



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

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**SENSITIVE**

**MEMORANDUM**

MAR 10 2003

TO: The Commission

FROM: Lawrence H. Norton  
General Counsel

BY: Gregory R. Baker *GRB*  
Acting Associate General Counsel

Peter G. Blumberg *PGB*  
Acting Assistant General Counsel

Beth N. Mizuno *BNM*  
Attorney

SUBJECT: MUR 5238 – Supplement to General Counsel's Report #6,  
dated February 27, 2003

**ACTIONS RECOMMENDED:** Take no further action and close the file as to six remaining Respondents, with respect to whom the Commission made reason to believe findings on December 6, 2001.

**DISCUSSION:** On February 27, 2003, this Office circulated General Counsel's Report #6, which recommended that the Commission approve a conciliation agreement with Schumer '98, take no further action against two individual contributors, approve the appropriate letters and close the file. On March 4, 2003, the Commission approved the Report. The Report did not include a recommendation for disposition of the Commission's December 6, 2001 reason to believe findings with respect to six partnership Respondents associated with Charles Kushner: Bruckner Plaza Associates, Constantine Village Associates, Puck Associates (a.k.a. New Puck Associates), Q.E.M. Associates, Quail Ridge Associates and Wallkill Apartments Associates, LP.

Initially, the Commission found reason to believe that these six Kushner partnerships made excessive contributions to Schumer '98 totaling \$18,000.

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This Office recommends that the Commission take no further action against the Kushner partnerships in the Schumer matter (MUR 5238). Pursuing the Kushner partnerships in the Schumer matter would not be a good use of Commission resources given the size, nature and timing of the violations: the violation amount is \$18,000; the reason to believe finding involves simple excessive contributions; and the statute of limitations will expire with respect to these contributions in July 2003.

#### RECOMMENDATIONS

1. Take no further action and close the file in MUR 5238 with respect to Bruckner Plaza Associates, Constantine Village Associates, Puck Associates, Q.E.M. Associates, Quail Ridge Associates and Wallkill Apartments Associates, LP;
2. Approve the appropriate letters.

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