



FEDERAL ELECTION COMMISSION

125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 995

Date Filmed 10/2/79 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

July 19, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Janosko
Stratford Town Hall
Stratford, Connecticut 06497

Re: MUR 995

Dear Mr. Janosko:

I am forwarding for your information the enclosed complaint which was received by the Commission. The Commission has determined that on the basis of the information in the complaint, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission intends to close its file on this matter. A copy of the Commission certification is enclosed for your information.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel

Enclosures:

1. Complaint
2. Commission certification

71300 4 3 3 0 4 3

11111 995 - D. Brown

PS Form 3811, Rev. 1977

RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1 The following service is requested (check one).
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery
☐ RESTRICTED DELIVERY
Show to whom and date delivered
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery
(CONSULT POSTMASTER FOR FEES)

2 ARTICLE ADDRESSED TO
Joseph Jantako

3 ARTICLE DESCRIPTION
REGISTERED NO. CERTIFIED NO. INSURED NO.
9027

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
✓ St Crawford

4 DATE OF DELIVERY
7-26-79

5 ADDRESS: Complete only if requested

6 UNABLE TO DELIVER BECAUSE:

POSTMARK
JUL 26 1979
CHAMBERS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Janosko
Stratford Town Hall
Stratford, Connecticut 06497

Re: MUR 995

Dear Mr. Janosko:

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Sincerely,

William C. Oldaker
General Counsel

Enclosures:

1. Complaint
2. Commission certification



79013155045



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

July 19, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

H. Edward Pearson
Marilyn Pearson
605 Light Street
Stratford, Connecticut 06497

Dear Mr. and Mrs. Pearson:

The Federal Election Commission has received the allegations of your complaint dated June 11, 1979 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Specifically, the "expenditure" which you allege expressly advocates the election or defeat of Marilyn Pearson, must be made for the purpose of influencing the nomination for election, or the election, or any person to Federal office as provided in 2 U.S.C. §431(f)(1) of the Act. In this case, Marilyn Pearson was not a candidate for Federal office.

Accordingly, upon my recommendation, the Commission intends to close its files in this matter for lack of jurisdiction. A copy of the Commission certification is enclosed for your information.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Certification



7 0 0 1 0 1 5 3 0 4 7

1744K 995- V D Brown

● SENDER Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered _____ c
☒ Show to whom, date, and address of delivery _____ c
☐ RESTRICTED DELIVERY
Show to whom and date delivered _____ c
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery \$ _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
H. F. and L. Brown

3. ARTICLE DESCRIPTION
REGISTERED NO. _____ CERTIFIED NO. _____ INSURED NO. _____

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☒ Addressee ☐ Authorized agent
J. F. Brown

DATE OF DELIVERY
7-30-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

POSTMARK
JUL 30 1979
INDICATOR
INITIALS

PS Form 3811, Apr. 1977
RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

H. Edward Pearson
Marilyn Pearson
605 Light Street
Stratford, Connecticut 06497

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Sincerely,

William C. Oldaker
General Counsel

Enclosure

Certification

WCO

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 995

In the Matter of)
Joseph Janosko)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 17, 1979, the Commission determined by a vote of 6-0 to adopt the recommendations as set forth in the First General Counsel's Report dated July 13, 1979 regarding the above-captioned matter:

1. Find no reason to believe a violation has occurred.
2. Send the appropriate letter.
3. Close the file.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, Thomson, and Tiernan.

Attest:

7/17/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in the Office of Commission Secretary: 7-13-79, 11:00
Circulated on 48 hour vote basis: 7-13-79, 2:00

79040155049



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
DATE: JULY 17, 1979
SUBJECT: COMMENTS REGARDING MUR 995

Attached is a copy of Commissioner Aikens' vote sheets with conditions regarding her approval of the proposed letter attached to the First General Counsel's Report dated July 13, 1979 regarding MUR 995.

