

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Committee to Re-elect Vito ) Audit Referral  
Fossella; ) #02-05  
Anthony J. Maltese, Treasurer; )  
Nicholas Ponzio. )

MUR # 5346

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal  
Election Commission, do hereby certify that on  
January 15, 2003 the Commission decided by a vote  
of 6-0 to take the following actions in Audit Referral  
#02-05:

1. Open a MUR in Audit Referral #02-05.

3. Find reason to believe that Nicholas  
Ponzio violated 2 U.S.C. § 441a(a)(1)(A)  
and 11 C.F.R. § 110.1(b)(1), but take no  
further action as to Mr. Ponzio.

(Continued)

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Certification for Audit Referral  
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7. Approve the appropriate letters, as recommended in the General Counsel's Report dated January 10, 2003.

Commissioners Mason, McDonald, Smith, Thomas,

Toner, and Weintraub voted affirmatively for the decision.

*January 15, 2003*  
Date

Attest:

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

Received in the Secretariat: Fri., Jan. 10, 2003 11:48 a.m.  
Circulated to the Commission: Fri., Jan. 10, 2003 12:00 p.m.  
Deadline for vote: Wed., Jan. 15, 2003 4:00 p.m.

lrd

23-04-406-1368