

BEFORE THE FEDERAL ELECTION COMMISSION

CAMPAIGN LEGAL CENTER
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MARGARET CHRIST
1101 14th Street NW, Suite 400
Washington, DC 20005

v. MUR No. _____

TOMFOOLERY, LLC
28 Liberty Street
New York, NY 10005

JOHN DOE, JANE DOE, or any other
person(s) who made contributions to Lone
Star Forward in the name of Tomfoolery, LLC

COMPLAINT

1. In 2020, the Texas-based super PAC Lone Star Forward reported receiving \$75,000 from a “Tomfoolery, LLC” that listed its address as a 60-floor skyscraper in New York City. The LLC’s contributions accounted for more than a quarter of the super PAC’s financing in the 2020 cycle—but “Tomfoolery, LLC” does not appear to actually exist. There is no “Tomfoolery, LLC” at that address, or even in New York City. There are three entities named “Tomfoolery, LLC” in the United States, yet none can be identified as the “Tomfoolery, LLC” that appeared on Lone Star Forward’s report. Moreover, even if one of those LLCs *had* been used to contribute to the super PAC, there is reason to believe the funding actually came from another source, since none of those LLCs appears to have had the resources to cover \$75,000 in super PAC contributions. Thus, there is reason to

believe that unknown contributors (John Doe, Jane Doe, or other person(s)) violated the straw donor ban by making \$75,000 in contributions to Lone Star Forward in the name of “Tomfoolery, LLC” rather than in their own names.

2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that any person(s) who made contributions to Lone Star Forward (I.D.: C00735829) in the name of Tomfoolery, LLC (John Doe, Jane Doe, or other person(s)) have violated the Federal Election Campaign Act (“FECA”), 52 U.S.C. § 30101, *et seq.* “If the Commission, upon receiving a complaint . . . has reason to believe that a person has committed, or is about to commit, a violation of [the FECA] . . . [t]he Commission *shall make an investigation* of such alleged violation . . .” 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

FACTS

3. Lone Star Forward is a Texas-based independent expenditure-only committee (*i.e.*, a “super PAC”) that formed in January 2020.¹ Its independent expenditures in the 2020 election cycle were entirely focused on supporting a candidate in the Democratic primary for U.S. Senate in Texas.²
4. Lone Star Forward’s April 2020 quarterly report disclosed \$75,000 in two contributions from “Tomfoolery, LLC” and listed the contributor’s address as 28 Liberty Street, New

¹ Lone Star Forward, Statement of Organization, FEC Form 1 at 1, 5 (filed Jan. 22, 2020), <https://docquery.fec.gov/pdf/553/202001229167302553/202001229167302553.pdf>.

² *See* Lone Star Forward, Spending 2019-20, FEC.GOV, <https://www.fec.gov/data/committee/C00735829/?tab=spending> (last visited May 11, 2021) (showing that all of Lone Star Forward’s \$255,200 in independent expenditures supported Cristina Tzintzún Ramirez).

York, NY 10005, no suite number included.³ These contributions accounted for more than a quarter of the \$275,510 raised by Lone Star Forward during the 2020 cycle.⁴

5. 28 Liberty Street, New York, NY is a 60-story skyscraper with over 800,000 square feet of office space⁵ and dozens of corporate tenants.⁶ Those tenants include two of the largest generic registered agent firms in the world.⁷
6. There appears to be no corporate record of an entity named Tomfoolery, LLC at 28 Liberty Street, or anywhere in New York City.⁸ No entity named Tomfoolery, LLC appears in any list of tenants for 28 Liberty Street.⁹ No other publicly available information indicates the existence of a Tomfoolery, LLC at that address or any other in

³ Lone Star Forward, 2020 April Quarterly, FEC Form 3X at 10-11 (filed Apr. 13, 2020), <https://docquery.fec.gov/pdf/091/202004139216653091/202004139216653091.pdf> (reporting a \$50,000 contribution from “Tomfoolery, LLC” on February 3, 2020, and a \$25,000 contribution from the LLC on February 24, 2020).

⁴ See Lone Star Forward: Financial Summary, 2019-20, FEC.GOV, <https://www.fec.gov/data/committee/C00735829/> (last visited May 11, 2021).

⁵ See 28 Liberty, Architecture and Design, <http://28liberty.com/architecture-and-design/> (last visited May 11, 2021).

⁶ See, e.g., Allianz Global Corporate & Specialty, United States: Our Offices, <https://www.agcs.allianz.com/global-offices/united-states.html> (last visited May 11, 2021); Assurant, Contact IR, <https://ir.assurant.com/contact-ir/default.aspx> (last visited May 11, 2021); JPMorgan Chase, Find a Chase ATM or branch near you: Chase Plaza, <https://locator.chase.com/ny/new-york/28-liberty-st> (last visited May 11, 2021); London Stock Exchange Group, New York, USA, <https://www.lseg.com/contact-lseg/new-york-usa> (last visited May 11, 2021); Rebecca Baird-Remba, *AIG Takes 220K SF at 28 Liberty and Plans Big Midtown HQ*, COM. OBSERVER (July 21, 2020), <https://commercialobserver.com/2020/07/aig-takes-280k-sf-at-28-liberty-and-plans-big-midtown-hq/>.

