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# JONES, WALDO, HOLBROOK & McDONOUGH

A PROFESSIONAL CORPORATION

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SHEEKS & RAWLINS 1875  
RAWLINS & CRITCHLOW 1891  
RAWLINS, THURMAN, WEDGEWOOD & HURD 1897  
RAWLINS, RAY & RAWLINS 1907  
INGEBRETSEN, RAY & RAWLINS 1929  
INGEBRETSEN, RAY, RAWLINS  
& CHRISTENSEN 1941  
INGEBRETSEN, RAY, RAWLINS & JONES 1946  
RAY, RAWLINS, JONES & HENDERSON 1949

September 17, 1984

OF COUNSEL  
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265 EAST 100 SOUTH  
SUITE 200  
VERNAL, UTAH 84078  
TELEPHONE (801) 781-1600

IN REPLY REFER TO:

St. George

Mr. Michael Dever  
White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

Re: Rocky IV

Dear Mr. Dever:

It appears as though our well intentioned effort to expose my version of Rocky IV to Sylvester Stallone is going to result in litigation. MGM/UA and Sylvester Stallone apparently feel that they can use my material with impunity and are refusing to compensate or credit me for the work in any way.

Several letters have gone back and forth between my attorney and the attorneys for Stallone and MGM/UA. In appreciation of your offer and well intentioned assistance in this matter, I am trying to avoid this dispute from developing to the point where you may be required to testify. Much of what we do at this point, however, will be dictated by the responses we receive from the other side on the matter.

Michael Dever  
September 17, 1984  
Page two

The simplest solution to the problem would be for me to be compensated for the contribution that I have made to the Rocky IV project at this point, rather than have the entire matter engulfed in litigation.

If you have any questions or concerns, please let me know.

Respectfully,

  
Timothy B. Anderson

TBA:jj  
CC: Richard Worthlin  
W. Robert Wright

THE WHITE HOUSE

WASHINGTON

March 8, 1984

*File*

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT AND  
DEPUTY CHIEF OF STAFF

FROM: FRED F. FIELDING *[Signature]*  
COUNSEL TO THE PRESIDENT

SUBJECT: President and Mrs. Reagan's Annual  
Financial Disclosure Report

As you know, President and Mrs. Reagan must file no later than May 15, 1984 their annual Financial Disclosure Report. Although that deadline is two months away, we have begun the preparation of the gift portion of that report, and have been in contact with Roy Miller regarding preparation of those portions of the report regarding President and Mrs. Reagan's assets, income, liabilities, etc.

We will keep you advised of our progress and ultimately, of course, will call for your assistance in finalizing our drafts.

THE WHITE HOUSE  
WASHINGTON

January 31, 1984

*I want to  
discuss  
with FF  
re AFLE-CID*

MEMORANDUM FOR THE SENIOR STAFF

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: Communications with  
"Independent Expenditure Committees"

Prior to the President's announcement of his candidacy for re-election, several political committees announced their intentions to make "independent expenditures" on behalf of the President if he became a candidate for re-election. Such statements were made by the National Conservative Political Action Committee (NCPAC) and The Fund for a Conservative Majority (FCM); additionally, we have been advised that a committee called Americans for Reagan has been formed as an independent expenditure committee.

An independent expenditure is defined as

. . . an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate. [2 U.S.C. § 431(17) (emphasis added).]

The Federal Election Commission ("FEC") has interpreted the elements that preclude the existence of an independent expenditure broadly. Indeed, in response to complaints questioning the existence of "consultation, coordination, cooperation or control" between the 1980 Reagan-Bush Committee and various independent expenditure committees, the FEC made "factual inquiries" and pursued enforcement proceedings against the political committees involved for nearly two and one-half years before determining that no further action with respect to such allegations was required.

