



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

NOV 25 1998

Pre-Mur 373

By Hand

Mr. Lawrence R. Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Mr. Noble:

Re: Ramon Desage and Cadeau Express, Inc.

We are forwarding herewith two checks totaling \$20,000 that have been tendered by the individual and institutional offenders in the captioned Federal Election Campaign Act (FECA) matters. These checks represent amounts that each offender has offered to pay to the Commission in the hope of achieving a simultaneous "global" disposition of both the criminal and the noncriminal features of their FECA offenses. We also are forwarding copies of the plea agreements and other pertinent documents.

During our investigation, we kept your office informed, albeit in hypothetical terms. Specifically, in each matter I informed Lois Lerner of the type of FECA violation involved, its financial magnitude, the amount agreed to satisfy criminal liability, and the amount tendered in each instance to satisfy noncriminal liability under 2 U.S.C. § 437g(a). We have also informed each of these offenders that the Department of Justice lacks authority to speak for -- or to bind -- the Commission in assessing noncriminal remedies under 2 U.S.C. § 437g(a). Thus, each of these agreements addresses the possibility that the Commission may decide not to accept the proposed noncriminal sanctions.

These matters include:

1) Ramon Desage. Mr. Desage is a resident of Las Vegas and the principal owner in Cadeau Express, Incorporated (CEI), a Nevada corporation. In 1995, he caused CEI to contribute \$5,000

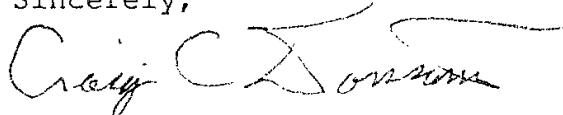
of its corporate assets to the presidential campaign of Bob Dole in violation of 2 U.S.C. § 441b(a). The illegal corporate contribution was made in the names of himself and four CEI employees, in violation of 2 U.S.C. § 441f. Pursuant to his plea agreement, Mr. Desage has paid a criminal fine of \$125,000 for these criminal FECA offenses. He has tendered an additional \$10,000 to the Commission in the hope of satisfying his noncriminal liability under 2 U.S.C. § 437g(a). His check is enclosed.

2) CEI is criminally responsible for FECA violations committed with its funds by its agent, Mr. Desage. Pursuant to its plea agreement, it has paid a \$50,000 criminal fine for these corporate FECA criminal violations. CEI has also tendered an additional \$10,000 to the Commission in the hope of satisfying its noncriminal liability under 2 U.S.C. § 437g(a). CEI's check is enclosed.

While we do not have the authority to speak for the Commission and we have not done so here, as reflected in the plea agreements we believe that the sums tendered by these FECA offenders to satisfy their liability under 2 U.S.C. § 437g(a) are reasonable and fair in terms of the facts of each of these cases. Should the Commission disagree with any or all of these tendered noncriminal settlements, we respectfully request that it return the check(s) it rejects to us so that we may return them to the offenders in accordance with our agreements.

Please let me know if we can assist you further in these matters.

Sincerely,



Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section

Enclosures

cc: AUSA Dan Schiess
Las Vegas

COPY

1 KATHRYN E. LANDRETH
United States Attorney
2 DANIEL R. SCHIESS
Assistant United States Attorney
3 701 East Bridger Avenue
Eighth Floor
4 Las Vegas, Nevada 89101
(702) 388-6336
5

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 -oOo-

9 UNITED STATES OF AMERICA)
)
10 PLAINTIFF) CR-S-98-
)
11 vs) PLEA MEMORANDUM
)
12 RAMON DESAGE)
)
13 DEFENDANT)
14

15 The United States, by and through Kathryn E. Landreth, United States Attorney for
16 the District of Nevada, Daniel R. Schiess, Assistant United States Attorney, United States
17 Department of Justice, by and through Craig C. Donsanto, Director, Election Crimes Branch, Public
18 Integrity Section, the defendant, RAMON DESAGE, and the defendant's attorney, Richard A.
19 Wright, submit this plea memorandum.

20 A. PLEA AGREEMENT

21 The United States and the defendant have agreed to the following:

22 1. The parties agree to submit this agreement to the court pursuant to Rule
23 11(e)(1)(c).