⁷ These firms—National Registered Agents, Inc. and CT Corporation, also known as the Corporation Trust Company—are both subsidiaries of Wolters Kluwer. See New York Department of State, Division of Corporations, Corporation and Business Entity Database, https://www.dos.ny.gov/corps/bus_entity_search.html (last visited May 11, 2021); Wolters Kluwer, NRAI – National Registered Agents, Inc., <https://www.wolterskluwer.com/en/solutions/nrai> (last visited May 11, 2021); Wolters Kluwer, CT Corporation, <https://www.wolterskluwer.com/en/solutions/ct-corporation> (last visited May 11, 2021).

⁸ See New York Department of State, Division of Corporations, Corporation and Business Entity Database, https://www.dos.ny.gov/corps/bus_entity_search.html (last visited May 11, 2021).

⁹ See, e.g., CompStak, 28 Liberty, <https://property.compstak.com/28-Liberty-Street-New-York/p/561> (last visited May 11, 2021) (noting 46 corporate, nonprofit, and governmental entities with current leases at 28 Liberty Street, including the companies already mentioned, see n.6 & n.7, as well as Refinitiv, HelloFresh, Booking.com, and the New York State Attorney General’s Office); PropertyShark, 28 Liberty St, New York, NY 10005, Occupancy, https://www.propertyshark.com/mason/Property-Report/?propkey=189#section_occupancy (last visited May 11, 2021) (listing 65 business with leases at 28 Liberty Street); see also Reonomy, Tenant Search, <https://app.reonomy.com/!/search> (last visited May 11, 2021) (finding no commercial lease by an entity named Tomfoolery, LLC anywhere in New York City).

New York City: searches of Google, Yahoo, and Bing for “Tomfoolery, LLC” + “28 Liberty Street” and “Tomfoolery, LLC” + “New York City” returned no results, save reporting about the contributions at issue here.¹⁰ There is no record of any entity named Tomfoolery, LLC in searches with New York’s licensing databases¹¹ or the Chamber of Commerce for New York City.¹² No entity named Tomfoolery, LLC appears to have a Facebook, Instagram, or Twitter page.

7. According to OpenCorporates, there are three active entities with the name “Tomfoolery, LLC” in the United States:¹³

- a. One Tomfoolery, LLC exists in New York state. It was formed in Penfield, New York—more than 300 miles from New York City—in 2004 and has no registered agent.¹⁴ According to Dun & Bradstreet, which assigns a unique identifier (a “DUNS number”) to certain businesses,¹⁵ the Penfield-based Tomfoolery, LLC has no financial footprint—no trading history, credit

¹⁰ See, e.g., Issue One, *Mystery Money: How a loophole could allow foreign money to flow into super PACs through secretive shell companies* 9 (July 2020), <https://www.issueone.org/wp-content/uploads/2020/07/Mystery-Money-Report-Tipsheet.pdf>.

¹¹ NYS Division of Licensing Services, Occupational Licensing Management System, <https://appext20.dos.ny.gov/nydos/selSearchType.do> (last visited May 11, 2021).

¹² Greater New York Chamber of Commerce, Chamber Member Business Directory, <https://chamber.nyc/directory.php> (last visited May 11, 2021).

¹³ Search results for “Tomfoolery, LLC” (exclude inactive), OPENCORPORATES, https://opencorporates.com/companies?utf8=%E2%9C%93&q=tomfoolery%2C+LLC&commit=Go&jurisdiction_code=&utf8=%E2%9C%93&controller=searches&action=search_companies&inactive=false&order= (last visited May 11, 2021).

¹⁴ See New York Department of State, Division of Corporations, Corporation and Business Entity Database, https://www.dos.ny.gov/corps/bus_entity_search.html (last visited May 11, 2021).

¹⁵ See Dun & Bradstreet, What Is A D-U-N-S Number?, <https://www.dnb.com/duns-number.html> (last visited May 11, 2021). A DUNS number is assigned either upon request or when Dun & Bradstreet “identifies a company as being unique from any other in the Dun & Bradstreet Data Cloud.” *Id.* A DUNS number is “often referenced by lenders and potential business partners to help predict the reliability and/or financial stability of the company in question.” *Id.* A DUNS number is not just a number, but “a system for maintaining accurate, comprehensive and timely information” about companies; it is used by financial institutions and companies around the world to identify businesses for credit check and risk assessment purposes. Dun & Bradstreet, *The Dun & Bradstreet D-U-N-S® Number: The Universal Standard for Business Identification* (2017), <https://www.dnb.com/content/dam/english/dnb-data-insight/db-duns-number-factsheet.pdf>.

activity, legal events, federal loans, grants, or contracts, or even general firmographic information.¹⁶ As a result, Dun & Bradstreet has assigned this Tomfoolery, LLC a maximum credit recommendation of \$2,500.¹⁷

- b. Another Tomfoolery, LLC was formed in Wilmington, Delaware in 2017, and lists its office as the Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801¹⁸—a building that is home to more than 300,000 registered business entities.¹⁹ Its current registered agent is the Corporation Trust Company, the largest registered agent firm in the world, whose headquarters are at 28 Liberty Street, New York, NY 10005.²⁰ A 2019 certificate of amendment on file with the Delaware Division of Corporations was signed by Justyn Volesko as an “authorized person”;²¹ an individual person with that same name is a partner at AJ Wealth, a financial services firm also located at 28 Liberty Street, New York.²² The Delaware-based Tomfoolery, LLC does not appear in the Dun & Bradstreet database and does not have a DUNS number.²³ This entity also does not have a website, social

¹⁶ See Dun & Bradstreet, *Tomfoolery, LLC: Finance Analytics Report* (created Mar. 5, 2021) (attached as Ex. A).

