

# GOTHAM

201 E. 42nd Street  
New York, NY 10017  
212 599 0520  
Fax 212 983 4588

## BY REGULAR MAIL

April 13, 2004

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2004 APR 20 A II: 02

Jeff S. Jordan, Esq.  
Supervisory Attorney  
Complaints Examination & Legal Administration  
Federal Election Commission  
999 E. Street N.W.  
Washington, D.C. 20463

RE: MUR 5431

Dear Mr. Jordan:

I write on behalf of Gotham Construction Company, LLC ("Gotham"). On March 31, 2004 Gotham received your letter in connection with the above-referenced complaint. The complaint alleges that approximately 40 entities violated the Federal Election Campaign Act (the "Act") by being corporations that contributed to "Citizens for Tracy E. Boyland". The Gotham contribution amount at issue is \$2000.

Gotham is a limited liability company and has not elected to be treated as a corporation under the Internal Revenue Code. Because Gotham is taxed as a partnership and not a corporation, it is my understanding that Gotham is not prohibited from making otherwise legal contributions to Federal campaigns. However, after receiving your letter, to avoid any confusion and the risk of violating the Act, Gotham requested and received a refund from the Boyland campaign. A copy of the refund check is attached.

Gotham respectfully requests that no penalty be assessed against it. If I can provide you with any additional information, please let me know. Thank you.

Sincerely,

  
Christopher Jaskiewicz  
Vice President and General Counsel

STATEMENT OF DESIGNATION OF COUNSEL

MUR 5431

**NAME OF COUNSEL:** Christopher Jaskiewicz, Esq.

**FIRM:** Gotham Construction Company, LLC  
General Counsel

**ADDRESS:** 201 E. 42<sup>nd</sup> Street, 26<sup>th</sup> Floor  
New York, NY 10017

**TELEPHONE:** (212) 599-0520

**FAX:** (212) 599-0917

**The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.**

Joel I. Picket

Print Name

4/13/04

Date

Signature

Coo

Title

**REPONDENTS NAME:** Joel I. Picket

**ADDRESS:** Gotham Construction Company, LLC  
Chairman  
201 E. 42<sup>nd</sup> Street, 26<sup>th</sup> Floor  
New York, NY 10017

**BUSINESS:** (212) 599-0520