24 2. The defendant will plead guilty to a two-count Information charging him with
25 two misdemeanors: making illegal campaign contributions, in violation of 2 U.S.C. § 441b, and
26

1 unlawfully causing the name of a person to be used in connection with the making of a campaign
2 contribution, in violation of 2 U.S.C. § 441f.

3 3. The parties agree that the United States Sentencing Guidelines apply to this
4 case but that under U.S.S.G § 2X5.1 there is no analogous Sentencing Guideline to the crimes
5 charged in the Information. Accordingly, the parties agree that it is appropriate for this case to be
6 disposed of pursuant to 18 U.S.C. § 3553(b), which allows the court to determine a sentence in
7 light of the factors articulated in section 3553(a)(2) and sentences prescribed by the Sentencing
8 Guidelines applicable to similar offenses and offenders and to the applicable policy statements of
9 the Sentencing Commission. In consideration of the foregoing, the parties agree that the defendant
10 should be sentenced at most to a period of probation not to exceed 12 months and ordered to pay
11 a fine in the amount of \$125,000.00 and to perform 150 hours of community service.

12 4. The parties agree that the defendant should not have any travel restrictions
13 placed on him during his probationary period if the court imposes such a period. The parties will
14 seek such an order from the court.

15 5. In exchange for the concessions made by the United States in the instant plea
16 agreement, the defendant knowingly and expressly waives his right to appeal any sentence that is
17 consistent with that stated in paragraph 3 above. The defendant reserves only the right to appeal
18 any sentence imposed to the extent, but only to the extent, that the sentence is greater than that
19 agreed to by the parties in paragraph 3 above.

20 6. The defendant will pay the special assessment of \$25.00 per count when he
21 enters his plea of guilty.

22 7. The United States Attorney's Office for the District of Nevada will not bring
23 any other charges against the defendant arising out of the facts of the investigation known to the
24 United States at this time.

25 8. The United States Attorney's Office will criminally prosecute Cadeau
26 Express, Inc., for only one misdemeanor violation of mailing an illegal campaign contribution in

1 violation of 2 U.S.C. § 441b for its involvement in the making of illegal campaign contributions
2 stated in this plea agreement, and to resolve Cadeau Express' criminal liability by plea agreement.
3 In the event that the defendant **RAMON DESAGE** does not comply with the terms of this plea
4 agreement, the government will be free to withdraw from the agreement with Cadeau Express, Inc.,
5 and to prosecute it for any applicable crimes.

6 **B. GLOBAL RESOLUTION OF ADMINISTRATIVE AND**
7 **CIVIL LIABILITIES WITH THE FEDERAL**
8 **ELECTION COMMISSION**

9 The defendant wishes to resolve his civil and administrative liabilities with the
10 Federal Election Commission (FEC) in conjunction with the resolution of his criminal liability in
11 this matter. Accordingly, to the extent that the civil and administrative liabilities can be resolved
12 in conjunction with the defendant's criminal liability, the parties agree to the following:

13 1. The defendant admits that he knowingly and willfully violated 2 U.S.C. §§
14 441b and 441f of the FECA, and that the Federal Election Commission (FEC) has exclusive
15 authority to seek civil remedies against him for those violations pursuant to 2 U.S.C. § 437a(5).

16 2. The defendant agrees to submit to the FEC's jurisdiction, to cooperate with
17 the FEC in its compliance proceedings against him, including waiving FEC notification procedures
18 to which he may be entitled, all evidentiary privileges, and any statute of limitations which may be
19 applicable to FEC compliance proceedings, and to enter into a conciliation agreement with the FEC
20 and to pay whatever civil penalty the FEC deems appropriate pursuant to the provisions of 2 U.S.C.
21 § 437a(5). The United States and the defendant have agreed that an administrative and civil fine
22 of \$10,000.00 would be an appropriate civil disposition of this matter before the FEC in view of
23 the charged conduct and the conditions of this plea agreement. However, the defendant has been
24 advised and understands that this part of the plea agreement is not binding on the FEC.

