

August 25, 2006

Lawrence H. Norton, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

MUR # 5801

FEC
CIVIL
LITIGATION
2006 AUG 28 A 10:30 AM

Re: Complaint Against Dave Mejias, Mejias for Congress, and Michael G. Norman, treasurer

Dear Mr. Norton:

Mr. William Thomas respectfully files this complaint against Mejias for Congress. Mr. William Thomas is located at 126 Miller Road, Hicksville NY 11801.

I. BACKGROUND

Mejias for Congress (Michael G. Norman, treasurer) is the principal campaign committee for Democratic candidate Dave Mejias, who is running to represent the Third Congressional District of New York in Congress. Mejias is a lawyer, runs his own law practice, and includes among his specialties personal injury and criminal law. Like most politicians, he takes credit for cleaning up waste, fraud and abuse at the county level.

Even though the committee only recently filed its Statement of Organization on May 23, 2006, it has already received two Requests for Additional Information from the Commission. Its quarterly report that was due on July 15, 2006 was not filed until July 19, 2006. Even though he could not manage to find the time to file his FEC report on time, he nonetheless managed to issue a press release on July 18, 2006. This press release bragged about his campaign fundraising prowess. www.daveforamerica.com/campaign_nnews.php, 7/18/06 press release, "In only six weeks, Mejias raises \$235 for race against King."

II. ANALYSIS

A. Mejias for Congress Has Accepted Corporate Contributions.

There is reason to believe that Mejias for Congress accepted illegal corporate funds. The Federal Election Campaign Act of 1971, as amended, (the Act) and Commission regulations prohibit Federal campaigns from accepting corporate general treasury funds. 2 U.S.C. § 441(b); 11 CFR § 114.2; 11 CFR § 114.5. The Commission has taken a dim view, and imposed significant fines, for the use of corporate money in connection with Federal elections. See MUR 5020 (Respondent Gormley for Senate Primary Election Fund, et al, total civil penalty of \$115,000) and MUR 5573 (Respondent Westar Energy, Inc., et al, total civil penalty of \$40,500).

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Mejias for Congress' acceptance of corporate funds is established on the face of their public disclosure reports filed with the Commission. For example, on its quarterly report (filed in July of 2006),¹ Mejias disclosed contributions from the following apparently corporate entities:

• Fairway Estates	\$250
• Gibbons Del Deo Dolan Griffinger & Vecchione	\$750
• Huntington Medical Rehab	\$500
• South Shore Medical & Rehab	\$500

By accepting these corporate contributions,² Mejias for Congress blatantly violated one of the central purposes of the Act: the prevention of the use of corporate money in Federal elections. In light of the seriousness with which the Commission has treated such violations in the past, the Commission must fully investigate these corporate contributions to Mejias for Congress. At a minimum, these corporate contributions should warrant full disclosure of any corporate contributions received by Mejias for Congress, and the Commission should penalize Majies for Congress accordingly.

B. Mejias for Congress Failed to Report Required Information on 85% of his Contributors.

In addition to accepting corporate campaign contributions in violation of the Act and Commission regulations, Mejias for Congress has also run afoul of another central tenet of Federal law: public disclosure. In pertinent part, 2 U.S.C § 432(c)(2) requires the treasurer of an authorized committee to prepare, keep current, and preserve account records containing the name and address of any person who makes any contribution in excess of \$50 (or \$200 in aggregate per year), together with the date and amount of such contribution. Further, Schedule-A (FEC Form-3) specifically requires the treasurer list each contributor's employer and occupation. Moreover, treasurers are required to make their "best efforts" to obtain and report this information. 2 U.S.C. § 432(i); 11 CFR § 104.7.

The reports filed by Mejias for Congress lack the required information about his contributors. In fact, he is missing the occupation and employer for about 85% of his contributors. This is inadequate to a degree that ought to prompt a full scale field audit by the Commission. At a minimum, Mejias ought to be investigated, and forced to provide some sort of explanation as to why his reports lack such basic information. Moreover, in its August 15, 2006 Request for Additional Information, the Commission already indicated that "the identification in not complete." *See* 8/15/06 RFAI (available at www.fec.gov). Finally, even a cursory review of his website reveals improper disclaimers, and a lack of the required "best efforts" request for contributor information. *See* www.daveforamerica.com (main page and contribution pop-up).

C. Mejias Failed to Allocate Partnership Contributions.

Partnerships may make campaign contributions to federal candidates, subject to limits. Campaign contributions made by partnerships must be attributed to each contributing partner and the portion attributed to each partner must not exceed the individual partner's contribution limit. 11 CFR § 110.1(e).

¹ This report was filed late, and will inevitably be subject to an automatic administrative fine. Nonetheless, the fact that the report, due on July 15, 2006, was not filed until July 19, 2006, is a violation in and of itself. In light of Mejias' other violations, and the fact that he apparently found it more important to issue a press release on July 18 instead of getting his FEC report filed on time, Mejias' late filing also warrants an investigation by the Commission.

² Given what appears on Mejias' own reports, it is likely that such contributions came about by some form of improper corporate facilitation.

