

MUR # 5356

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
)
)
 Bob Franks for U.S. Senate, Inc.) Audit Referral #02-06
 and Brad Muniz, Treasurer;)
 Robert Carvalho;)
 Richard Gardner;)
 Kenneth Fritze;)
 Joseph Jingoli;)
 Russell Rossi;)
 Gail Vernick)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal
Election Commission executive session on March 18, 2003,
do hereby certify that the Commission decided by a vote of
5-0 to take the following actions with respect to Audit
Referral #02-06:

1. Open a MUR in Audit Referral #02-06.

2.

3.

(continued)

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4. Find reason to believe that individual contributors who meet the following criteria violated 2 U.S.C. § 441a(a)(1)(A) and 11 CFR § 110.1(b)(1), but take no further action as to these respondents:

- a) they are referenced on Page 8 of the General Counsel's Report dated March 7, 2003;
- b) after applying the Commission's new curability rules, these individuals have contributed more than twice the amount of the applicable contribution limitation; which would result in 8 respondents per the General Counsel's Office.

5.

6.

7.

8.

(continued)

24.04.03.10.42

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Commissioners Mason, Smith, Thomas, Toner, and Weintraub
voted affirmatively for the decision. Commissioner McDonald
was not present.

Attest:

March 19, 2003
Date

Darlene Harris
Darlene Harris
Deputy Secretary of
the Commission