



Federal Election Commission
Washington, DC 20463

January 13, 2005

Steven R. Newmark, Esq.
1 Greene Street
Jersey City, NJ 07302

Re: ADR 206 (MUR 5462)

Dear Mr. Newmark:

On June 16, 2004, the Federal Election Commission ("Commission") notified Steven Fulop for Congress and Dave Lankelvich, Treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents Steven Fulop for Congress and Dave Lankelvich, Treasurer. In its memorandum to the Commission, dated December 20, 2004, this office stated:

ADR 206/MUR 5462: The complaint alleges that candidate Steven Fulop failed to file his Statement of Candidacy designating a principal campaign committee within fifteen (15) days of receiving or disbursing \$5,000 as required by statute. In addition, the complaint alleges that the Reform Democratic Organization of Jersey City made in-kind contributions to Fulop that were not reported as required. Candidate Fulop contends that he did, in fact, file the Statement of Candidacy designating Steven Fulop for Congress, Inc. as his principal campaign committee and Dave Lankelevich as Treasurer within the time mandated by the FECA, after meeting the threshold of \$5,000 in contributions or expenditures on May 20, 2004. He further contends that he filed the Statement of Organization at the same time. The Reform Democratic Organization of Jersey City stated that it made no in-kind contributions to Fulop as the signs posted stated to support "the Cunningham Team" or "the Column B Democratic Team" which was comprised of over 400 candidates for a variety offices.

Accordingly, the Commission closed its file in this matter on January 7, 2005.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the

Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1665.

Sincerely,

Lynn M. Fraser
Assistant Director, ADR Office