



James A. Walsh  
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William J. McCann, Jr.  
Special Deputy Counsel

State of New York  
**STATE BOARD OF ELECTIONS**

40 STEUBEN STREET  
ALBANY, N.Y. 12207-2108  
Phone: 518/474-2063  
[www.elections.state.ny.us](http://www.elections.state.ny.us)

Douglas A. Kellner  
Co-Chair

Evelyn J. Aquila  
Commissioner

Elizabeth C. Hogan  
Enforcement Counsel

April 20, 2011

Hon. Janet DiFiore  
Westchester County District Attorney  
Richard J. Daronco Courthouse  
111 Dr. Martin Luther King, Jr. Boulevard  
White Plains, NY 10601

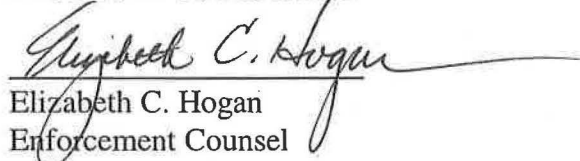
**Re: Persico Contracting & Trucking, Inc.; CMP11-08**

Dear District Attorney DiFiore:

The New York State Board of Elections is forwarding to you the Board's Determination and the contact information of the above named corporation which has made political contributions in 2009 in excess of the annual aggregate statutory limit of \$5,000. See Election Law § 14-116(2.) In light of the Board's efforts to contact the named corporation to afford it the opportunity to attempt to cure the violation, and that this named entity never responded to our several correspondences and phone calls, or after an initial contact, never followed through with any attempt to comply as required, the Board considers the over contributions to be knowing and willful, and requests that you consider for prosecution pursuant to Election Law §14-126(3.)

At such time as you may require any supporting documentation in reference to this matter, please contact the Board's Audit and Review staff at (518) 474-2063. Should you direct the named corporation to contact the Board for any reason, please let us know of your directive by copy of the letter sent. In any event, I would appreciate correspondence from you as to what your office ultimately decides regarding prosecution.

Very Truly Yours,  
NEW YORK STATE  
BOARD OF ELECTIONS

  
Elizabeth C. Hogan  
Enforcement Counsel

ECH/dch  
Enc.