

CHUDACOFF & LIEBZEIT, L.L.P.  
Attorneys at Law  
512 West College Avenue  
Appleton, Wisconsin 54911-5889

L.H. CHUDACOFF (1932-1978)  
BRUCE CHUDACOFF  
LARRY LIEBZEIT  
-----  
ROCHELLE LOEWENHAGEN  
PARALEGAL

TELEPHONE  
(920) 739-6307  
FAX  
(920) 739-3019

September 13, 2000

Antoinette Kitchen  
Federal Election Commission  
Washington DC 20463

Identification Number: C00140350  
RE: Mid-Year Report (1/1/99-6/30/99)  
Toby Roth For Congress 1996

Dear Ms. Kitchen:

I have received your letters of August 30, 2000 and reviewed them with the treasurer of the committee. I am unable to provide final answers to all of your questions, but will give you the information I have at this time and also provide you with information as to what steps we are taking to complete the requests that you wish responses to.

First of all, I am enclosing a copy of Form 1M, the Notification of Multi-Candidate Status. Please note that this form was sent to the FEC on or about August 11, 1998. It indicates that as of April 23, 1998, the committee was a multi-candidate committee. Although the heading on the Form 1M says Toby Roth For Congress Committee, the title that has been used in the reports has been Toby Roth For Congress 1996 Committee. This is one and same committee.

You have requested information on a Schedule D which was on a number of reports and was ultimately omitted. The Schedule D related to a disputed charge for media services which was incurred in January 1991 with a company known as Patrick Garvey (Garvey) d/b/a Marketlink. The company ceased doing business with Mr. Garvey (Garvey) approximately two to three years after that time and was sold to a third party.

In the State of Wisconsin the Statute of Limitations on contract claims is found in sec. 893.43. It is a six-year Statute of Limitations. Under the Wisconsin Statute of Limitations, the disputed debt was extinguished in 1997. It was carried for a longer period of time on campaign reports, but the creditor was no longer able to seek reimbursement of the disputed debt after January 1997. Therefore, I have taken the position that it is extinguished under the law and no longer needs be carried as a disputed debt in our campaign reports.

RECEIVED  
FEC MAIL ROOM  
2000 SEP 18 A 10:52

You have indicated that the reports for 1991 have schedules A and B which are not approved forms. They were generated by our computer and my understanding is that they had previously been approved forms by the FEC. Apparently approval may have been withdrawn at some time. Although the reports have all been filed on what we believed to be appropriate and approved forms, I am submitting the blank Schedules A and B that we used and requesting FEC approval for them. As you are of course aware, these forms provide all of the information which is sought to be produced. The computer that was in use by our committee in 1999 was unable to generate any other forms.

You have requested that we provide you with amended Schedule Bs indicating the office for which contributions were made in the mid-year report for 1999, in the year-end report for 1999, the April quarterly report for 2000 and the July quarterly report for the year 2000. The committee does not have this information in its possession and I am in the process of requesting it from Toby Roth. As soon as we have it we will provide it in an appropriate manner.

In each of your letters concerning the four reports, you have raised a question about administrative expenses. The committee itself has no expenses for operating purposes. The volunteer time involved is all donated. The disbursements that we list for administrative purposes are the expenses of postage, travel when Toby Roth has engaged in consultations and campaign work for various party functions and such things as income taxes, computer repair, the cost of maintaining credit cards and lodging. If these expenses are not appropriately reported, please inform me as to what the error is. In the event that we have paid more than \$200.00 to an individual, it would have been Toby Roth and would have been disclosed on Schedule B.

It appears to me that the information on Line 21A of the 1999 mid-year report should be on Line 21B. My intention is to obtain the appropriate information for complete amendment to all of the reports and make that change at that time.

You indicate that you are requesting information about Comite Roberto Prats 2000. This apparently is a committee for a Puerto Rican election. I do not know yet the specifics of it, but will give you further information when I obtain it. The Shawano County Republican Party is not a federal committee and we will make that amendment.

With respect to the 1999 year-end report, the Robert Wise for Governor contribution is for a state committee and this will be amended. The Bill McCollum for Governor is actually Bill McCollum for Congress and I understand that this was a U.S. Senate race.

With respect to the April 2000 quarterly report, we will provide a Schedule A. The entry relates to a check that was issued to the National Republican Congressional Committee on February 25, 1999 in the amount of \$1000.00. It was never cashed and after one year we determined it to be appropriate to recredit it to the committee. When we make the other adjustments we will show that.

You asked about Sila 2000, Roberto Prats Palmero 2000 and Willie 2000. Again, these are all Puerto Rican committees. Gramms for Senate is Rod Gramms and I believe this is a Minnesota U.S. Senate campaign. Russell Schmidt for Mayor belongs on Line 29 and will be taken care of

when the amendments are made.

With respect to the July 2000 report, you indicate that several contributions are after the primary election. We will redesignate them as general election payments.

The last two reports should have been original reports. I do not know what that did not happen, but we will see to it that when the amendments are made you will have original signed documents.

If you have any questions or suggestions for other action with respect to these reports, please let me know as soon as possible.

Very truly yours,



Bruce Chudacoff

BC/mjs

Enc.

cc: John Hennessy

Toby Roth

# NOTIFICATION OF MULTICANDIDATE STATUS

RECEIVED  
FEC MAIL ROOM

(See reverse side for instructions)

This form should be filed after the Committee qualifies as a multicandidate committee.

2000 SEP 18 A 10:52

1. (a) NAME OF COMMITTEE IN FULL  
Toby Roth for Congress Committee

(b) Number and Street Address  
512 West College Avenue

(c) City, State and ZIP Code  
Appleton, WI 54911

2. FEC IDENTIFICATION NUMBER  
060297 C00140350

3. TYPE OF COMMITTEE (check one)  
 STATE PARTY  
 OTHER

I certify that one of the following situations is correct (complete line 4 or 5):

4. **STATUS BY AFFILIATION:** The committee submitted its Statement of Organization (FEC FORM 1) on \_\_\_\_\_ and simultaneously qualified as a multicandidate committee through its affiliation with:

Committee Name: \_\_\_\_\_  
FEC Identification Number: \_\_\_\_\_

5. **STATUS BY QUALIFICATION:**

(a) **Candidates:** The committee has made contributions to the five (5) federal candidates listed below (ONLY State party committees may leave this blank.):

	Name:	Office Sought:	State/District:	Date:
(i)	Sam Gadjenson	House	CT/02	4/15/98
(ii)	Ben Gilman	House	NY/20	4/23/98
(iii)	Kit Bond	Senate	MO	2/28/98
(iv)	Mark Foley	House	FL/16	2/28/98
(v)	Don Manzullo	House	IL/16	4/4/98

(b) **Contributors:** The committee received a contribution from its 51st contributor on: 1978

(c) **Registration:** The committee has been registered for at least 6 months. FEC FORM 1 was submitted on: 1978

(d) **Qualification:** The committee met the above requirements on: 4/23/98

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER John Hennessy	SIGNATURE OF TREASURER <i>J. Hennessy</i>	DATE 8/11/98
--	--	-----------------

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 15 DAYS.

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE  
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> First Class Mail	POSTMARKED 9-13-02
<input type="checkbox"/> Registered/Certified Mail	POSTMARKED (R/C)
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> Received from the House office of Records and Registration	Date of Receipt
<input type="checkbox"/> Received from the Senate Office of Public Records	Date of Receipt
<input type="checkbox"/> Other ( Specify):	Postmarked and/or Date of Receipt
<input type="checkbox"/> Electronic Filing	
 <i>SMU</i> PREPARER	 9-18-02 DATE PREPARED