

Mr Jeff S Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

June 9, 2008

Dear Mr Jordan

This letter is in response to case # MUR 6019 It is my opinion that no action be taken against my committee, Dominic Caserta for State Assembly, for the following reasons

- 1) Ms Nancy Smith claims that I am using my campaign funds from my State Assembly race to promote Barack Obama's candidacy This is clearly not the case The letter signed by my supporter, R Michael Kasperzak is designed to promote my campaign for State Assembly, not the Obama nor Clinton campaigns Please note that the mail piece does NOT ask recipients to support Barack Obama or Hillary Clinton for President Mr Kasperzak, who is also a volunteer Precinct Captain for Barack Obama, is only asking voters to support my campaign (Please see attachment # 1)
- 2) Please note that the campaign mailer was produced and paid for by my committee Please see attachment #2, an invoice from Eagle Press to my campaign for services of printing the campaign letter
- 3) Pursuant to California Election Law, the campaign envelope shows that my committee paid for the mailer (Please see attachment #3)
- 4) No where in the mailer does it ask voters to support the Barack Obama campaign In fact, the mailer clearly states that "I've been endorsed by local leaders from the Barack Obama for President campaign " Mr Kasperzak was only used as an example of such leaders (Please see attachment #4)
- 5) Additionally, no where in the piece does it ask voters to support the Hillary Clinton presidential campaign A picture of Hillary Clinton and I taken at a rally was attached to the mail piece with a note stating that "I am also honored to have spoken at a recent Hillary Clinton for President rally " (Please see attachment #5)

In sum, the intent of the letter was to ONLY promote my candidacy for State Assembly, not to promote the campaigns of Barack Obama or Hillary Clinton for President Additionally, the letter was produced and paid for by my committee, as seen in the letter, consistent with California's election law

Pursuant to your letter, I request that this matter remain confidential If I can be of any other assistance, please do not hesitate to contact me at 408-464-2912 or at dominic@dominiccaserta.com

I look forward to your response

Sincerely,



Dominic J Caserta

State of California, County of Santa Clara
On June 10, 2008 before me, Barbara J. Nguyen
Notary Public, personally appeared Dominic J. Caserta
who proved to me on the basis of satisfactory evidence to be the person
whose name is subscribed to the within instrument and acknowledged
to me that he executed the same for the purposes and consideration
expressed therein, and that by his signature on the foregoing instrument he authorized me to execute the foregoing instrument on his behalf and I did so under the authority of the laws of the State of California
that the foregoing paragraph is true and correct
I certify that the foregoing is a true and correct copy of the original as the same was presented to me and I am a Notary Public in and for the State of California

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FEDERAL ELECTION
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OFFICE OF GENERAL
COUNSEL

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R. MICHAEL KASPERZAK
PRECINCT CAPTAIN IN SANTA CLARA COUNTY
BARACK OBAMA for PRESIDENT

Dear Democratic Friend

Whether you support Barack Obama (as I do) or Hillary Clinton, there is one Democratic candidate we can all agree on. **Dominic Caserta for State Assembly.**

Please note

Dominic, a fifth-generation Santa Clara County resident, has been a high school Civics and Economics teacher for more than a decade. He's also been elected twice to the Santa Clara City Council, where he helped establish the city's nationally recognized Green Power Program (which lets residents choose wind or solar energy).

Dominic opposes budget cuts to education. He will help reform our schools so that every student, not just the college-bound, can find productive, rewarding work in our high-tech society.

I hope you'll join me on June 3 in voting for Dominic Caserta, a progressive Democrat with energy and fresh ideas - and the best candidate for State Assembly.

Please note

Sincerely,

Precinct Captain in Santa Clara County
Barack Obama for President

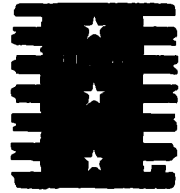
P.S. Dominic will vote to stop health insurance companies from dumping people who develop costly illnesses.

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Attachment #3.



R. MICHAEL KASPERZAK
PRECINCT CAPTAIN IN SANTA CLARA COUNTY
BARACK OBAMA for PRESIDENT



|||||
WADE & NANCY SMITH
SUNNYVALE CA 94086-8748

Please note
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• • • • • Domestic Calendar for Assembly 1825 De La Cruz Blvd Suite 104 Santa Clara CA 95050

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Attachment #4



Hillary and Dominic - San Jose 2008

Dear Fellow Democrats

I am thrilled that we have two outstanding
Democratic candidates running for President

I've been endorsed by local leaders of the
Barack Obama for President campaign

PLEASE NOTE.

I am also honored to have spoken at a recent
Hillary Clinton for President rally

Dominic Caserta

Dominic Caserta
DEMOCRAT for STATE ASSEMBLY

[Small mark]

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Attachment #15



Hillary and Dominic - San Jose 2008

Dear Fellow Democrats

I am thrilled that we have two outstanding
Democratic candidates running for President

I've been endorsed by local leaders of the
Barack Obama for President campaign

Please note

I am also honored to have spoken at a recent
Hillary Clinton for President rally

Dominic Caserta

Dominic Caserta
DEMOCRAT for STATE ASSEMBLY