¹⁷ See *id.*

¹⁸ See State of Delaware, Division of Corporations, Entity Search, <https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> (last visited May 11, 2021); see also Certificate of Formation of Tomfoolery, LLC, State of Delaware (Nov. 13, 2017) (attached as Ex. B).

¹⁹ See Darren Weaver, *This tiny building in Wilmington, Delaware is home to 300,000 businesses*, BUSINESS INSIDER (Dec. 27, 2018), <https://www.businessinsider.com/building-wilmington-delaware-largest-companies-ct-corporation-2017-4>.

²⁰ See sources cited *supra* n.7.

²¹ See Tomfoolery, LLC Certificate of Amendment, State of Delaware (Mar. 1, 2019) (attached as Ex. C).

²² See Justyn Volesko, J.D., LL.M., AJ Wealth, <https://ajwealthllc.com/justyn-volesko-j-d-ll-m> (last visited May 11, 2021); see also AJ Wealth, *Contact Us*, <https://ajwealthllc.com/contact-us> (last visited May 11, 2021).

²³ See Business Search for Tomfoolery, State of Delaware, Dun & Bradstreet, D-U-N-S Number Lookup, <https://www.dnb.com/duns-number/lookup.html> (last visited May 11a, 2021) (showing no results).

media account, or records in New York and Delaware’s licensing databases,²⁴ or the Chambers of Commerce for New York City, Penfield, New York, and New Castle County, Delaware.²⁵

- c. A third Tomfoolery, LLC formed in Wyoming in 1998, with an address at a law firm in Cody, Wyoming.²⁶ This Tomfoolery, LLC does not appear in the Dun & Bradstreet database and does not have a DUNS number.²⁷ It also does not have a website, a social media account, or records in the Chamber of Commerce for Cody County, Wyoming.²⁸ Aside from its incorporation, this entity’s only apparent footprint is multiple tax delinquency notices for failure to pay Wyoming’s annual \$50 licensing fee for LLCs, as recently as 2017.²⁹

SUMMARY OF THE LAW

²⁴ NYS Division of Licensing Services, Occupational Licensing Management System, <https://appext20.dos.ny.gov/nydos/selSearchType.do> (last visited May 11, 2021); Delaware Department of State, Professional Regulation Online Service, License Look-Up, https://delpros.delaware.gov/OH_VerifyLicense (last visited May 11, 2021).

²⁵ Greater New York Chamber of Commerce, Chamber Member Business Directory, <https://chamber.nyc/directory.php> (last visited May 11, 2021); Penfield Business Chamber, Business Directory Search, <https://www.penfieldbusiness.org/list/> (last visited May 11, 2021); New Castle County Chamber of Commerce, Business Directory Search, <http://business.ncccc.com/list/> (last visited May 11, 2021).

²⁶ See Wyoming Secretary of State, Business Center, Tomfoolery, LLC, <https://wyobiz.wyo.gov/Business/FilingDetails.aspx?eFNum=010180175066180227145163078225173020236195033175> (last visited May 11, 2021). The entity’s “principal office” is at the address 1438 Sheridan Ave, Ste 105, Cody WY 82414, *id.*, which is the same address as the law firm Thompson Law, LLC, *see* Thompson Law, LLC, *Contact, Thompson Law, LLC*, <http://thompsonlawwyoming.com/contact/> (last visited May 11, 2021). Thompson Law, LLC employs or is run by Marc Thompson, *see* <http://thompsonlawwyoming.com/>, who appears to be the same person who incorporated and continues to operate the Wyoming-based Tomfoolery, LLC, *see, e.g.*, Initial Filing and 2021 Annual Report, Wyoming Secretary of State, <https://wyobiz.wyo.gov/Business/FilingDetails.aspx?eFNum=010180175066180227145163078225173020236195033175>.

²⁷ See Business Search for Tomfoolery LLC, State of Wyoming, Dun & Bradstreet, D-U-N-S Number Lookup, <https://www.dnb.com/duns-number/lookup.html> (last visited May 11, 2021) (showing no results).

²⁸ Cody County Chamber of Commerce, Business Directory Search, <https://business.codychamber.org/list> (last visited May 11, 2021).

²⁹ See generally Tomfoolery LLC: History, Wyoming Secretary of State, <https://wyobiz.wyo.gov/Business/FilingDetails.aspx?eFNum=010180175066180227145163078225173020236195033175>.