ATTACHMENTS:
Copy of Vote Sheet

79040155050

43 HOUR TALLY SHEET



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

Date and Time Transmitted: July 13, 1979, 2:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, McGARRY, THOMSON, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: July 17, 1979, 2:00

MUR No. 995 - First General Counsel'd Report dated 7-13-79

- (✓) I approve the recommendation
() I object to the recommendation

COMMENTS: With technical changes in letter:

1. Address to both Mr. and Mrs. Pearson - both complainants.
2. Delete word "as" in first line of 2nd paragraph.

Date: 7/13/79

Signature: J. Aikens

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



July 13, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 995

Please have the attached First GC Report on MUR
995 distributed to the Commission on a 48 hour tally
basis.

Thank you.

7 9 9 9 9 1 3 3 0 5 2

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

75 JUL 13 AM: 00

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

JUL 13 1979

MUR # 995
DATE COMPLAINT RECEIVED
BY OGC 6/17/79

STAFF MEMBER D. Brown

COMPLAINANT'S NAME: H. Edward Pearson
Marilyn Pearson

RESPONDENT'S NAME: Joseph Janosko

RELEVANT STATUTE: 11 C.F.R. §110.11

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

In a notarized complaint dated June 11, 1979, the complainants allege that the respondent may have committed a violation of the regulations of the Federal Election Commission. Complainants are Marilyn Pearson, a former candidate for the 1978 republican nomination for Stratford, Connecticut Judge of Probate and her husband, H. Edward Pearson, principal campaign treasurer.

LEGAL ANALYSIS

Complainants argue that an advertisement found in a local newspaper designated a specific candidate as the "ENDORSED CANDIDATE" and the other as "CHALLENGER" yet the ad failed to indicate the political committee or individual who made the expenditure for the ad.

11 C.F.R. §110.11(a)(1) discusses communications and advertising in pertinent part as follows:

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate through any broadcasting station, newspaper, magazine . . . (emphasis added).

2 U.S.C. §431(f)(1) defines expenditure as follows:

[A] purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of

(A) influencing the nomination for election, or the election, of any person to Federal office
. . . (emphasis added).

It is clear that an expenditure was made for the purpose of financing a newspaper communication expressly advocating the election or defeat of a clearly identified candidate; however, the expenditure was not made to influence the nomination for election, or the election, of any person to federal office as set out in §431(f)(1). Since the expenditure was made to influence the nomination for election to a local non-federal office, the Commission does not have jurisdiction over this complaint.

RECOMMENDATION

1. Find no reason to believe a violation has occurred.
2. Send the appropriate letter.
3. Close the file.

Attachment

Complaint
Letter

S T A T E M E N T

This is to file a formal complaint concerning the possible violation of the Regulations of the Federal Election Commission. JUN 15 1979

This complaint is being filed by Marilyn Pearson, a Primary candidate for the Republican 1978 nomination for Stratford, Connecticut Judge of Probate and H. Edward Pearson, Principle Campaign Treasurer for her campaign.

Enclosed is a political advertisement which we believe violates the Regulations set down by the Federal Election Commission governing political campaigns, in particular, Section 110.11 Communications; Advertising, which was placed in both the September 11, 1978 issue of the Bridgeport Telegram (the morning paper) and the September 11, 1978 issue of the Bridgeport Post (the evening paper), the day before the primary election.

As you will notice, the advertisement designates a specific candidate as the "ENDORSED CANDIDATE" and the other as "CHALLENGER" - yet, does not show the name of the political committee or individual who paid for the advertisement.

As there is no such candidate designation on Connecticut's voting machines as to who is the "Endorsed Candidate" and who is the "Challenger" this would seem to constitute a deliberate attempt to promote the political candidacy of F. Paul Kurmau, with Stratford taxpayers money being used to pay for the advertisement by the Stratford Republican Registrar of Voters, Joseph Janosko. It is our understanding that it is the person who wins the primary who becomes the legal endorsed candidate.

When the advertisement appeared in the Bridgeport morning newspaper (the Bridgeport Telegram) on September 11, 1978, Mrs. Pearson called the newspaper and pointed out to the person in charge of ad placement that she considered the advertisement to be in violation of F.E.C. Regulations and requested that the ad be removed from the evening newspaper (The Bridgeport Post). Although, she called at 10:00 A.M., a full hour before the 11:00 A.M. deadline for changes in the evening edition of the newspaper, it was not removed - and subsequently appeared in the evening edition of the newspaper.