25 3. The defendant agrees to tender a check in that amount made payable to the
26 FEC at the time this agreement is executed. The Department of Justice agrees to forward this check
to the FEC, along with a copy of this agreement and the Department's recommendation that the

1 tendered sum be accepted by the Commission as a suitable disposition of the defendant's
2 administrative liability under 2 U.S.C. § 437g(a)(5). In the event that the FEC should refuse to
3 accept this sum as an appropriate noncriminal remedy for the FECA violations admitted in this
4 agreement, the check will be returned to the defendant, and this issue of the amount of the
5 appropriate civil remedy will be left to the defendant and the FEC to resolve as if no attempt had
6 been made by the Department of Justice, to assist with the resolution of this matter.

7 C. PENALTY

8 1. The maximum penalty for violating 2 U.S.C. §§ 441b and 441f is not more
9 than one year imprisonment, a fine of not more than one hundred thousand dollars (\$100,000.00),
10 or both, for each violation.

11 2. The defendant is required to pay for the costs of his imprisonment, supervised
12 release and probation, unless he establishes that he does not have the ability to pay such costs, in
13 which case the court may impose an alternative sanction such as community service.

14 3. The defendant must pay a special assessment of twenty-five (\$25.00) for each
15 count of which he is convicted.

16 D. ELEMENTS

17 The FECA, 2 U.S.C. § 431 *et seq.*, in particular, 2 U.S.C. § 441b(a), prohibits
18 corporations from making contributions or expenditures in connection with the nomination and
19 election of candidates for federal office. Section 441b(a) also prohibits any officer of a corporation
20 to consent to a prohibited contribution or expenditure.

21 Section 441f prohibits a person from making a contribution *in the name of another*
22 person or knowingly permitting his or her name to be used to effect such a contribution. Section
23 441f is violated if a person gives funds to a straw donor, known as a "conduit," for the purpose of
24 having the conduit pass the funds on to a federal candidate as his or her own contribution. A
25 violation can also occur if a person reimburses a donor who has already given to a candidate,
26 . . .

1 thereby converting the donor's contribution to his or her own. Under section 431(1) of FECA, the
2 term "person" includes a corporation.

3 E. FACTS

4 In or about May and June 1995, defendant DESAGE owned Cadeau Express, Inc.,
5 in Nevada. During May or June 1995, DESAGE knowingly and willfully caused five people to
6 make separate \$1,000.00 contributions to the Dole for President campaign. That campaign sought
7 to have Bob Dole elected as the president of the United States.

8 In May or June 1995, DESAGE caused Cadeau Express, Inc., to reimburse these
9 five people for the contributions they made to the campaign knowing that it was illegal for him to
10 do so.

11 F. ACKNOWLEDGMENT

12 The undersigned defendant, RAMON DESAGE, acknowledges by his signature
13 below that he has read this Memorandum of Plea Agreement, that he understands the terms and
14 conditions, and the factual basis, set forth herein, that he has discussed these matters with his
15 attorney, and that the matters set forth in this Memorandum, including those facts which support
16 a plea of Guilty, are true and correct.

17 The undersigned defendant acknowledges that he has been advised, and understands,
18 that by entering a plea of Guilty he is waiving, that is, giving up, certain rights guaranteed to him
19 by law and by the Constitution of the United States. Specifically, he is giving up:

20 The right to proceed to trial by jury on the original charges, or to a trial by a judge
21 if he and the United States both agree;

22 The right to confront the witnesses against him at such a trial, and to cross-examine
23 them;

24 The right to remain silent at such trial, with such silence not to be used against him
25 in any way;

26 The right, should he so choose, to testify in his own behalf at such a trial;

1 The right to compel witnesses to appear at such a trial, and to testify in his behalf;
2 and,

3 The right to have the assistance of an attorney at all stages of such proceedings.


4 The undersigned defendant, his attorney, and the attorneys for the United States
5 acknowledge that this Memorandum of Plea Agreement is the entire agreement negotiated by and
6 agreed to by and between the parties, and that no other promise has been made or implied by either
7 the defendant, his attorney, or the attorneys for the United States.

