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LESHNER, FRANCHINO & COMPANY

Certified Public Accountants

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August 30, 1994

Mr. Bradley N. Litchfield
Office of General Counsel
Federal Election Commission
999 East Street, NW
Washington, DC 20463

AOR 1994-31

Re: Request for advisory opinion
U.S. Congressman Dean Gallo, NJ/11

Dear Mr. Litchfield:

We request an advisory opinion with respect to contributions received for the General Election of 1994 and from which campaign expenses were paid or incurred prior to the withdrawal from the election by Congressman Dean Gallo.

Congressman Gallo filed a Statement of Candidacy on November 3, 1993 and won the Primary Election on June 7, 1994 in New Jersey's Eleventh District. On August 23, 1994, Congressman Gallo announced that he will not seek re-election in November due to prostate cancer, however, he intends to complete his term in the 103rd Congress and retire at the end of the year.

During 1994 and until his withdrawal on August 23, 1994, contributions were received and deposited into his principal campaign committee, Dean Gallo for Congress Committee, that were designated as contributions for the General Election. Additionally, expenditures were made and liabilities incurred for Congressman Gallo's active participation in the General Election.

The committee seeks to use the contributions designated for the General Election to pay for the General Elections's expenses, and if the designated General Election contributions exceed the expenses, it will use them for purposes allowed by a multi-candidate committee, which this committee expects to file for in the near future.

We would appreciate a response to this request as soon as possible.

Respectfully submitted,



Warren J. Leshner
Treasurer

WJL:pe

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