



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

OCT - 2 2002

Benjamin L. Ginsberg, Esq.
Patton Boggs, LLP
2550 M Street, N.W.
Washington, D.C. 20037

RE: MUR 5294
Brian Babin
Brian Babin for Congress and
Thomas E. Freeman, as treasurer

Dear Mr. Ginsberg:

On November 14, 2001, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your clients, Brian Babin, Brian Babin for Congress and Thomas E. Freeman, as treasurer. On September 6, 2002, the Commission severed the portion of MUR 4736 concerning your clients and placed it into a new matter, designated MUR 5294. On the same date, the Commission closed MUR 5294. Accordingly, the confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public.

Because of restrictions recently placed on the Commission with respect to its making public investigative files in closed enforcement matters, the public record in this matter will consist of the relevant sections of the dispositive General Counsel's Reports, the relevant sections of the Certifications of the Commission's votes, Conciliation Agreements and Statements of Reasons. See American Federation of Labor and Congress of Industrial Organizations v. FEC, 177 F. Supp.2d 48 (D.D.C. 2001), appeal docketed, No. 02-5069 (D.C. Cir. Feb. 28, 2002). Copies of the relevant sections of the General Counsel's Reports and Certifications of the Commission's votes as described above are enclosed. As your clients are already in receipt of the Conciliation Agreement entered into with the Commission, a copy of that document is not enclosed.

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Benjamin L. Ginsberg, Esq.
MUR 5294
Page 2

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Marianne Abely SLZ

Marianne Abely
Attorney

Enclosures:

As stated.

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