8. FECA provides that “[n]o person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution and no person shall knowingly accept a contribution made by one person in the name of another person.” 52 U.S.C. § 30122.
9. The Commission regulation implementing the statutory prohibition on “contributions in the name of another” provides the following examples of “contributions in the name of another”:
 - a. “Giving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing of value to the recipient candidate or committee at the time the contribution is made.” 11 C.F.R. § 110.4(b)(2)(i).
 - b. “Making a contribution of money or anything of value and attributing as the source of the money or thing of value another person when in fact the contributor is the source.” 11 C.F.R. § 110.4(b)(2)(ii).
10. The requirement that a contribution be made in the name of its true source promotes Congress’s objective of ensuring the complete and accurate disclosure by candidates and committees of the political contributions they receive,³⁰ which ensures complainant Campaign Legal Center has access to the information to which it is legally entitled and which it relies upon to carry out its organizational mission. Such disclosure also ensures that the public and complainant Christ have the information necessary to evaluate candidates for office and cast an informed vote. “[T]he public has an interest in knowing

³⁰ *United States v. O’Donnell*, 608 F.3d 546, 553 (9th Cir. 2010) (“[T]he congressional purpose behind [Section 30122]—to ensure the complete and accurate disclosure of the contributors who finance federal elections—is plain.”); *Mariani v. United States*, 212 F.3d 761, 775 (3d Cir. 2000) (rejecting constitutional challenge to section 30122 in light of the compelling governmental interest in disclosure).

who is speaking about a candidate shortly before an election,” and such “transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages.” *Citizens United v. FEC*, 558 U.S. 310, 369-71 (2010); *see also* Abby K. Wood, *Campaign Finance Disclosure*, 14 ANN. REV. L. & SOC. SC. 11, 19 (2018) (“Voters use heuristics, or informational shortcuts, to help them make the vote choice most aligned with their priorities without requiring encyclopedic knowledge . . . on every issue.”); Elizabeth Garrett & Daniel A. Smith, *Veiled Political Actors and Campaign Finance Disclosure Laws in Direct Democracy*, 4 ELECTION L.J. 295, 296 (2015) (finding that knowing the sources of election messaging is a “particularly credible” informational cue for voters).

11. On April 1, 2016, then-Chairman Petersen and then-Commissioners Hunter and Goodman “provide[d] clear public guidance on the appropriate standard that we will apply in future matters” pertaining to allegations that an LLC was used to facilitate a contribution in the name of another. [Statement of Reasons of Chairman Matthew S. Petersen and Commissioners Caroline C. Hunter and Lee E. Goodman](#) at 2, MURs 6485, 6487, 6488, 6711, 6930 (Apr. 1, 2016). The Commissioners advised that “the proper focus in these matters is whether the funds used to make a contribution were intentionally funneled through a closely held corporation or corporate LLC for the purpose of making a contribution that evades the Act’s reporting requirements, making the individual, not the corporation or corporate LLC, the true source of the funds.” *Id.*; *see also id.* at 12. The relevant factors that these Commissioners indicated they would consider included whether:

. . . there is evidence indicating that the corporate entity did not have income from assets, investment earnings, business revenues, or bona fide capital

investments, or was created and operated for the sole purpose of making political contributions. These facts would suggest the corporate entity is a straw donor and not the true source of the contribution.

Id. at 12.³¹

CAUSE OF ACTION

I. JOHN DOE, JANE DOE, OR ANY OTHER PERSONS WHO CONTRIBUTED TO LONE STAR FORWARD IN THE NAME OF TOMFOOLERY, LLC VIOLATED 52 U.S.C. § 30122, AND TOMFOOLERY LLC, IF IT EXISTS, MAY ALSO HAVE VIOLATED 52 U.S.C. § 30122

12. *Because Tomfoolery, LLC at 28 Liberty Street, New York, NY does not appear to exist, whoever contributed \$75,000 to Lone Star Forward in its name violated 52 U.S.C. § 30122.* There is no record of a Tomfoolery, LLC at 28 Liberty Street, or even in New York City: no such entity exists in business records, corporate records, search engine results, or a list of tenants in that building.³² The only public record of a Tomfoolery, LLC at 28 Liberty Street is its appearance on Lone Star Forward’s April 2020 quarterly report.³³ The available facts therefore do not suggest that Tomfoolery, LLC is a legitimate entity, let alone that it conducted any business or had sufficient income from assets, investment earnings, business revenues, or bona fide capital investments to cover \$75,000 in contributions to Lone Star Forward at the time the contributions were made.
13. Thus, based on published reports, there is reason to believe that the person(s) who contributed to Lone Star Forward in the name of Tomfoolery, LLC (John Doe, Jane Doe, or other person(s)) violated 52 U.S.C. § 30122 by “[m]aking a contribution of money . . . and attributing as the source of the money . . . another person [namely, Tomfoolery, LLC]

³¹ Mitigating factors include whether a contributor was acting pursuant to legal advice, and whether reports are corrected to reflect a true donor’s identity in advance of an election. *Id.* at 13 n.70.

³² See sources cited *supra* ¶ 6.

³³ See sources cited *supra* ¶¶ 4, 6.

when in fact [John Doe, Jane Doe, or other person(s) were] the source.” See 11 C.F.R. § 110.4(b)(2)(ii).