8 KATHRYN E. LANDRETH
United States Attorney

9
10 8.27-98
11 DATED


12 DANIEL R. SCHIESS
Assistant United States Attorney

13 8-25-98
14 DATED


15 CRAIG C. DON SANTO
Director, Election Crimes Branch
Public Integrity Section
U.S. Department of Justice

16
17 10/24/1998
18 DATED


19 RAMON DESAGE, Defendant

20 10/24/98
21 DATED


22 RICHARD A. WRIGHT, ESQ.
Counsel for Defendant DESAGE
23
24
25
26

1 KATHRYN E. LANDRETH
United States Attorney
2 DANIEL R. SCHIESS
Assistant United States Attorney
3 701 East Bridger Avenue
Sixth Floor
4 Las Vegas, Nevada 89101
(702) 388-6336
5

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 -oOo-

9 UNITED STATES OF AMERICA

10 PLAINTIFF

11 vs

12 RAMON DESAGE

13 DEFENDANT
14

) CRIMINAL INFORMATION

) CR-S-

) VIOLATION: 2 U.S.C. § 441b - Illegal
) Corporate Contributions, and 2 U.S.C. §
) 441f - Illegal Conduit Contributions

15 At all times material to this Information:

16 INTRODUCTION

- 17 1. Cadeau Express, Inc., was a Nevada Corporation.
- 18 2. **RAMON DESAGE** was the president of Cadeau Express, Inc.
- 19 3. The Federal Election Campaign Act, Title 2, United States Code, Section 431 et seq.
- 20 ("The Campaign Act"), in particular, Title 2, United States Code, Section 441b(a) specifically prohibits
- 21 corporations from making contributions or expenditures in connection with the nomination and election
- 22 of candidates for federal office. Section 441b(a) also prohibits any officer of a corporation from
- 23 consenting to a prohibited contribution or expenditure. Section 441f prohibits a person from making
- 24 a contribution in the name of another person or knowingly permitting his or her name to be used to
- 25 effect such a contribution. The definition of "person" in the Campaign Act includes a corporation.
- 26

1 A violation can occur if a person reimburses a donor who has already given to a candidate, thereby
2 converting the donor's contribution to that of the corporation.

3 4. In or about May and June 1995, defendant **DESAGE** owned Cadeau Express, Inc.,
4 in Nevada. During May or June 1995, **DESAGE** caused five people to make separate \$1,000.00
5 contributions to the Dole for President campaign. That campaign sought to have Bob Dole elected as
6 the president of the United States.

7 5. In May or June 1995, **DESAGE** caused Cadeau Express, Inc., to reimburse these five
8 people the contributions they made to the campaign.

9 **THE CHARGES**

10 **THE UNITED STATES ATTORNEY CHARGES:**

11 **COUNT ONE**
12 **(Illegal Corporate Contributions)**

13 1. The allegations contained in paragraphs one through four of the introduction to this
14 Information are incorporated herein as if set forth in full.

15 2. In or about June 1995, in the State and Federal District of Nevada,

16 **RAMON DESAGE**

17 defendant herein, knowingly and willfully caused Cadeau Express, Inc., to make illegal campaign
18 contributions to the Dole for President, Inc., campaign, in violation of Title 2, United States Code,
19 Section 441b(a) and Section 437g(d).

20 **COUNT TWO**
21 **(Illegal Conduit Contributions)**

22 1. The allegations contained in paragraphs one through five of the introduction to this
23 Information are incorporated herein as if set forth in full.

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2. In or about June 1995, in the State and Federal District of Nevada,

RAMON DESAGE

defendant herein, knowingly caused a person to make a contribution to the Dole for President, Inc.,
campaign in the name of another person, in violation of Title 2, United States Code, Section 441f.

DATED this 5th day of November, 1998.

KATHRYN E. LANDRETH
United States Attorney


DANIEL R. SCHIESS
Assistant United States Attorney

1 KATHRYN E. LANDRETH
United States Attorney
2 DANIEL R. SCHIESS
Assistant United States Attorney
3 701 East Bridger Avenue
Eighth Floor
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(702) 388-6336
5

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 -000-

9 UNITED STATES OF AMERICA)

10 PLAINTIFF)

11 vs)

12 CADEAU EXPRESS, INC.)

13 DEFENDANT)
14

CR-S-98- 422
423

PLEA MEMORANDUM

15 The United States, by and through Kathryn E. Landreth , United States Attorney
16 for the District of Nevada, Daniel R. Schiess, Assistant United States Attorney, United States
17 Department of Justice, by and through Craig C. Donsanto, Director, Election Crimes Branch,
18 Public Integrity Section, the defendant, CADEAU EXPRESS, INC., and the defendant's attorney,
19 Richard A. Wright, submit this plea memorandum.

