwood Financial Group;
- i) Windsor Financial Company;
- j) Bayco Financial Corporation.

4. Approve the appropriate letters and the attached conciliation agreement.

Date

8/30/90

Lawrence M. Noble  
General Counsel

Attachments

Conciliation Agreement  
Ailanjian/Wilshire Westwood Response  
Bayco Response

Staff Assigned: Frances B. Hagan

91040314203

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 2557

Windsor Financial Company;  
Bayco Financial Corporation;  
Wilshire Westwood Financial Group;  
Dick Ailanjian;  
W. D. Hoag, Inc.;  
Bracy Plumbing;  
Hebson Agency, Inc.;  
C & M Transportation Co.;  
Henry K. Hasserjian, M.D.;  
General Security Service, Inc.;  
Robert W. Boos & Co.

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the  
Federal Election Commission executive session on  
September 18, 1990, do hereby certify that the Commission  
decided by a vote of 6-0 to take the following actions in  
MUR 2557:

1. Find probable cause to believe that Dick  
Ailanjian violated 2 U.S.C. § 441a(a)(1)(A).
2. Find no probable cause to believe that the  
following violated 2 U.S.C. § 441b(a):
  - a) Wilshire Westwood Financial Group;
  - b) Windsor Financial Company;
  - c) Bayco Financial Corporation.

(continued)

91040311204

Federal Election Commission  
Certification for MUR 2557  
September 18, 1990

Page 2

3. Close the file as it pertains to the following: W. D. Hoag, Inc; Bracy Plumbing; Hebson Agency, Inc; C & M Transportation Co.; Henry K. Hasserjian, M.D.; General Security Service, Inc.; Robert W. Boos & Co.; Wilshire Westwood Financial Group; Windsor Financial Company; Bayco Financial Corporation.
4. Approve the appropriate letters as recommended in the General Counsel's report dated August 30, 1990.
5. Approve the conciliation agreement attached to the General Counsel's report dated August 30, 1990.

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

Attest:

9-19-90  
Date

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

31040314205



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1990

Harrison W. Sommer, Esquire  
Berglund & Johnson  
15650 Devonshire, Suite 310  
Granada Hills, CA 91344-7241

RE: MUR 2557  
Dick Ailanjian

Dear Mr. Sommer:

On September 18, 1990, the Federal Election Commission found that there is probable cause to believe your client, Dick Ailanjian, violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with excessive contributions made to the Committee to Elect Robert B. (Rob) Scribner during the 1986 primary election period.

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.

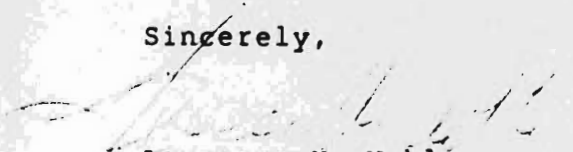
Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

21040314206

Harrison W. Sommer, Esquire  
Page 2

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 Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Conciliation Agreement

91040314207





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 27, 1990

Harrison W. Sommer, Esquire  
Berglund & Johnson  
15650 Devonshire, Suite 310  
Granada Hills, CA 91344-7241

RE: MUR 2557  
Wilshire Westwood  
Financial Group

Dear Mr. Sommer:

This is to advise you that on September 18, 1990, the Federal Election Commission found that there is no probable cause to believe Wilshire Westwood Financial Group violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your client.

The file will be made part of the public record within 30 days after it 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. Such materials should be sent to the Office of the General Counsel.

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

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

91040314208



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 27, 1990

Brenda McKinnon, President  
Bayco Financial Corporation  
23430 Hawthorne Blvd., Suite 210  
Skypark Three  
Torrance, CA 90505

RE: MUR 2557  
Bayco Financial Corporation

Dear Ms. McKinnon:

This is to advise you that on September 18, 1990, the Federal Election Commission found that there is no probable cause to believe Bayco Financial Corporation violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your corporation.

The file will be made part of the public record within 30 days after it 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. Such materials should be sent to the Office of the General Counsel.

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

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

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

Lawrence M. Noble  
General Counsel

91040314209



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1990

Mr. William C. Hayes  
Windsor Financial Company  
16255 Ventura Blvd., Suite 615  
Encino, California 91436

RE: MUR 2557  
Windsor Financial Company

Dear Mr. Hayes:

This is to advise you that on September 18, 1990, the Federal Election Commission found that there is no probable cause to believe Windsor Financial Company violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your company.

The file will be made part of the public record within 30 days after it 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. Such materials should be sent to the Office of the General Counsel.

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

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble", is written over the typed name.