14. ***In the alternative, although there is no “Tomfoolery, LLC” located at or clearly associated with the 28 Liberty Street, New York address, if the contribution were made in the name of one of the three known Tomfoolery, LLCs but using that address, there is nonetheless reason to believe that 52 U.S.C. § 30122 has been violated, because none of the entities had sufficient income to make the political contributions.***

- a. The Tomfoolery, LLC in Penfield, New York is located more than 300 miles from the 28 Liberty Street address that appeared on Lone Star Forward’s FEC report, according to corporate records filed with New York State.³⁴ According to Dun & Bradstreet, this Tomfoolery, LLC, has a minimal financial record and a maximum credit recommendation of only \$2,500.³⁵ It has no discernable public information or recorded business activities, and it has no website, social media account, or search engine presence.³⁶ If this Tomfoolery, LLC were used to effect the contribution, there is reason to believe that 52 U.S.C. § 30122 was violated, since evidence suggests that it neither conducts enough business nor has sufficient income from assets, investment earnings, business revenues, or bona fide capital investments to cover \$75,000 in contributions to Lone Star Forward, without an infusion of funds provided for that purpose.
- b. The Tomfoolery, LLC in Wilmington, Delaware has tangential connections to 28 Liberty Street, via its registered agent the Corporation Trust Company and

³⁴ See sources cited *supra* ¶ 7(a).

³⁵ See *id.*

³⁶ See *id.*

its “authorized person” having offices in that building.³⁷ These, however, are only strained connections: its registered agent is the largest registered agent firm in the world, so hundreds of thousands of LLCs will have a similar connection to this address. Further, the Delaware-based Tomfoolery, LLC does not appear in Dun & Bradstreet records; it has no discernable public footprint or recorded business activities; and it has no website, social media account, or search engine presence.³⁸ If this Tomfoolery, LLC were used to effect the contribution, there is again reason to believe that 52 U.S.C. § 30122 was violated, since evidence suggests that it neither conducts any business nor has sufficient income to cover \$75,000 in contributions to Lone Star Forward, without an infusion of funds provided for that purpose.

- c. The Tomfoolery, LLC in Cody, Wyoming has no discernible connection to the 28 Liberty Street address, to New York City, or to the state of New York.³⁹ This entity does not appear in Dun & Bradstreet records; it has no apparent public footprint or recorded business activities; and it has no website, social media account, or search engine presence.⁴⁰ If this Tomfoolery, LLC were used to effect the contribution, there is reason yet again to believe that 52 U.S.C. § 30122 was violated, since evidence suggests that it neither conducts any business nor has sufficient income to cover \$75,000 in contributions to Lone Star Forward, without an infusion of funds provided for that purpose.

³⁷ See sources cited *supra* ¶ 7(b).

³⁸ See *id.*

³⁹ See sources cited *supra* ¶ 7(c).

⁴⁰ See *id.*

15. Therefore, if one of these Tomfoolery, LLCs were used to contribute to Lone Star Forward, there would still be reason to believe that 52 U.S.C. § 30122 was violated, because none of these entities had sufficient income from assets, investment earnings, business revenues, or bona fide capital investments to cover \$75,000 in political contributions. Specifically, John Doe, Jane Doe, or other person(s) would have violated 52 U.S.C. § 30122 by contributing to Lone Star Forward in the name of Tomfoolery, LLC, when in fact John Doe, Jane Doe, or other person(s) were the true source of the funds. *See* 11 C.F.R. § 110.4(b)(2)(ii). Moreover, there would additionally be reason to believe that Tomfoolery, LLC violated 52 U.S.C. § 30122 by “[g]iving money . . . , all or part of which was provided to” the entity by another person (*i.e.*, the true contributor(s)) without disclosing the true source of money at the time of making the contribution to Lone Star Forward. *See* 11 C.F.R. § 110.4 (b)(2)(i).

PRAYER FOR RELIEF


16. Wherefore, the Commission should find reason to believe that any person(s) who made contributions in the name of Tomfoolery, LLC (John Doe, Jane Doe, or other person(s)), and Tomfoolery, LLC (if it exists), have violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
17. Further, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Respectfully submitted,



Campaign Legal Center, by

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Brendan M. Fischer
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Counsel to the Campaign Legal Center,
Margaret Christ

May 11, 2021

VERIFICATION

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.



For Complainant Margaret Christ

A handwritten signature in black ink, appearing to read "Margaret Christ", written over a horizontal line.

Margaret Christ

Sworn to and subscribed before me this 11th day of May 2021.

A handwritten signature in blue ink, written over a horizontal line.

Notary Public



For Complainant Campaign Legal Center

A handwritten signature in black ink, appearing to read "B. Fischer", written over a horizontal line.

Brendan Fischer

Sworn to and subscribed before me this 11th day of May 2021.

A handwritten signature in blue ink, written over a horizontal line.

Notary Public

EXHIBIT A

LIVE REPORT

TOMFOOLERY LLC

Tradestyle(s): -

ACTIVE

SINGLE LOCATION

D-U-N-S

Number:

04-246-1885

Address:

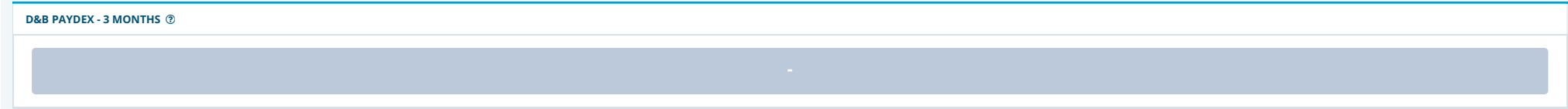
3 Shadow Crk, Penfield, NY, 14526, United States Of America

Endorsement:

AckermanE@DNB.com

Summary

KEY DATA ELEMENTS <small>(Formerly: SCORE BAR)</small>		
KDE Name	Current Status	Details
Total Payment Experiences	UNAVAILABLE	
Maximum Credit Recommendation	2,500	
Years In Business	2	
PAYDEX®	UNAVAILABLE	
Delinquency Score	<div><div></div><div></div><div>24</div><div></div><div></div></div>	Moderate to High Risk of severe payment delinquency.
Failure Score	<div><div></div><div>14</div><div></div><div></div><div></div></div>	Moderate to High Risk of severe financial stress.