20 A. PLEA AGREEMENT

21 The United States and the defendant have agreed to the following, which is not
22 binding on the Court:

23 1. The defendant will plead guilty to a one-count Information charging it with
24 the following misdemeanor: making illegal campaign contributions, in violation of 2 U.S.C. §
25 441b.
26

1 2. The parties agree that the United States Sentencing Guidelines apply to this
2 case but that under U.S.S.G § 2X5.1 there is no analogous Sentencing Guideline to the crimes
3 charged in the Information. Accordingly, the parties agree that it is appropriate for this case to be
4 disposed of pursuant to 18 U.S.C. § 3553(b), which allows the court to determine a sentence in
5 light of the factors articulated in section 3553(a)(2) and sentences prescribed by the Sentencing
6 Guidelines applicable to similar offenses and offenders and to the applicable policy statements of
7 the Sentencing Commission. In consideration of the foregoing, the parties agree that the defendant
8 should be fined \$50,000.00.

9 3. In exchange for the concessions made by the United States in the instant plea
10 agreement, the defendant knowingly and expressly waives its right to appeal any sentence that is
11 consistent with that stated in paragraph 2 above. The defendant reserves only the right to appeal
12 any sentence imposed to the extent, but only to the extent, that the sentence is greater than that
13 agreed to by the parties in paragraph 2 above.

14 4. The defendant will pay the special assessment of \$25.00 per count when it
15 enters its plea of guilty.

16 5. The United States Attorney's Office for the District of Nevada will not bring
17 any other charges against the defendant arising out of the facts of the investigation known to the
18 United States at this time.

19 6. The parties agree that this agreement is conditioned upon Ramon DeSage
20 fulfilling his agreement in the plea agreement submitted to the court in CR-S-98-_____.
21 If Ramon DeSage does not fulfill his agreement, the government will be free to withdraw from this
22 agreement and the agreement with Ramon DeSage and prosecute CADEAU EXPRESS, INC., and
23 Ramon DeSage for any applicable crimes.

24 . . .

25 . . .

26 . . .

1 B. GLOBAL RESOLUTION OF ADMINISTRATIVE AND
2 CIVIL LIABILITIES WITH THE FEDERAL
ELECTION COMMISSION

3 The defendant wishes to resolve its civil and administrative liabilities with the
4 Federal Election Commission (FEC) in conjunction with the resolution of his criminal liability in
5 this matter. Accordingly, to the extent that the civil and administrative liabilities can be resolved
6 in conjunction with the defendant's criminal liability, the parties agree to the following:

7 1. The defendant admits that it knowingly and willfully violated 2 U.S.C. §§
8 441b and 441f of the FECA, and that the Federal Election Commission (FEC) has exclusive
9 authority to seek civil remedies against it for those violations pursuant to 2 U.S.C. § 437g(a)(5).

10 2. The defendant agrees to submit to the FEC's jurisdiction, to cooperate with
11 the FEC in its compliance proceedings against it, including waiving FEC notification procedures
12 to which it may be entitled, all evidentiary privileges, and any statute of limitations which may be
13 applicable to FEC compliance proceedings, and to enter into a conciliation agreement with the FEC
14 and to pay *whatever civil penalty the FEC deems appropriate* pursuant to the provisions of 2 U.S.C.
15 § 437g(a)(5). The United States and the defendant have agreed that an administrative and civil fine
16 of \$10,000.00 would be an appropriate civil disposition of this matter before the FEC in view of
17 the charged conduct and the conditions of this plea agreement. However, the defendant has been
18 advised and understands that this part of the plea agreement is not binding on the FEC.

19 3. The defendant agrees to tender a check in that amount made payable to the
20 FEC at the time this agreement is executed. The Department of Justice agrees to forward this check
21 to the FEC, along with a copy of this agreement and the Department's recommendation that the
22 tendered sum be accepted by the Commission as a suitable disposition of the defendant's
23 administrative liability under 2 U.S.C. § 437g(a)(5). In the event that the FEC should refuse to
24 accept this sum as an appropriate noncriminal remedy for the FECA violations admitted in this
25 agreement, the check will be returned to the defendant, and this issue of the amount of the
26 . . .