As members of the President's staff, you (and possibly members of your staffs) are potential "agents" of Reagan-Bush '84, the authorized campaign committee of the President. Accordingly, I must recommend that you avoid any substantive political communications with any officers, employees or key supporters of NCPAC, FCM and Americans for Reagan until after the 1984 general elections. To do otherwise is to invite an FEC

"factual review" of all communications between members of the President's staff and these committees. Additionally, if any other "independent expenditure" committees are established on behalf of the President, you should adhere to this same restriction on communications with such groups.

The above restrictions on individual speech are abhorrent to my personal views of First Amendment freedoms. In light of the FEC's interpretations of the Federal election laws relating to independent expenditures, however, and in the interest of avoiding the possibility of FEC review of potential allegations (however groundless) questioning communications between White House staff and members of independent expenditure committees which may work on behalf of the President, I must request that you adhere to these guidelines.

If you have any questions with respect to this matter, please do not hesitate to contact my office.

THE WHITE HOUSE  
WASHINGTON

*Send to  
RR of NTR*

February 15, 1984

MEMORANDUM FOR MICHAEL K. DEEVER  
ASSISTANT TO THE PRESIDENT  
DEPUTY CHIEF OF STAFF

FROM: FRED F. FIELDING   
COUNSEL TO THE PRESIDENT

SUBJECT: Television Coverage of the Reagans  
at the Ranch

You have asked for a response from this office as soon as possible to the question whether the television networks invade the Reagans' privacy when they film them at the ranch, using telephoto equipment located off the ranch. An expedited review of the question leads me to conclude that this practice of the networks does not violate any legal right of the President and First Lady.

California, like most states, recognizes the tort of invasion of privacy. The legal right to privacy includes the right to live one's life in seclusion, free from unwarranted and undesired publicity. The California courts have held, however, that this right generally does not apply to public officials or public figures. In the case of such individuals, the right to privacy must yield to the public interest in the dissemination of news and information, and courts are likely to consider any activity of the Reagans -- even relaxation at the ranch -- to constitute "news." Quite apart from this public official/public figure limitation on the right to privacy as recognized in California, the media could raise constitutional defenses based on the First Amendment to any tort action for invasion of privacy brought by the Reagans.

The network practice of using telephoto equipment to film the Reagans' activities at the ranch, from a location off the ranch, may violate norms of common decency and consideration. The practice does not, however, violate any legal rights, and I hold no hope that the Reagans would prevail in any legal action against the networks.

THE WHITE HOUSE

WASHINGTON

February 14, 1984

*file*

MEMORANDUM FOR THE HEADS OF ALL DEPARTMENTS AND AGENCIES

FROM: FRED F. FIELDING *[Signature]*  
COUNSEL TO THE PRESIDENT

SUBJECT: 18 U.S.C. § 603

Section 603 of title 18 makes it a felony for any officer or employee of the United States to give a political contribution to any other officer or employee of the United States who is the "employer or employing authority" of the contributor. \*/ Although the issue is not free from doubt, this provision may prohibit any Federal employee from contributing to the authorized campaign committee of the President (Reagan-Bush '84).

Although such interpretation \*\*/ would raise grave constitutional concerns, prudence requires that any ambiguity in the language of this statute be resolved against placing any Presidential appointee or other Federal employee in the position of inadvertently violating Federal law. Hence, in the absence of any judicial interpretation of this provision or any legislative clarification of it, all Federal employees should be advised that this statute may preclude them from contributing to Reagan-Bush '84, the authorized campaign committee of the President.

I regret that such advice may inhibit Federal employees from the full exercise of their First Amendment rights; nevertheless, in the interest of maintaining strict compliance with all Federal statutes, every Federal employee should be made aware of the language and potential restrictions of this statutory provision.

Your cooperation in disseminating this advice will be greatly appreciated.

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\*/ The terms "contribution" and "authorized committee" are used as they are defined in the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §§ 431(8) and 432(e)(1).

\*\*/ This interpretation would be personal to the employee only, and would not apply to his or her spouse or family, and would be applicable only to contributions to Reagan-Bush '84.