COMPANY PROFILE ⓘ		
<div><div>D-U-N-S</div><div>04-246-1885</div></div> <div><div>Ownership</div><div>Not publicly traded</div></div>	<div><div>Mailing Address</div><div>UNITED STATES</div></div> <div><div>Present Control Succeeded</div><div>2019</div></div>	<div><div>Age (Year Started)</div><div>2 Years (2019)</div></div> <div><div>Line of Business</div><div>Nonclassified establishment</div></div>

LEGAL EVENTS		
Events	Occurrences	Last Filed
Bankruptcies	0	-
Judgements	0	-
Liens	0	-
Suits	0	-
UCC	0	-

DELINQUENCY SCORE ⓘ (Formerly Commercial Credit Score)

Company's Risk Level

MODERATE

Probability of delinquency over the next 12 months

8.68 %

High Risk (1)

24

Low Risk (100)

Past 12 Months

Low Risk

High Risk

FAILURE SCORE ⓘ (Formerly Financial Stress Score)

Company's Risk Level

MODERATE-HIGH

Probability of failure over the next 12 months

0.8 %

High Risk (1)

Low Risk (100)

Past 12 Months

Low Risk

High Risk



No Data Available

FRAUD RISK SCORE INFORMATION



No Fraud Risk Score is Available

The scores and ratings included in this report are designed as a tool to assist the user in making their own credit related decisions, and should be used as part of a balanced and complete assessment relying on the knowledge and expertise of the reader, and where appropriate on other information sources. The score and rating models are developed using statistical analysis in order to generate a prediction of future events. Dun & Bradstreet monitors the performance of thousands of businesses in order to identify characteristics common to specific business events. These characteristics are weighted by significance to form rules within its models that identify other businesses with similar characteristics in order to provide a score or rating.

Dun & Bradstreet's scores and ratings are not a statement of what will happen, but an indication of what is more likely to happen based on previous experience. Though Dun & Bradstreet uses extensive procedures to maintain the quality of its information, Dun & Bradstreet cannot guarantee that it is accurate, complete or timely, and this may affect the included scores and ratings. Your use of this report is subject to applicable law, and to the terms of your agreement with Dun & Bradstreet.

Detailed Trade Risk Insight™

Detailed Trade Risk Insight provides detailed updates on over 1.5 billion commercial trade experiences collected from more than 260 million unique supplier/purchaser relationships.

DAYS BEYOND TERMS - PAST 3 & 12 MONTHS

There is not sufficient reported trading activity to generate 3 month Days Beyond Terms (a minimum of 3 trade experiences from at least 2 companies).

There is not sufficient reported trading activity to generate 12 month Days Beyond Terms (a minimum of 3 trade experiences from at least 2 companies).

DEROGATORY EVENTS LAST MONTHS FROM TO

No Derogatory trade Event has been reported on this company for the past 13 Months

TOTAL AMOUNT CURRENT AND PAST DUE - MONTH TREND FROM TO

Status

Total

Current

**1-30 Days
Past Due**

**31-60
Days Past
Due**

61-90
Days Past
Due

**91+ Days
Past Due**

Risk Assessment

D&B RISK ASSESSMENT

OVERALL BUSINESS RISK

HIGH

MODERATE-HIGH

LOW-MODERATE

LOW

MAXIMUM CREDIT RECOMMENDATION

US\$ 2,500

The recommended limit is based on a moderate probability of severe delinquency.

Dun & Bradstreet thinks...

- Overall assessment of this organization over the next 12 months: **SOME-FINANCIAL-STRESS-CONCERNS**
- Based on the predicted risk of business discontinuation: **MODERATELY-HIGHER-THAN-AVERAGE-RISK-OF-FINANCIAL-STRESS**

- Based on the predicted risk of severely delinquent payments: **MODERATE POTENTIAL FOR SEVERELY DELINQUENT PAYMENTS**

D&B VIABILITY RATING SUMMARY

The D&B Viability Rating uses D&B's proprietary analytics to compare the most predictive business risk indicators and deliver a highly reliable assessment of the probability that a company will go out of business, become dormant/inactive, or file for bankruptcy/insolvency within the next 12 months. The D&B Viability Rating is made up of 4 components:

Viability Score

Compared to All US Businesses within the D&B Database:

- Level of Risk:**Moderate Risk**
- Businesses ranked **6** have a probability of becoming no longer viable: **13 %**
- Percentage of businesses ranked **6**: **30 %**
- Across all US businesses, the average probability of becoming no longer viable:**14 %**



Portfolio Comparison

Compared to All US Businesses within the same MODEL SEGMENT:

- Model Segment :**Firmographics and Business Activity**
- Level of Risk:**Moderate Risk**
- Businesses ranked **6** within this model segment have a probability of becoming no longer viable: **18 %**
- Percentage of businesses ranked **6** with this model segment: **12 %**
- Within this model segment, the average probability of becoming no longer viable:**16 %**



Data Depth Indicator

Data Depth Indicator:

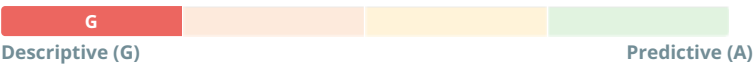
- ✓ Basic Firmographics
- No Financial Attributes
-

Greater data depth can increase the precision of the D&B Viability Rating assessment.