1 appropriate civil remedy will be left to the defendant and the FEC to resolve as if no attempt had
2 been made by the Department of Justice, to assist with the resolution of this matter.

3 C. PENALTY

4 1. The maximum penalty for violating 2 U.S.C. §§ 441b and 441f is not more
5 than one year imprisonment, a fine of not more than one hundred thousand dollars (\$100,000.00),
6 or both, for each violation.

7 2. The defendant must pay a special assessment of twenty-five (\$25.00) for each
8 count of which it is convicted.

9 D. ELEMENTS

10 The FECA, 2 U.S.C. § 431 *et seq.*, in particular, 2 U.S.C. § 441b(a), prohibits
11 corporations from making contributions or expenditures in connection with the nomination and
12 election of candidates for federal office. Section 441b(a) also prohibits any officer of a corporation
13 to consent to a prohibited contribution or expenditure.

14 Section 441f prohibits a person from making a contribution in the name of another
15 person or knowingly permitting his or her name to be used to effect such a contribution. Section
16 441f is violated if a person gives funds to a straw donor, known as a "conduit," for the purpose of
17 having the conduit pass the funds on to a federal candidate as his or her own contribution. A
18 violation can also occur if a person reimburses a donor who has already given to a candidate,
19 thereby converting the donor's contribution to his or her own. Under section 431(1) of FECA, the
20 term "person" includes a corporation.

21 E. FACTS

22 In or about May and June 1995, Ramon DeSage owned CADEAU EXPRESS,
23 INC., in Nevada. During May or June 1995, DeSage knowingly and willfully caused five people
24 to make separate \$1,000.00 contributions to the Dole for President campaign. That campaign
25 sought to have Bob Dole elected as the president of the United States.
26

1 In May or June 1995, DeSage caused CADEAU EXPRESS, INC., to reimburse
2 these five people for the contributions they made to the campaign, knowing that it was illegal to do
3 so.

4 F. ACKNOWLEDGMENT

5 The undersigned defendant, CADEAU EXPRESS, INC., acknowledges by the
6 signature of its representative below that it has read this Memorandum of Plea Agreement, that it
7 understands the terms and conditions, and the factual basis, set forth herein, that it has discussed
8 these matters with its attorney, and that the matters set forth in this Memorandum, including those
9 facts which support a plea of Guilty, are true and correct.

10 The undersigned defendant acknowledges that it has been advised, and understands,
11 that by entering a plea of Guilty it is waiving, that is, giving up, certain rights guaranteed to it by
12 law and by the Constitution of the United States. Specifically, it is giving up:

13 The right to proceed to trial by jury on the original charges, or to a trial by a judge
14 if it and the United States both agree;

15 The right to confront the witnesses against it at such a trial, and to cross-examine
16 them;

17 The right to remain silent at such trial, with such silence not to be used against it
18 in any way;

19 The right, should it so choose, to testify in its own behalf at such a trial;

20 The right to compel witnesses to appear at such a trial, and to testify in its behalf;

21 and,

22 The right to have the assistance of an attorney at all stages of such proceedings.

23 . . .

24 . . .

25 . . .

26 . . .


1 The undersigned defendant, its attorney, and the attorneys for the United States
2 acknowledge that this Memorandum of Plea Agreement is the entire agreement negotiated by and
3 agreed to by and between the parties, and that no other promise has been made or implied by either
4 the defendant, its attorney, or the attorney for the United States.

5 KATHRYN E. LANDRETH
United States Attorney

6
7 8-27-98
8 DATED

9
10 
11 DANIEL R. SCHIESS
Assistant United States Attorney

12
13 8-25-98
14 DATED

15
16 
17 CRAIG E. DON SANTO
Director, Election Crimes Branch
Public Integrity Section
U.S. Department of Justice

18
19 10/24/98
20 DATED

21
22 
23 Representative for CADEAU EXPRESS, INC.,
24 Defendant

25
26 10/24/98
DATED

27
28 
29 RICHARD A. WRIGHT, ESQ.
30 Counsel for Defendant CADEAU EXPRESS, INC.