Lawrence M. Noble  
General Counsel

91040314210

90 NOV 28 PM 4:33

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Dick Ailanjian

)  
) MUR 2557  
)  
)

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by  
Harrison W. Sommer, attorney for respondent Dick Ailanjian.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Dick Ailanjian.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble  
General Counsel

11/27/90  
Date

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

- A. Conciliation Agreement
- B. Photocopy of civil penalty check

Staff Assigned: Frances B. Hagan

21040314211

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2557  
Dick Ailanjian. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 3, 1990, the Commission decided by a vote of 4-0 to take the following actions in MUR 2557:

1. Accept the conciliation agreement with Dick Ailanjian, as recommended in the General Counsel's Report dated November 27, 1990.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's Report dated November 27, 1990.

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

Attest:

12-3-90  
Date

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

Received in the Secretariat: Wed., Nov. 28, 1990 4:38 p.m.  
Circulated to the Commission: Thurs., Nov. 29, 1990 11:00 a.m.  
Deadline for vote: Mon., Dec. 3, 1990 11:00 a.m.

dh

91040314212



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Bracy Plumbing, Inc.  
638 Cypress  
Hermosa Beach, CA 90254

RE: MUR 2557  
Bracy Plumbing, Inc.

Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

21040814213



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 14, 1990

Hebson Agency, Inc.  
22925 Arlington Ave., Suite 1  
Torrance, CA 90501

RE: MUR 2557  
Hebson Agency, Inc.

Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

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

BY: Lois G. Lerner  
Associate General Counsel

21040814214





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Mr. Dennis Dahlhausen  
C & M Transportation  
1515 W. Mission Road  
Alhambra, California 91803

RE: MUR 2557  
C & M Transportation

Dear Mr. Dahlhausen:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

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

BY: Lois G. Lerner  
Associate General Counsel

91040814215



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Henry K. Hasserjian, M.D., Inc.  
2200 Santa Monica Blvd., Suite 200  
Santa Monica, CA 90404

RE: MUR 2557  
Henry K. Hasserjian, M.D., Inc.

Dear Sir:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

91040814216



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

General Security Service, Inc.  
14009 S. Crenshaw Boulevard  
Hawthorne, California 90250

RE: MUR 2557  
General Security Service, Inc.


Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

91040314217



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 14, 1990

Robert W. Boos & Co., Inc.  
11777 San Vincente Blvd., Suite 503  
Los Angeles, California 90049

RE: MUR 2557  
Robert W. Boos & Co., Inc.

Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

21040814218



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

W. D. Hoag, Inc.  
11740 Wilshire Blvd., Suite A-2009  
Los Angeles, CA 90025

RE: MUR 2557  
W.D. Hoag, Inc.


Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

91040314219



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Mr. William C. Hayes  
Windsor Financial Company  
16255 Ventura Blvd., Suite 615  
Encino, California 91436

RE: MUR 2557  
Windsor Financial Company

Dear Mr. Hayes:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

21040314220



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Brenda McKinnon, President  
Bayco Financial Corporation  
23430 Hawthorne Blvd., Suite 210  
Skypark Three  
Torrance, CA 90505

Re: MUR 2557  
Bayco Financial Corporation


Dear Ms. McKinnon:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

21040314221





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

Harrison W. Sommer, Esquire  
Berglund & Johnson  
15650 Devonshire, Suite 310  
Granada Hills, CA 91344-7241

RE: MUR 2557  
Committee to Elect Robert B.  
(Rob) Scribner  
Harrison W. Sommer, as  
treasurer  
Wilshire Westwood Financial  
Group

Dear Mr. Sommer:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

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

BY: Lois G. Lerner  
Associate General Counsel

21040314222



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 14, 1990

**CLOSED**

Harrison W. Sommer, Esquire  
Berglund & Johnson  
15650 Devonshire, Suite 310  
Granada Hills, CA 91344-7241

RE: MUR 2557  
Dick Ailanjian

Dear Mr. Sommer:


On December 3, 1990, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of your client in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. 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.

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

91040314223

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Dick Ailanjian

)  
)  
)  
)

MUR 2557

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 probable cause to believe that Dick Ailanjian ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A).

NOW, THEREFORE, the Commission and the Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.

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

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

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

1. Respondent, Dick Ailanjian, is an individual contributor to the Committee to Elect Robert B. (Rob) Scribner.

2. 2 U.S.C. § 441a(a)(1)(A) states that no person shall make contributions to any authorized candidate committee which, in the aggregate, exceeds \$1,000.

3. An audit of the Committee to Elect Robert B. (Rob) Scribner ("the Scribner Committee") indicated that Dick Ailanjian

made contributions totaling \$3,750 to the Scribner Committee during the 1986 primary election period, or \$2,750 in excess of the Act's limitations.

V. Respondent made contributions in excess of the Act's limitations in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of one hundred fifty dollars (\$150.00), 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 thirty (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.

2104031425

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 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:

*LGL*  
Lois G. Lerner  
Associate General Counsel

12-13-90  
Date

**FOR THE RESPONDENT:**

*Harmon W. Denny*  
(Name)  
(Position) *attorney for Dick Aikarian*

11/14/90  
Date

91040314226



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2557

DATE FILMED 1/16/91 CAMERA NO. 2

CAMERAMAN AS

91040314227