



**New York City Campaign Finance Board**  
100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007  
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Frederick P. Schaffer  
Chair

Gregory T. Camp  
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Members

Amy M. Loprest  
Executive Director

December 4, 2017

**By E-mail and First Class Mail**

Eric Spencer  
Lex Dems 2017  
1134 Madison Avenue, 3R  
New York, NY 10028

Darren R. Marks, Esq.  
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New York, NY 10013

**FINAL BOARD DETERMINATION – EC2017 INDEPENDENT SPENDER**

The New York City Campaign Finance Board (“Board”), at a meeting held on November 16, 2017, made the following final determination concerning Lex Dems 2017:

The Board determined that Lex Dems 2017 violated the Board Rules and that the Independent Spender, Lex Dems, and its Authorized Representative, Eric Spencer, are jointly and severally liable for paying \$2,500 in penalties as follows:

1. A penalty of \$2,500 for failing to report expenditures. *See* Board Rules 13-02(b), (c); 13-03(a)(1)(iii). The Spender failed to file the required daily disclosure statement for \$16,512.08 in expenditures associated with two communications distributed on September 1 and September 7, 2017.

2. A violation with no associated penalty for failing to report contributions. *See* Board Rule 13-02 (b), (c), (d); 13-03(a)(1)(iii). Because the Spender made the expenditures and distributed the communications detailed in Violation #1, it was also required to report a \$16,512.08 contribution from the Lexington Democratic Club, received on August 29, 2017, in a daily pre-election disclosure within 24 hours of receipt. Because the Lexington Democratic Club is the parent organization of Lex Dems 2017, the affiliation between the organizations is clear based on the names, and the contribution was reimbursement for the corresponding expenditures, the Board determined that this was a violation, but did not assess a penalty.

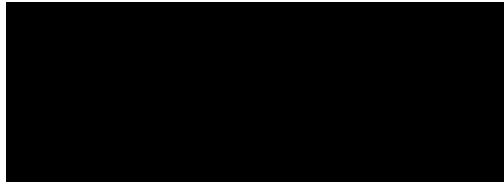
**The Board determined that the amount due is \$2,500.**

You must pay to the Board the full amount due of **\$2,500** no later than **January 3, 2018**. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Bethany Perskie, Deputy General Counsel, New York City Campaign Finance Board, 100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$2,500 by January 3, 2018, the Independent Spender’s name and the unpaid amount will be posted on the Board’s Website and the Board may initiate a civil action against the Independent Spender and its Authorized Representative to compel payment.

You may challenge this final determination, within four months, in the New York State Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

If you need additional time to pay this amount or if you have any questions concerning this Final Board Determination, please contact Bethany Perskie, Deputy General Counsel, at (212) 409-1861 or [bperskie@nyccfb.info](mailto:bperskie@nyccfb.info).



Signature on original

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Hillary Weisman  
General Counsel

**NEW YORK CITY  
CAMPAIGN FINANCE BOARD**

HW/BP