

To: Retha Dixon, Federal Election Commission

From: Scott C. Johnston

Re: Complaint Against Michael Jaliman

Date: October 5, 2004

Please find enclosed my complaint, hopefully executed properly this time. Thank you.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 OCT 12 11:25

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October 5, 2004

SENSITIVE

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR # 5561

Re: Michael Jaliman for US House of Representatives (C00404327), New York (19)
financial disclosure violation, disclaimer language violation, failure to file and distribute
statement of candidacy in accordance with millionaire's amendment.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 OCT 12 11:25

Dear General Counsel:

It is my opinion that Michael Jaliman, candidate for Congress in the 19th Congressional
District of New York, and candidate committee "Michael Jaliman for US House of
Representatives" has, and continues to purposely and egregiously violate Federal
Election Campaign. I strongly urge you to consider the following facts, which clearly
support these claims.

During the New York State 2004 primary election the Jaliman campaign produced a web
site, produced and distributed at least two direct mail pieces and placed multiple pre-
recorded phone messages in New York's 19th Congressional district. As you know,
Federal law states that an individual becomes a candidate for federal office—and thus
triggers registration and reporting under the Act—when campaign activity exceeds
\$5,000 in either contributions or expenditures. The Jaliman primary campaign activity
appears to have at least reached this threshold, but to date the campaign has not filed any
financial reports with the FEC.

As you know, any public communication made by a political committee, even those that
do not contain a solicitation or express advocacy, must include a disclaimer. The
aforementioned website and direct mailings have not included the "paid for" disclaimer
language on its communications. This is yet another violation of Federal Campaign law
by the candidate and his campaign.

The Jaliman campaign has been actively involved in a federal campaign, exceeded the
\$5000 threshold, has yet to file a statement of candidacy with the Commission as well as
distribute said statement in accordance with the millionaires amendment.

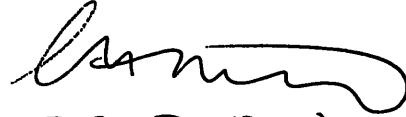
Attached are copies of the mail pieces that were distributed by the Jaliman campaign, a
tape of the automated calls and a print out of the campaign web site. All of these items
have a cost to associated with their production and distribution, as well as, require proper
"paid for" disclaimer language.

Based on the facts outlined, I respectfully request an investigation into these violations of

EXHIBIT

Campaign Finance Law. I look forward to your prompt attention to these matters.

Sincerely,



SCOTT C. JOHNSTON

State of New York
County of Westchester : ss:

Subscribed and sworn to before me this ^{5th} day of October, 2004, before me,
personally appeared Scott C. Johnston, to me known and known to me to be the individual
described therein, and who executed the foregoing instrument, and acknowledged to me
that he/she executed the same.


Notary Public

Michael J. Neary
Notary Public, State of New York
No. 02NE063421
Qualified in Westchester County
Commission Expires Nov. 12, 2006

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