

2008 OCT 10 PM 4:45

Jerome D. Block, Jr.
1308 Lejano Lane
Santa Fe, NM 87501

October 10, 2008

Don Francisco Trujillo II
Deputy Secretary of State
325 Don Gaspar, Suite 300
Santa Fe, NM 87503

VIA HAND DELIVERY

Dear Secretary Trujillo:

In response to your letter dated October 4, 2008 I offer this as an attempt to clear up any misunderstanding concerning a primary election expenditure that has been called into question.

In April of 2008 I entered into an agreement with Mr. Paul Maez of the Wyld Country Band to play at a campaign event scheduled for May in Las Vegas, NM. Our campaign was to pay \$2,500.00 for this performance. In accordance with the New Mexico Campaign Reporting Act, N.M. Stat. Ann. § 1-19-25 (1978) the payment for this performance was reported on Form C of the Report of Expenditures & Contributions as a campaign expenditure for "Rally Entertainment". This form was filed with your office on July 3rd, 2008.

Due to a scheduling conflict Mr. Maez's band was unable to play on that date. In light of this, we agreed that the band would play at another event before the June primary. Subsequent to making those arrangements, Mr. Maez informed me that his band would be unable to play an event by June 3rd. Based on our agreement, I decided to set aside those funds for the sole purpose of paying him for a later performance. Inasmuch, I reported the \$2,500.00 as an expenditure on Form C as "Rally Entertainment" for the purpose of paying the band for its performance in the future.

At some point, I erroneously stated to Mr. David Giuliani of the Las Vegas Optic that the Wyld Country Band had in fact played at an event. I negligently made this statement. My negligence was due to the pressure and details of the campaign. At the time of the statement I did not have a clear recollection of the exact details. My intent was not to mislead, confuse or disguise any expenditure on the part of my campaign.

On September 24th, 2008 I explained to Mr. Giuliani via email that the band had not played, but was planning on playing at a later event. Because of the attention given to this discrepancy, and to avoid the appearance of any impropriety, I cancelled a campaign

rally scheduled for September 27th, 2008 in Las Vegas at which the band was scheduled to play. Upon canceling this event Mr. Maez returned the \$2,500 to my campaign. Because this money was unspent and unencumbered by any future debts it was returned to the Public Election Fund on September 26th, 2008 in accordance with the New Mexico Election Code, § 1-19A-7(D) N.M. Stat. Ann. (1978).

I hope that this clears up any discrepancies or confusion. If you feel that you need any further information or clarification please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerome D. Block, Jr.", written over the printed name below.

Jerome D. Block, Jr.
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