



HIGHER OFFICE PROOF ("HOP") FORM

NYC CFB RECEIVED

2009 JAN 13 PM 3:05

CANDIDATE	Last Name	Markowitz	First Name	Marty	M.I.	Candidate ID #

Use this form to select either Option 1-A or 1-B described in *Term Limits Extension and the CFB: Candidate Guidance Document on Advisory Opinion No. 2008-7*. Submit this HOP form to the New York City Campaign Finance Board (the "CFB") by **January 15, 2009**.

Higher Office Proof

If you wish to choose either Option 1-A or 1-B, you must *first* demonstrate that you were originally seeking a higher office in 2009. Please check all that apply and attach documentation, if necessary.

I previously declared the "office sought" on the Filer Registration submitted to the CFB (skip to "Choose One Option").

OR

I previously was undeclared, but I am attaching:

- Documentation of receipt and/or solicitation of contributions at a higher contribution limit.
- Records of statements in the press demonstrating I was seeking a higher office.
- Other documentation demonstrating I was seeking a higher office (include a cover letter explaining the documentation).

Choose One Option:

Option 1-A

I hereby choose Option 1-A. I understand that I must "freeze" my current committee and open a new committee by **January 15, 2009**. I understand that I am required to obtain a new Employer Identification Number, establish a new committee with the New York City and New York State Boards of Elections, open a new bank account, and complete a new CFB Filer Registration for the new committee by January 15, 2009.

Name of Current 2009 Committee ("Frozen" Committee)

Name of New 2009 Committee

Date Opened with BOE

Option 1-B

I hereby choose Option 1-B. I understand that I must refund portions of contributions over the lower office contribution limit. I also understand that spending incurred prior to November 3, 2008 will be reviewed on a case-by-case basis, but that the Board's rules presume that these expenditures are for the 2009 re-election campaign.

Sign Here:

- I have read and understand *Term Limits Extension and the CFB: Candidate Guidance Document on Advisory Opinion No. 2008-7*, issued on November 13, 2008.
- I understand that knowingly making a false written statement is a Class A misdemeanor pursuant to New York State Penal Law 210.45.
- I understand that knowingly offering false written information with the belief that it will become part of the records of a public office and with the intent to defraud is a Class E felony pursuant to New York State Penal Law Section 175.35.

* 
Candidate Signature

1/13/09
Date