We should also point out that on the same morning that the advertisement first appeared, Mrs. Pearson telephoned Michael Brown, the Stratford Town Manager and the Stratford Registrar of Voters Office and requested that the advertisement be removed because Stratford taxpayers money was being used to pay for a political advertisement that was improperly identified. All of these parties which she contacted refused to do anything to have the advertisement removed from the newspaper.

902722

Marilyn Pearson

Marilyn Pearson
605 Light Street
Stratford, Conn. 06497

H. Edward Pearson

H. Edward Pearson
605 Light Street
Stratford, Conn. 06497

Subscribed and sworn to before me this 11th day of June, 1979.

Margaret A. [Signature]
Notary Public

To Provide all the hot Water Your
Family Needs . . . Or Your Money Back!

TELEPHONE
334-3332

Includes Normal
Installation and
Finance
Charges!

\$1.00 per day
for one year

Includes a Finance Charge Computed by
annual percentage rate of 12%. This offer
for a limited time only.

were accepted this year.

Barrell said a new pro-
gram on alternative
energy technology will in-
clude some nuclear power
studies, but also will have
courses in energy conser-
vation, solar energy and
other energy sources.

Barrell hopes to open
the program next fall.

ATTENTION

STRATFORD REGISTERED REPUBLICANS

PRIMARY

to be held

SEPTEMBER 12, 1978
12 Noon to 8 P.M.

POLLING PLACES

DISTRICT	SCHOOL
1B-120 & 2-120	Birdseye School
3 -120	Center School
6 -120	Wooster Junior High School
7 -120	Wilcoxson School
8A-120, 8B-120 & 9-120	Eli Whitney School
1A-121	Lordship School
1B-121 & 2-121	Honeyspot School
3 -121 & 6-121	Garden School
4 -121	Franklin School
5 -121	Nichols School
10-121, 10-122 & 5-122	Second Hill Lane School
6 -122 & 9-122	Bunnell High School
8A-122	Chapel School

REPUBLICAN NOMINATION FOR JUDGE OF PROBATE

ENDORSED CANDIDATE
F. PAUL KURMAY

CHALLENGER
MARILYN PEARSON

For information call Stratford Town Hall
375-3321 — Ext. 204

Joseph M. Janosko, Jr.
Republican Registrar of Voters

BRIDGEPORT TELEGRAM, MONDAY, SEPTEMBER 11, 1978

7 7 7 4 3 1 3 5 0 5 6

ATTENTION

STRATFORD REGISTERED REPUBLICANS

PRIMARY

to be held

SEPTEMBER 12, 1978
12 Noon to 8 P.M.

POLLING PLACES

DISTRICT

1B-120 & 2-120
 3 -120
 6 -120
 7 -120
 8A-120, 8B-120 & 9-120
 1A-121
 1B-121 & 2-121
 3 -121 & 8-121
 4 -121
 5 -121
 10-121, 10-122 & 5-122
 6 -122 & 9-122
 8A-122

SCHOOL

Birdseye School
 Center School
 Wooster Junior High School
 Wilcoxson School
 Eli Whitney School
 Lordship School
 Honeyspot School
 Garden School
 Franklin School
 Nichols School
 Second Hill Lane School
 Sunneil High School
 Chapel School

REPUBLICAN NOMINATION FOR JUDGE OF PROBATE

ENDORSED CANDIDATE

F. PAUL KURMAY

CHALLENGER

MARILYN PEARSON

For information call Stratford Town Hall

375-3621 — Ext. 234

Joseph M. Janosko, Jr.

Republican Registrar of Voters

ATTENTION 128th DISTRICT DEMOCRATS

INNA CELL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. H. Edward Pearson
605 Light Street
Stratford, Connecticut 06497

Dear Mr. Pearson:

The Federal Election Commission has received the allegations of your complaint dated June 11, 1979 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Specifically, the "expenditure" which as you allege expressly advocates the election or defeat of Marilyn Pearson, must be made for the purpose of influencing the nomination for election, or the election, of any person to Federal office as provided in 2 U.S.C. §431(f)(1) of the Act. In this case, Marilyn Pearson was not a candidate for Federal office.

