



James A. Walsh
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Special Deputy Counsel

State of New York
STATE BOARD OF ELECTIONS

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Douglas A. Kellner
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Evelyn J. Aquila
Commissioner

Elizabeth C. Hogan
Enforcement Counsel

April 20, 2011

Hon. Frank A. Sedita, III
Erie County District Attorney
25 Delaware Avenue
Buffalo, NY 14202

Re: Gernatt Asphalt Products, Inc.; CMP11-08

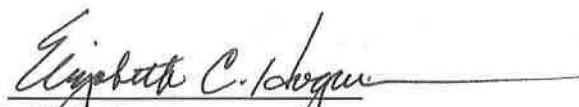
Dear District Attorney Sedita:

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.) As well, this corporation is a repeat over contributor in at least two and as many as four years between 2006 - 2009. The Corporation may have been referred to your office in any of those years, or may have been allowed by the Board to seek refunds of the over contributions and received a warning from the Board.

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 these matters, 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.