

RICHARD A. ZIMMER, ESQ.

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Re: MUR 6328

August 19, 2010

Frankie D. Hampton
Office of General Counsel
Federal Election Commission
999 E Street, N.W
Washington, DC 20463

Dear Ms. Hampton,

On behalf of Allegretti for Congress, Inc. and its treasurer Ronald Gravino, I respectfully request that the Federal Election Commission dismiss the above matter pursuant to the exercise of its prosecutorial discretion.

As stated in the enclosed affidavit of Allegretti campaign manager Raymond Riley, the lapse that prompted the complaint did not represent a pattern or practice of disregard for applicable law and regulations, but was rather a single isolated mistake on the part of Steven Gonzalez, a first-time campaign worker, which was identified and corrected *before the date of the complaint*.

With the sole exception of a single order of 500 lawn signs made on June 17, 2010, the words "Paid for by Allegretti for Congress, Inc." (the "disclaimer") appear without exception on every public communication of the Allegretti campaign.

The campaign's original June 15, 2010 order for 1,500 lawn signs included the disclaimer. In making a subsequent order for 500 lawn signs on June 17, 2010, Steven Gonzalez did not specify whether or not to include the disclaimer. However, this oversight was soon brought to Mr. Gonzalez's attention, and when Mr. Gonzalez placed a third order on July 6, 2010 for 500 additional lawn signs, he instructed the printer to include the disclaimer. Note that this correct order was placed by Mr. Gonzalez *before* the July 10, 2010 date of the complaint that precipitated this matter.

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COUNSEL

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The public harm done by this lapse is negligible. Omission of the disclaimer does not benefit the Allegretti campaign or harm any opposing campaign. In the absence of a disclaimer, the public would logically (and correctly) assume that the campaign paid for its own lawn signs.

Further limiting any harm to the public is the fact that virtually all the lawn signs at issue were removed or destroyed by opposing campaigns within days of their distribution.

Nevertheless, the Allegretti campaign has taken all practicable measures to rectify its oversight. It has printed stickers containing the disclaimer that have been affixed to the offending signs remaining in its campaign headquarters and has instructed its field staff to put these stickers on any surviving lawn signs that do not contain the disclaimer. It has also instructed all its campaign personnel about the legal requirement to include the disclaimer in all public communications.

For the reasons stated above, I respectfully ask that the FEC dismiss this matter.

Please feel free to contact me if you have any questions.

Sincerely yours,



Richard A. Zimmer

Cc: Ronald Gravino

Exhibit A

REPUBLICAN **MICHAEL**
ALLEGRETTI

★ ★ ★ ★ ★ FOR CONGRESS

Paid for by Allegretti for Congress, Inc.

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Exhibit B

REPUBLICAN MICHAEL
ALLEGRET
★★★★★ FOR CONGRESS

Paid for by Allegretti for Congress, Inc.

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REPUBLICAN MICHAEL

ALLEGRETTI

★ ★ ★ ★ ★ FOR CONGRESS

Printed by Allegretti for Congress, Inc.

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REPLY TO JIMMY MICHAEL

ALLEGRETTI

★★★★★ FOR CONGRESS

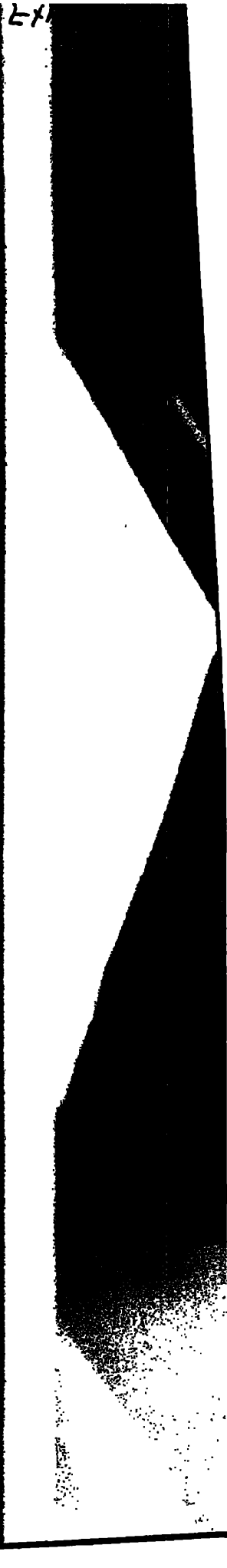


Exhibit H

REPUBLICAN MICHAEL

ALLEGRETTI

★ ★ ★ ★ ★ FOR CONGRESS

Small text at the bottom of the sign, likely a campaign slogan or contact information.