



**Federal Election Commission
Washington, DC 20463**

June 30, 2006

Gregory A. Vega, Esq.
Seltzer Caplan McMahon Vitek
750 B Street, Suite 2100
San Diego, CA 92101

Re: ADR 325 (MUR 5705)

Dear Mr. Vega:

On February 10, 2006, the Federal Election Commission ("FEC" or "Commission") notified Max Gelwix of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondent Max Gelwix. In its memorandum to the Commission, dated June 20, 2006, this office stated:

Summary: The Complainant, TheRestofUs.org, contends that Max Gelwix (the "Respondent") violated the aggregate limits, i.e., U.S.C. § 441a(a)(3)(2000) and 11 C.F.R. § 110.5(b)(2002), when he contributed \$25,500 in 2002 to Federal election campaigns and political committees. Complainant's initial complaint maintains that Respondent contributed \$28,000 in 2002, however, a subsequent letter, citing an error in reporting Respondent's total contributions, amended the initial complaint and argues that the accurate amount contributed was \$25,500. Respondent acknowledges that he exceeded the contribution limits applicable at the time when he contributed \$25,500 in 2002 to federal election campaigns. Respondent contends he was unaware of the restrictions placed on aggregate individual contributions by the FECA. Respondent argues that the excessive contributions were an "inadvertent" and "regrettable error" and notes that his contributions since 2002 are consistent with standards outlined in BCRA.

Accordingly, the Commission closed its file in this matter on June 27, 2006.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondent(s) and the Commission, and reports prepared for the

Federal Election Commission, Alternative Dispute Resolution Office
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Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1665.

Sincerely,

Lynn M. Fraser
Alternative Dispute Resolution Office

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FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADR CASE # 325

DATE SCANNED 7/20/06

SCANNER NO. 2

SCAN OPERATOR S.E.G.

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