



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

September 14, 2005

**BY FACSIMILE TELECOPIER**

Bruce I. Afran, Esq.  
10 Braeburn Drive  
Princeton, NJ 08540

RE: MUR 5489, 5513, and 5533  
Nader for President 2004 and  
Carl M. Mayer, in his official capacity as treasurer

Dear Mr. Afran:

As you know, based on the Statements of Reasons in Matters Under Review ("MUR") 5513 and 5533, which were forwarded to you previously, and on conversations with the staff attorney assigned to these matters, the Commission voted to close MURs 5489, 5513, and 5533. We were under the impression that a letter notifying you of the Commission's action had been sent. However, we understand that you received no closing letter. We would therefore like to take this opportunity to provide you with formal notice of the Commission's disposition of these three matters.

On July 28, August 18, and September 20, 2004, the Federal Election Commission notified your clients of complaints alleging certain violations of the Federal Election Campaign Act of 1971, as amended (the "Act"). On June 23, 2005, the Commission severed the allegations related to Oregon ballot access activity to MUR 5489; severed the allegations related to activity in New Hampshire to MUR 5513; and severed the allegations related to activity in Michigan to MUR 5533. On the basis of the information in the complaints and your responses, also on June 23, 2005, the Commission found no reason to believe Nader for President 2004 and Carl M. Mayer, in his official capacity as treasurer, violated the Act in connection with the Oregon allegations, and closed its file in MUR 5489. On the same date, the Commission exercised its prosecutorial discretion as to the New Hampshire allegations and dismissed the case regarding Nader for President 2004 and Carl M. Mayer, in his official capacity as treasurer, and closed its file in MUR 5513. Finally, the Commission exercised its prosecutorial discretion as to the Michigan allegations and dismissed the case regarding Nader for President 2004 and Carl M. Mayer, in his official capacity as treasurer, and closed its file in MUR 5533.


Documents related to MURs 5489, 5513 and 5533 will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the General Counsel's Report is enclosed for your information.

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If you have any questions, please contact Beth Mizuno, the attorney assigned to this matter, at 202-694-1650.

Sincerely,

Lawrence H. Norton  
General Counsel

  
BY: Lawrence L. Calvert Jr.  
Deputy Associate General Counsel for Enforcement

Enclosure  
General Counsel's Report

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