1 KATHRYN E. LANDRETH
United States Attorney
2 DANIEL R. SCHIESS
Assistant United States Attorney
3 701 East Bridger Avenue
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4 Las Vegas, Nevada 89101
(702) 388-6336
5

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 -000-

9 UNITED STATES OF AMERICA) CRIMINAL INFORMATION
)
10 PLAINTIFF) CR-S-98-
)
11 vs) VIOLATION: Title 2, U.S.C. §§
) 441b(a) and 437g(d) - Making
12 CADEAU EXPRESS, INC.) <u>Illegal Campaign Contributions</u>
)
13 DEFENDANT)

14
15 At all times material to this Information:

16 INTRODUCTION

- 17 1. CADEAU EXPRESS, INC., was a Nevada Corporation.
- 18 2. Ramon DeSage was the president of CADEAU EXPRESS, INC.
- 19 3. The Federal Election Campaign Act, Title 2, United States Code, Section 431 et seq.
- 20 ("The Campaign Act"), in particular, Title 2, United States Code, Section 441b(a) specifically prohibits
- 21 corporations from making contributions or expenditures in connection with the nomination and election
- 22 of candidates for federal office. Section 441b(a) also prohibits any officer of a corporation from
- 23 consenting to a prohibited contribution or expenditure. A violation can occur if a person reimburses
- 24 a donor who has already given to a candidate, thereby converting the donor's contribution to that of
- 25 the corporation.
- 26

1 4. In or about May and June 1995, Ramon DeSage owned CADEAU EXPRESS, INC.,
2 in Nevada. During May or June 1995, DeSage caused five people to make separate \$1,000.00
3 contributions to the Dole for President campaign. That campaign sought to have Bob Dole elected as
4 the president of the United States.

5 5. In May or June 1995, DeSage caused CADEAU EXPRESS, INC., to reimburse these
6 five people the contributions they made to the campaign.

7 THE CHARGES

8 THE UNITED STATES ATTORNEY CHARGES:

9 1. The allegations contained in paragraphs one through five of the introduction to this
10 Information are incorporated herein as if set forth in full.

11 2. In or about June 1995, in the State and Federal District of Nevada,
12 CADEAU EXPRESS, INC.
13 defendant herein, knowingly and willfully made illegal campaign contributions to the Dole for
14 President, Inc., campaign, in violation of Title 2, United States Code, Section 441b(a) and Section
15 437g(d).

16 DATED this 5th day of November, 1998.

17 KATHRYN E. LANDRETH
18 United States Attorney

19 
20 DANIEL R. SCHIES
21 Assistant United States Attorney

RESOLUTION

The undersigned Directors of Cadeau Express, Inc., a Nevada corporation, hereby unanimously consent to the following resolution:

Resolved, that Cadeau Express, Inc. agrees to enter into a Plea Memorandum with the U.S. Attorney's Office and to plead guilty to a one-count Information charging it with the following misdemeanor: making illegal campaign contributions, in violation of 2 U.S.C. § 441b.

Dated: 10/24/98

by Ramon DeSage
Ramon DeSage (PRESIDENT)

Ramon Desage - Nevada

WRIGHT JUDD & WINCKLER
TRUST ACCOUNT
302 E. CARSON 3RD FLOOR 702/382-4004
LAS VEGAS, NV 89101

1275

11/10 1998

04-77/1234

PAY TO THE
ORDER OF

Federal Election Commission

\$ 10,000.00

Ten thousand and 00/100

DOLLARS



NEVADA STATE BANK
A Subsidiary of Zions Bancorporation
Main Office
P.O. Box 990
Las Vegas, Nevada 89125-0990

[Signature]

⑈001275⑈ ⑆122400779⑆0002071561⑈

Cadeau Express, Inc -
Nevada

WRIGHT JUDD & WINCKLER
TRUST ACCOUNT
302 E. CARSON 3RD FLOOR 702/382-4004
LAS VEGAS, NV 89101

1276

11/10 1998

04-77/1234

PAY TO THE
ORDER OF

Federal Election Commission

\$ 10,000.00

Ten thousand and 00/100

DOLLARS



NEVADA STATE BANK
A Subsidiary of Zions Bancorporation
Main Office
P.O. Box 990
Las Vegas, Nevada 89125-0990

[Signature]

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