Accordingly, upon my recommendation, the Commission intends to close its files in this matter for lack of jurisdiction. A copy of the Commission certification is enclosed for your information.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Certification





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

June 18, 1979

Mr. H. Edward Pearson
605 Light Street
Stratford, Connecticut 06497

Dear Mr. Pearson:

This is to acknowledge receipt of your complaint of June 11, 1979, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "Hal Ponder".

Hal Ponder
Assistant General Counsel

Enclosure

S T A T E M E N T

This is to file a formal complaint concerning the possible violation of the Regulations of the Federal Election Commission.

JUN 15 1978

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902722

Marilyn Pearson

Marilyn Pearson
605 Light Street
Stratford, Conn. 06497

H. Edward Pearson

H. Edward Pearson
605 Light Street
Stratford, Conn. 06497

Subscribed and sworn to before me this 11th day of June, 1978.

Margaret W. Day
Notary Public

Guaranteed

To Provide all the Hot Water Your Family Needs . . . Or Your Money Back!

**TELEPHONE
334-5532**

Includes normal
Installation and
Finance
Charges!

**\$1.00 per day
for one year**

Includes a Finance Charge Computed by
annual percentage rate of 12%. This offer
for a limited time only.

were accepted this year.

Barrell said a new program on alternative energy technology will include some nuclear power studies, but also will have courses in energy conservation, solar energy and other energy sources.

Barrell hopes to open the program next fall.

ATTENTION

STRATFORD REGISTERED REPUBLICANS PRIMARY

to be held
SEPTEMBER 12, 1978
12 Noon to 8 P.M.

POLLING PLACES

DISTRICT

1B-120 & 2-120
3 -120
6 -120
7 -120
8A-120, 8B-120 & 9-120
1A-121
1B-121 & 2-121
3 -121 & 6-121
4 -121
5 -121
10-121, 10-122 & 5-122
6 -122 & 9-122
8A-122

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Center School
Wooster Junior High School
Wilcoxson School
Eli Whitney School
Lordship School
Honeyspot School
Garden School
Franklin School
Nichols School
Second Hill Lane School
Bunnell High School
Chapel School

REPUBLICAN NOMINATION FOR JUDGE OF PROBATE

ENDORSED CANDIDATE

F. PAUL KURMAY

CHALLENGER

MARILYN PEARSON

For information call Stratford Town Hall
375-5021 — Ext. 234

Joseph M. Janosko, Jr.
Republican Registrar of Voters

BRIDGEPORT TELEGRAM, MONDAY, SEPTEMBER 11, 1978

7 9 0 4 0 1 3 5 0 6 1

ATTENTION

STRATFORD REGISTERED REPUBLICANS

PRIMARY

to be held

SEPTEMBER 12, 1978

12 Noon to 8 P.M.

POLLING PLACES

DISTRICT

1B-120 & 2-120
3 -120
6 -120
7 -120
8A-120, 8B-120 & 9-120
1A-121
1B-121 & 2-121
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4 -121
5 -121
10-121, 10-122 & 5-122
6 -122 & 9-122
8A-122

SCHOOL

Birdseye School
Center School
Wooster Junior High School
Wilcoxson School
Ell Whitney School
Lordship School
Honeyspot School
Garden School
Franklin School
Nichols School
Second Hill Lane School
Bunnell High School
Chapel School

REPUBLICAN NOMINATION FOR JUDGE OF PROBATE

ENDORSED CANDIDATE

F. PAUL KURMAY

CHALLENGER

MARILYN PEARSON

For information call Stratford Town Hall

375-5621 — Ext. 234

Joseph M. Janosko, Jr.

Republican Registrar of Voters

ATTENTION 128th DISTRICT DEMOCRATS

INNACELL

PEARSON
605 LIGHT ST.
STRAFFORD
CONN. 06427

JUN 15 12 51

RETURN RECEIPT
REQUESTED

CERTIFIED

No. 707251

MAIL

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
ATTENTION: COMPLIANCE SECTION

1325 K STREET, NORTHWEST
WASHINGTON,
D.C. 20463