To help improve the current data depth of this company, you can ask D&B to make a personalized request to this company on your behalf to obtain its latest financial information. To make the request, click the link below. Note, the company must be saved to a folder before the request can be made.

Request Financial Statements

Reference the FINANCIALS tab for this company to monitor the status of your request.



Company Profile:

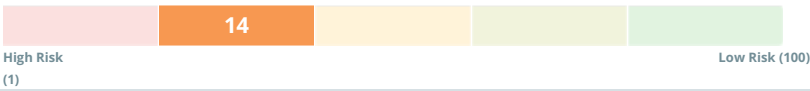
Company Profile Details:

- Financial Data:**False**
- Trade Payments: **Not Available**
- Company Size: **Small**: **Employees: <10 and Sales: <\$10K or Missing**
- Years in Business: **Young: <5**

X

Financial Data	Trade Payments	Company Size	Years in Business
False	Not Available	Small	Young

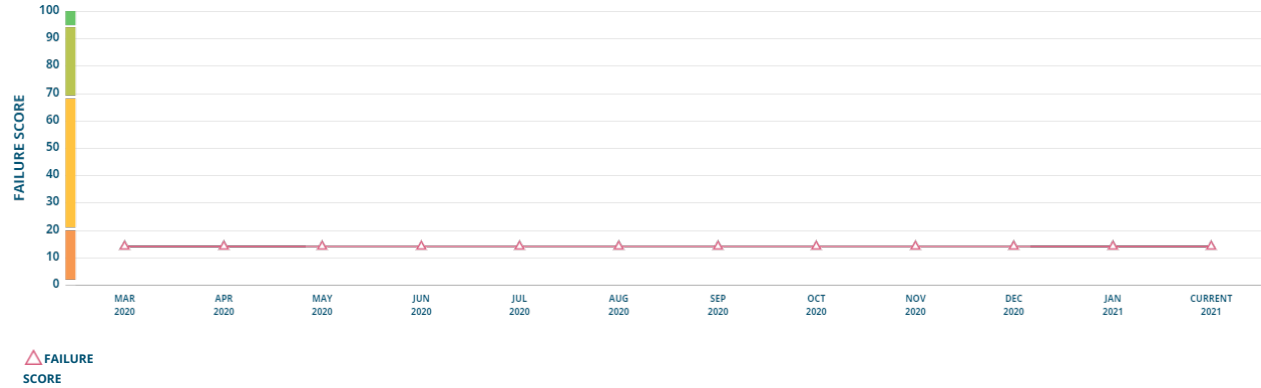
FAILURE SCORE FORMERLY FINANCIAL STRESS SCORE



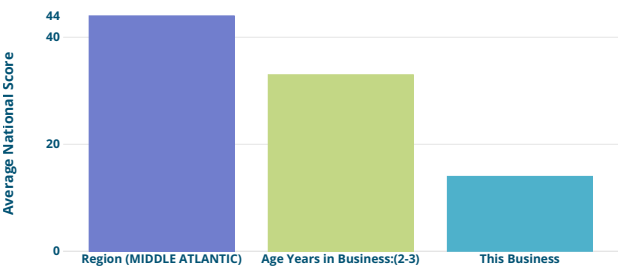
- No payment experiences
- Limited time in business

Level of Risk Moderate-High	Raw Score 1408	Probability of Failure 0.8 %	Average Probability of Failure for Businesses in D&B Database 0.48
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Business and Industry Trends



BUSINESS AND INDUSTRY COMPARISON



	Norms	National %
This Business		14
Region:(MIDDLE ATLANTIC)		44
Industry:		-
Employee range:		-
Years in Business:(2-3)		33

DELINQUENCY SCORE FORMERLY COMMERCIAL CREDIT SCORE



- No payment experiences reported

High Risk
(1)

Low Risk (100)

- Higher risk region based on delinquency rates for this region
- Limited time under present management control
- Higher risk industry based on delinquency rates for this industry
- Limited business activity signals reported in the past 12 months

Level of Risk
Moderate

Raw Score
476

Probability of Delinquency
8.68 %

Compared to Businesses in D&B Database
10.2 %

Business and Industry Trends

DELINQUENCY SCORE

Month	Delinquency Score
MAR 2020	20
APR 2020	20
MAY 2020	20
JUN 2020	20
JUL 2020	20
AUG 2020	20
SEP 2020	20
OCT 2020	20
NOV 2020	20
DEC 2020	20
JAN 2021	20
CURRENT 2021	24

BUSINESS AND INDUSTRY COMPARISON

Average National Score

Category	Average National Score
Region (MIDDLE ATLANTIC)	51
Age Years in Business (2-3)	43
This Business	24

	Norms	National %
This Business		24
Region:(MIDDLE ATLANTIC)		51
Industry:		-
Employee range:		-
Years in Business:(2-3)		43

Selected Segments of Business Attributes

D&B RATING

Current Rating

Special Rating

DS : Undetermined

Trade Payments

TRADE PAYMENTS SUMMARY (Based on 24 months of data)

