



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

James F. Klein, Ph.D.  
P.O. Box 425  
62 Cranbury Neck Rd.  
Cranbury, NJ 08512

DEC 06 2000

RE: MUR 4991

Dear Dr. Klein:

On March 27, 2000, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over a circular stamp.

Jeff S. Jordan  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

**MUR 4991**  
**ZIMMER 2000 INC.**

James F. Klein, Ph.D., believes that three letters mailed within days of one another by two individuals and Zimmer 2000 Inc. ("the Committee") advocating Dick Zimmer's election were too similar, used the same style of stamp, were mailed from the same town, and may have used the same copying machine. Although one of the letters bore an adequate disclaimer with the Committee's name and , the other two letters, supposedly sent by individuals, had no disclaimer on them. Dr. Klein claims that there are sufficient similarities between the letters to believe they came from a single source. Zimmer won New Jersey's 12 congressional district primary election on June 6, 2000, with 62% of the vote to Mike Pappas' 38%.

The Committee responded that there does not appear to be a violation alleged in the complaint. The Committee states that its letter bore the appropriate disclaimer and that the other letters are from individual delegates written to other delegates, and do not fall under the auspices of the Act or regulations. Further, the Committee responds that the use of the common berry series of stamp and "shadow" on the letters do not allege a violation.

*This matter is less significant relative to other matters pending before the Commission and this complaint failed to indicate serious intent to violate FECA.*