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Mejias' July FEC report lists at least six campaign contributions from six partnerships. The reported contributions are as follows:

• Brosnan & Hegler LLP	June 29, 2006 \$250
• Cameron Engineering & Associates LLP	June 29, 2006 \$500
• Cannon & Acosta LLP	June 06, 2006 \$1,000
• Costella & Gordon LLP	June 22, 2006 \$500
• Crowe Deegan LLP	June 29, 2006 \$3,000
• Davis & Venturini	June 14, 2006 \$1,000

Despite the receipt of these contributions, Mejias failed to allocate the partnership contributions among the partners. Mejias' failure to properly attribute the contributions creates a suspicion that Mejias is purposefully circumventing the disclosure laws. Whether a particular individual has exceeded Federal limits (perhaps a partner in one of the entities has already made a maximum contribution to Mejias, or even worse, perhaps a corporate entity is a part of the partnership, an increasingly common occurrence), the general public will never know. Thus, an investigation is warranted.

D. Mejias Failed to Attribute Campaign Contributions From Limited Liability Companies (LLC).

Further investigation is also required of the campaign contributions made by limited liability companies (LLC) to Mejias. As is the case with the partnership contributions, an investigation is necessary to determine whether such LLC contributions are from prohibited sources and to ensure individual contributors do not exceed the proscribed limits. Mejias received contributions from the following LLCs:

• 213 School Street LLC	June 29, 2006 \$250
• Advanced Orthopaedics	June 30, 2006 \$1,000
• Cayre North Hills LLC	June 29, 2006 \$2,000
• Country Glen LLC	June 29, 2006 \$250
• Edelman Krasin & Jaye PLLC	June 30, 2006 \$500
• Great Gardens LLC	June 30, 2006 \$4,000
• The Bongiorno Law Firm PLLC	June 15, 2006 \$250
• Valeo Partners LLC	June 19, 2006 \$2,500

In preparing its report, Mejias made no effort to comply with 11 CFR § 110.1(g)(5), which, in substance, requires Mejias to disclose how LLC contributions are to be attributed among LLC owners and affirm the contributing LLC is eligible to make the contribution. In effect, 11 CFR § 110.1(g) requires Mejias to treat LLC contributions in a manner similar to contributions from partnerships under 11 CFR § 110.1(e), when the contributing LLC has elected to be treated as a partnership under 26 CFR § 301.7701-3; or, alternatively, as a prohibited corporate contribution when a contributing LLC has elected to be treated as a corporation by the Internal Revenue Service.

Mejias' July reports shows clearly that Mejias has fulfilled none of the requirements of 11 CFR § 110.1(g). It has not made any LLC attributions and it has not affirmed the contributors are eligible to contribute. There is no indication Mejias has made any inquiry into the contributing LLC's tax status so to determine whether it may be accepting a prohibited contribution. All that can be learned from Mejias' report is that it accepted the money.

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By accepting these LLC contributions, Mejias for Congress again contemptuously ignores the Act's central purposes: transparency and full disclosure. The Commission has previously treated such violations seriously and must, like the other Mejias violations, investigate the LLC contributions to Mejias for Congress. The Commission must require Mejias to do nothing less than attribute each LLC contribution and thus help ensure the LLC owners are not exceeding the statutory limits. Furthermore, the Commission must force Mejias for Congress to determine whether it has accepted contributions from an LLC that has elected corporate tax treatment by the Internal Revenue Service, and if so, require Mejias to return such illegal "corporate" contributions.

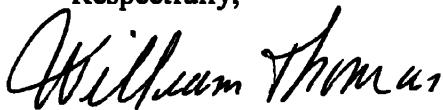
In light of all Mejias for Congress' above cited problems with accounting for its campaign contributions, the Commission also ought to investigate contributions made by County of Nassau, NY officials Kevan Abrahams and Judy Jacobs. Although local campaign committees may contribute to Federal candidates, such funds must be permissible under Federal law. Given Mejias' myriad of questionable contributions, it is likely that these contributions are also problematic.

III. CONCLUSION

Mejias for Congress has, in violation of law, repeatedly accepted and improperly accounted for corporate, partnership, and LLC contributions. Further, in violation of 2 U.S.C. § 432(i) and 11 CFR § 104.7, Mejias for Congress failed to file specifically required information regarding its campaign contributors. Given its chronic failure at reporting basic information, it would appear Mejias' campaign has made no effort to remedy these reporting mistakes or otherwise comply. Mejias' missteps warrant an investigation by the Commission.

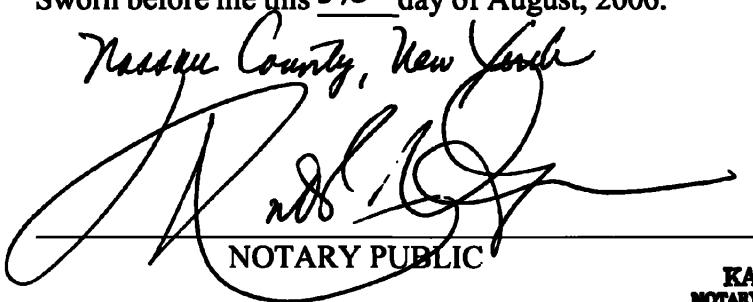
In light of the above violations, we respectfully request the Commission: (1) investigate Mejias for Congress' violations of law; (2) impose a significant penalty against Mejias for Congress; (3) prohibit Mejias for Congress from engaging in similar unlawful conduct in the future; and (4) such other remedies as the Commission finds appropriate.

Respectfully,



William Thomas

Sworn before me this 25 day of August, 2006.



KATHLEEN P. MEYER
NOTARY PUBLIC - STATE OF NEW YORK
QUALIFIED IN NASSAU
NO. 01ME4801573
MY COMM. EXPIRES JULY 20, 2009