Overall Payment Behaviour

-

% of Trade Within Terms

-

Highest Past Due

-

Highest Now Owing:

-

Total Trade Experiences:

0

Largest High Credit:

-

Average High Credit:

-

Total Placed in Collections:

-

Largest High Credit:

-

D&B PAYDEX

i

No Data Available

OTHER PAYMENT CATEGORIES

Other Payment Categories	Experience	Total Amount
Cash experiences	-	-
Payment record unknown	-	-
Unfavorable comments	-	-
Placed for collections	-	-
Total in D&B's file	-	-

Legal Events

The following Public Filing data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

Bankruptcies	Judgements	Liens	Suits	UCCs
No	0	0	0	0
	Latest Filing: -	Latest Filing: -	Latest Filing: -	Latest Filing: -

4

D&B has not received any Public Filings for this company
--

Special Events

There are no Special Events recorded for this business.

Financials - D&B

D&B currently has no financial information on file for this company.
D&B currently has no financial information on file for this company.
D&B currently has no financial information on file for this company

Company Profile

COMPANY OVERVIEW			
D-U-N-S 04-246-1885	Mailing Address UNITED STATES	Age (Year Started) 2 Years (2019)	
Ownership Not publicly traded	Present Control Succeeded 2019	Line of Business Nonclassified establishment	
BUSINESS REGISTRATION			
Corporate and business registrations reported by the secretary of state or other official source as of: - This data is for informational purposes only, certification can only be obtained through the Office of the Secretary of State.			
Registered Name	TOMFOOLERY LLC		
Business Commenced On	2019		
COMPANY EVENTS			
The following information was reported on: 02/27/2021 Business started 2019.			
BUSINESS ACTIVITIES AND EMPLOYEES			
The following information was reported on: 02/27/2021			
Business Information			
Description	Duns Support Record.		
Employees	UNDETERMINED.		
Financing Status	Unsecured		
Facilities	Occupies premises in building.		
Related Concerns			
SIC/NAICS Information			
SIC Codes		SIC Description	Percentage of Business
9999		Nonclassified establishment	-
99992222		Duns Support Record, nonclassifiable establishment	-
NAICS Codes		NAICS Description	
999990		Unclassified Establishments	

Your Information

Record additional information about this company to supplement the D&B information.

Note: Information entered in this section will not be added to D&B's central repository and will be kept private under your user ID. Only you will be able to view the information.

Account Number	Endorsement/Billing Reference *	Sales Representatives
	AckermanE@DNB.com	
Credit Limit	Total Outstanding	
0	0	
Audit Trail ⑥		
From :	To :	
Date/Time of the Event	Event Name	Triggered By
03/05/2021 04:36 PM	Credit Report Pulled	SYSTEM
		The credit report was pulled
Federal Information		
REPORTED U.S. GOVERNMENT CONTRACT ACTIONS		
No government activity has been found in this section.		
REPORTED FEDERAL LOANS AND LOAN GUARANTEES		
No government activity has been found in this section.		
CLAIMS, FEES, FINES, OVERPAYMENTS, PENALTIES AND OTHER MISC. REPORTED DEBTS TO FEDERAL AGENCIES		
No government activity has been found in this section.		
REPORTED PARTY EXCLUDED FROM FEDERAL PROGRAM(S)		
No government activity has been found in this section.		
REPORTED U.S. GOVERNMENT GRANT AWARDS		
No government activity has been found in this section.		
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EXHIBIT B

CERTIFICATE OF FORMATION

OF

TOMFOOLERY LLC

This Certificate of Formation of Tomfoolery LLC (the "LLC") is being duly executed and filed by Tom Chavez, as an authorized person, to form a limited liability company under the Delaware Limited Liability Company Act (6 Del.C. Section 18-101, et seq.).

FIRST. The name of the limited liability company formed hereby is Tomfoolery LLC.

SECOND. SECOND. The address of the registered office of the LLC in the State of Delaware is Incorporating Services, Ltd., 3500 South DuPont Highway, Dover, Kent County, Delaware 19901.

THIRD. The name and address of the registered agent for service of process on the LLC in the State of Delaware is Incorporating Services, Ltd., 3500 South DuPont Highway, Dover, Kent County, Delaware 19901.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Tomfoolery LLC this 13th day of November, 2017.

/s/ Tom Chavez

Tom Chavez, Authorized Person

EXHIBIT C

STATE OF DELAWARE
CERTIFICATE OF AMENDMENT CHANGING ONLY THE
REGISTERED OFFICE OR REGISTERED AGENT OF A
LIMITED LIABILITY COMPANY

The limited liability company organized and existing under the Limited Liability Company Act of the State of Delaware, hereby certifies as follows:

1. The name of the limited liability company is Tomfoolery LLC

2. The Registered Office of the limited liability company in the State of Delaware is changed to Corporation Trust Center, 1209 Orange Street
_____(street), in the City of Wilmington
Zip Code 19801. The name of the Registered Agent at such address upon whom process against this limited liability company may be served is _____
THE CORPORATION TRUST COMPANY

By: /s/ Justyn Volesko
Authorized Person

Name: Justyn Volesko
Print or Type

State of Delaware
Secretary of State
Division of Corporations
Delivered 09:25 AM 03/01/2019
FILED 09:25 AM 03/01/2019
SR 20191638009 - File Number 6614093