

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Colorado Democratic Party and Mark
Ferrandino, in his official capacity as
treasurer.

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AUDIT REFERRAL 05-08

MUR # 5702

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on February 03, 2006, the Commission decided by a vote of 6-0 to take
the following actions in Audit Referral 05-08:

1. Open a MUR.
2. Find reason to believe that the Colorado Democratic Party and Mark Ferrandino, in his official capacity as treasurer, misstated receipts, disbursements, cash balances, allocable expenses, and the amount of Debt owed to the non-federal account for calendar years 2001 and 2002, in violation of 2 U.S.C. §§ 434(b)(1), (2), (4) and (8), and 11 C.F.R. § 104.10(b)(4).
3. Find reason to believe that the Colorado Democratic Party and Mark Ferrandino, in his official capacity as treasurer, accepted \$10,000 contribution from the non-federal account of a non-connected political committee, in violation of 2 U.S.C. § 441b.
4. Find reason to believe that the Colorado Democratic Party and Mark Ferrandino, in his official capacity as treasurer, made disbursement for federal activity from a non-federal account containing impermissible funds, in violation of 2 U.S.C. § 441b, 11 C.F.R. §102.5(a) and 11 C.F.R. §106.5(a).

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5. Approve as the Factual and Legal Analysis the Report of the Audit Division on Colorado Democratic Party, dated September 7, 2005, as revised in the cover letter accompanying the Factual and Legal Analysis.
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7. Approve the appropriate letter.

Commissioners Lenhard, Mason, Toner, von Spakovsky, Walther and Weintraub voted affirmatively for the decision.

Attest:

February 3, 2006
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission