

BEFORE THE FEDERAL ELECTION COMMISSION

CAMPAIGN LEGAL CENTER
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ROGER G. WIEAND
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v.

TEETER JAY, LLC
18 Prairie Trail
Tularosa, NM 88352

KIMBERLY A. SKAGGS,
JOSEPH R. SKAGGS, AND
TERRYL JAY SKAGGS
5033 Northwind Rd.,
Las Cruces, NM 88005

MUR No. _____

ANY UNKNOWN PERSON(S)
who made contributions to Freedom
Forward Fund in the name of Teeter
Jay, LLC

FREEDOM FORWARD FUND
AND MIKE MCCAULEY IN HIS
OFFICIAL CAPACITY AS TREASURER
370 East South Temple, Suite 580
Salt Lake City, UT 84111

COMPLAINT

1. The Freedom Forward Fund, an independent-expenditure only political committee (“IEOPC”) registered with the Federal Election Commission (“FEC”), reported receiving two contributions totaling \$100,000 from Teeter Jay, LLC: \$50,000 on May 3, 2021, and \$50,000 on May 17, 2021. As set forth in this complaint, there is reason to believe that Teeter Jay, LLC (“Teeter Jay”) was not the true source of the \$100,000 contributed in its

name to The Freedom Forward Fund, that one or more unknown person(s)—who may be Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or other persons—were, in fact, the true contributor(s), and that The Freedom Forward Fund accepted the contributions knowing that Teeter Jay was not the true contributor.

2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that Teeter Jay, any persons that created, operated and made contributions in the name of Teeter Jay (Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or unknown other persons), and The Freedom Forward Fund 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 [FECA] . . . [t]he Commission *shall make an investigation* of such alleged violation.”¹
3. There is no record of Teeter Jay having any activities or generating any income since it was registered as a New Mexico domestic limited liability company (“LLC”) in August 2019. Its registration discloses that it is member managed and has a single member, Terryl Jay Skaggs. The address provided in connection with its contributions to The Freedom Forward Fund is not listed on its LLC registration document, which provides a registered mailing address for a property in Las Cruces, NM, owned by Kimberly Skaggs and Joseph Skaggs. Teeter Jay has no website, social media account, business listings or online records, or any other discernible online presence.
4. Overall, these facts support the conclusion that Teeter Jay did not have the means to contribute \$100,000 to a political committee absent an infusion of funds provided to it for

¹ 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

that specific purpose, and that the unknown true contributors provided funds to Teeter Jay for the specific purpose of having it contribute \$100,000 to The Freedom Forward Fund without disclosing the true contributors' identities.

5. Accordingly, there is reason to believe that one or more unknown person(s) (Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or other persons) violated the prohibition on making contributions in the name of another, 52 U.S.C. § 30122, and that Teeter Jay violated the same provision by knowingly permitting its name to be used to effect contributions in the name of another.
6. Moreover, the timing and circumstances of the contributions, viewed in connection with the registration of The Freedom Forward Fund, indicate that the committee accepted the contributions made in Teeter Jay's name knowing that it was not the true contributor. As such, there is reason to believe that The Freedom Forward Fund violated 52 U.S.C. § 30122 by knowingly accepting contributions in the name of another.
7. In addition, there is reason to believe that Teeter Jay violated the Commission's regulation at 11 C.F.R. § 110.1(g)(5) when it failed to provide accurate and complete attribution information to The Freedom Forward Fund at the time of the contributions. There is also reason to believe that The Freedom Forward Fund violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 110.1(g)(4) when it failed to accurately report its receipt of the contributions made in Teeter Jay's name, which the committee was required to attribute to Teeter Jay's single member, Terryl Jay Skaggs.

FACTS

8. On August 20, 2019, “Teeter Jay LLC” was organized in New Mexico as a domestic limited liability company.² Its registration document provides that “5033 Northwind Rd., Las Cruces, NM 88005” is its mailing address; “7655 Rabbit Run Rd., Las Cruces, NM 88012” is its principal place of business; Laura Lazaro is its organizer; and its business purpose is “Performance & Arena.”³ Under “Management Type” the document states that the LLC is “Member Managed,” and lists “Terryl Jay Skaggs” as its sole member.⁴
9. Aside from the New Mexico registration document, there is no publicly available information about Teeter Jay; the LLC does not appear to have any discernible public footprint:
 - a. Searches on Google for “Teeter Jay, LLC” yield results from just three sites: one page each from OpenCorporates and Bizapedia reproducing information from the LLC’s New Mexico registration, and two pages from OpenSecrets listing the LLC’s contributions to The Freedom Forward Fund.⁵
 - b. Teeter Jay does not appear to have a public website, or any account or page on Facebook, Instagram, or Twitter.

² See Teeter Jay LLC Search Information, New Mexico Secretary of State, Corporations and Business Services (attached as Exhibit A).

³ *Id.*

⁴ *Id.*

⁵ Google.com, Search results for “Teeter Jay, LLC,” TEETER JAY LLC, https://opencorporates.com/companies/us_nm/5976375 (last visited Apr. 6, 2022); Teeter Jay LLC in Las Cruces, NM, <https://www.bizapedia.com/nm/teeter-jay-llc.html> (last visited Apr. 6, 2022), 2022 Top Donors to Outside Spending Groups, <https://www.opensecrets.org/outsidespending/summ.php?cycle=2022&disp=D&type=O&superonly=N> (last visited Apr. 6, 2022), Corporate Contributions to Outside Groups (filter results for “Teeter Jay”), <https://www.opensecrets.org/outside-spending/corporate-contributions> (last visited Apr. 6, 2022).

- c. There is no record of Teeter Jay in searches with the Better Business Bureau,⁶ Bloomberg’s company profile search,⁷ EDGAR,⁸ the U.S. Patent & Trademark Office’s Trademark Electronic Search System,⁹ the New Mexico Regulation & Licensing Department Facility Search,¹⁰ the Greater Las Cruces Chamber of Commerce,¹¹ or the Village of Tularosa Business Directory.¹²
10. Shortly after Rep. Debra Haaland, the incumbent in New Mexico’s 1st congressional district, resigned from Congress upon being confirmed as Secretary of the Interior on March 15, 2021,¹³ the New Mexico Secretary of State announced a special election to fill the seat.¹⁴ Mark Moores, a member of the New Mexico State Senate, won the Republican party’s primary for the special election on March 27, 2021. Melanie Stansbury won the Democratic party’s primary for the special election on March 31, 2021.
11. On April 3, 2021, Mark Moores for Congress, Moores’s authorized campaign committee, reported receiving a \$2,900 contribution—*i.e.*, the statutory maximum for an individual contribution to an authorized committee during the 2021-2022 election cycle¹⁵—from

⁶ See Better Business Bureau, Search Businesses and Charities, <https://www.bbb.org/search/> (last visited Apr. 6, 2022).

⁷ See Bloomberg, Company Search, <https://www.bloomberg.com/> (last visited Apr. 6, 2022).

⁸ U.S. Securities and Exchange Commission, EDGAR, <https://www.sec.gov/edgar/search/> (last visited Apr. 6, 2022).

⁹ See U.S. Patent & Trademark Office, Search Trademark Database, <https://www.uspto.gov/trademarks/search> (last visited Apr. 6, 2022).

¹⁰ See New Mexico Regulation & Licensing Department, Facility Search, <http://verification.rld.state.nm.us/> (last visited Apr. 6, 2022).

¹¹ See Greater Las Cruces Chamber of Commerce, Directory, <http://cca.lascruces.org/businesssearch.aspx> (last visited Apr. 6, 2022).

¹² See Village of Tularosa, Business Directory, https://www.villageoftularosa.com/business_directory.html (last visited Apr. 6, 2022).

¹³ Nathan Rott, *Deb Haaland Confirmed As 1st Native American Interior Secretary*, NPR (Mar. 15, 2021), <https://www.npr.org/2021/03/15/977558590/deb-haaland-confirmed-as-first-native-american-interior-secretary>.

¹⁴ Stephanie Akin, *Vote set for June 1 to fill Haaland seat in New Mexico’s 1st District*, Roll Call (Mar. 17, 2021), <https://rollcall.com/2021/03/17/vote-set-for-june-1-to-fill-haaland-seat-in-new-mexicos-1st-district/>.

¹⁵ See 52 U.S.C. § 30116(a)(1)(A); Price Index Adjustments for Contribution and Expenditure Limitations and Lobbyist Bundling Disclosure Threshold, 86 Fed. Reg. 7867, 7869 (Feb. 2, 2021).

Kimberly Skaggs, the Executive Director of the Republican Party of New Mexico.¹⁶ On its disclosure report, Mark Moores for Congress reported Skaggs’s address as “5033 Northwind Rd., Las Cruces, NM 88007,” which is the same address that Teeter Jay had listed as its mailing address on its LLC registration document.¹⁷

12. The property at “5033 Northwind Rd., Las Cruces, NM 88007,” is deeded to “Joseph R. Skaggs and Kimberly A. Skaggs, his wife as joint tenants.”¹⁸ Kimberly Skaggs had also previously used the same address on a state campaign committee registration form when she ran for the New Mexico State Senate in 2020.¹⁹
13. On the same day, April 3, 2021, Mark Moores for Congress also reported receiving \$2,900 from Joseph Skaggs of “1300 West Hadley Avenue, Las Cruces, NM.”²⁰
14. There appears to be no other publicly available information linking Kimberly Skaggs or Joseph Skaggs with Teeter Jay or The Freedom Forward Fund.
15. On May 11, 2021, The Freedom Forward Fund filed a Statement of Organization with the Commission as an IEOPC.²¹ Mike McCauley is the committee’s treasurer.²²
16. The Freedom Forward Fund reported receiving a \$50,000 contribution from Teeter Jay on May 3, 2021 (eight days before it registered with the FEC as a political committee), and another \$50,000 contribution from Teeter Jay on May 17, 2021.²³ The committee

¹⁶ See Republican Party of New Mexico Officers & Staff, <https://newmexico.gop/officers-staff/> (attached as Exhibit B).

¹⁷ See Mark Moores for Congress, 12-Day Pre-Election Report at 91 (May 20, 2021).

¹⁸ Warranty Deed (attached as Exhibit C).

¹⁹ Kimberly A. Skaggs, New Mexico Candidate Campaign Committee Registration (July 31, 2020) (attached as Exhibit D).

²⁰ Mark Moores For Congress, 12-Day Pre-Election Report at 91 (May 20, 2021). A Google search for this address links it to a company called “Hydrotech Drilling;” Joseph Skaggs disclosed his Occupation as “Manager” and his employer as “Hydrotech” in connection with his contribution to Moores’s campaign committee. *Id.*

²¹ The Freedom Forward Fund, Statement of Org. (May 11, 2021).

²² *Id.*

²³ The Freedom Forward Fund, 2021 July Quarterly Report at 6 (July 12, 2021).

reported Teeter Jay’s address as “18 Prairie Trail, Tularosa, NM, 88352”—an address that does not appear anywhere on Teeter Jay’s LLC registration document²⁴—in connection with both contributions.²⁵

17. The Freedom Forward Fund has reported only one other contribution, \$10,000 that it received from “Ben Spencer” on May 17, 2021²⁶; as such, the \$100,000 contributed in the name of Teeter Jay constitutes 90% of the funds that The Freedom Forward Fund has received to date.
18. Between May 11, 2021, and May 28, 2021, The Freedom Forward Fund reported making independent expenditures totaling \$94,643.04, all of which opposed Melanie Stansbury—Mark Moores’s general-election opponent—in the June 1, 2021, special election for New Mexico’s 1st congressional district.²⁷
19. After the June 1, 2021, special election, The Freedom Forward Fund has reported no receipts and no independent expenditures; its only activity has been for operating expenditures described as “Accounting & Reporting” and “Consulting Services.”²⁸

²⁴ In addition, the address appears to be inaccurate, as there is no “18 Prairie Trail” in Tularosa, NM. On Google Maps, a search for this address returns a result for “18 Prairie Road, Tularosa, NM, 88352.”

²⁵ The Freedom Forward Fund, 2021 July Quarterly Report at 6 (July 12, 2021).

²⁶ *Id.*

²⁷ See The Freedom Forward Fund, Amend. 2021 July Quarterly Report at 10-11 (Sept. 13, 2021).

²⁸ See Individual Contributions, The Freedom Forward Fund, https://www.fec.gov/data/individual-contributions/?committee_id=C00779314&two_year_transaction_period=2022 (viewed Apr. 11, 2022); Independent Expenditures, The Freedom Forward Fund, https://www.fec.gov/data/independent-expenditures/?data_type=processed&committee_id=C00779314&is_notice=false&most_recent=true&min_date=01%2F01%2F2021&max_date=12%2F31%2F2022 (viewed Apr. 11, 2022); Disbursements, The Freedom Forward Fund, https://www.fec.gov/data/disbursements/?committee_id=C00779314&two_year_transaction_period=2022&data_type=processed (viewed Apr. 11, 2022).

SUMMARY OF THE LAW

Contributions in the Name of Another

20. 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.”²⁹
21. The Commission regulation implementing the statutory prohibition 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.”
 - 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.”³⁰
22. 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,³¹ and ensures that the public and complainants are fully informed about the true sources of political contributions and expenditures. Such transparency also enables voters, including complainant Wieand, to

²⁹ 52 U.S.C. § 30122.

³⁰ 11 C.F.R. § 110.4(b)(2)(i)-(ii).

³¹ *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).

have the information necessary to evaluate candidates for office, “make informed decisions[,] and give proper weight to different speakers and messages.”³²

23. FECA and Commission regulations provide that a person who furnishes another with funds for the purpose of contributing to a candidate or committee “makes” the resulting contribution, whether funds are advanced to another person to make a contribution in that person’s name or promised as reimbursement of a solicited contribution.³³ Moreover, the “key issue . . . is the source of the funds” and, therefore, the legal status of the funds when conveyed from a conduit to the ultimate recipient is “irrelevant to a determination of who ‘made’ the contribution for the purposes of [Section 30122].”³⁴
24. On April 1, 2016, then-Chair 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.³⁵ 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

³² *Citizens United v. FEC*, 558 U.S. 310, 369-71 (2010); see also Abby K. Wood, *Campaign Finance Disclosure*, 14 Ann. Rev. L. & Soc. Sci. 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 Disclosure Laws in Direct Democracy*, 4 Election L.J. 295, 296 (2005) (finding that knowing the sources of election messaging is a “particularly credible” informational cue for voters).

³³ See *United States v. Boender*, 649 F.3d 650, 660 (7th Cir. 2011) (holding that to determine who made a contribution “we consider the giver to be the source of the gift, not any intermediary who simply conveys the gift from the donor to the donee.”); *O’Donnell*, 608 F.3d at 550, 555; *Goland v. United States*, 903 F.2d 1247, 1251 (9th Cir. 1990) (“[FECA] prohibits the use of ‘conduits’ to circumvent . . . [reporting] restrictions.”).

³⁴ *United States v. Whittemore*, 776 F.3d 1074, 1080 (9th Cir. 2015) (holding that defendant’s “unconditional gifts” to relatives and employees, along with the suggestion they contribute the funds to a specific political committee, violated Section 30122 because the source of the funds remained the individual who provided them to the putative contributors).

³⁵ 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), <https://www.fec.gov/files/legal/murs/6487/16044391129.pdf>.

evades the Act’s reporting requirements, making the individual, not the corporation or corporate LLC, the true source of the funds.”³⁶ 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.³⁷

25. Straw donor contributions like those alleged here are serious violations of federal campaign finance law that have led to criminal indictments and convictions in recent years.³⁸ As explained in one such indictment, the straw donor ban works in tandem with other campaign finance laws to protect the integrity of our electoral system and to ensure that all candidates, campaign committees, federal regulators, and the public are informed of the true sources of money spent to influence federal elections.³⁹ Another recent indictment highlighted how straw donor schemes have been used to skirt FECA’s source prohibitions, such as the ban on contributions by government contractors.⁴⁰

³⁶ *Id.*

³⁷ *Id.* at 12.

³⁸ See Colin Moynihan, *Lev Parnas, Ex-Giuliani Ally, Is Convicted of Campaign Finance Charges*, N.Y. Times (Oct. 22, 2021), <https://www.nytimes.com/2021/10/22/nyregion/lev-parnas-guilty-giuliani.html>; Dep’t of Justice, *Lev Parnas and Igor Fruman Charged with Conspiring to Violate Straw and Foreign Donor Bans* (Oct. 10, 2019), <https://www.justice.gov/usao-sdny/pr/lev-parnas-and-igor-fruman-charged-conspiring-violate-straw-and-foreign-donor-bans>; Dep’t of Justice, *Entertainer/Businessman and Malaysian Financier Indicted for Conspiring to Make and Conceal Foreign and Conduit Contributions During 2012 U.S. Presidential Election* (May 10, 2019), <https://www.justice.gov/opa/pr/entertainerbusinessman-and-malaysian-financier-indicted-conspiring-make-and-conceal-foreign>.

³⁹ Grand Jury Indictment, *United States v. Lev Parnas, et al.*, Cr. No. 19-725 (S.D.N.Y. Oct. 10, 2019), <https://www.justice.gov/usao-sdny/press-release/file/1208281/download>.

⁴⁰ Dep’t of Justice, *Former Government Contractor Executives Indicted for Unlawful Campaign Contributions* (Feb. 10, 2022), <https://www.justice.gov/opa/pr/former-government-contractor-executives-indicted-unlawful-campaign-contributions>.

The Commission's LLC Attribution Rules

26. FECA requires that all political committees—including independent-expenditure only committees—file periodic disclosure reports with the Commission that accurately disclose, *inter alia*, the identity each contributor whose contributions aggregate in excess of \$200 in a calendar year (for an unauthorized committee).⁴¹
27. Under 11 C.F.R. § 110.1(g)(4), “[a] contribution by an LLC with a single natural person member that does not elect to be treated as a corporation . . . shall be attributed *only* to that single member.”⁴²
28. Moreover, “[a]n LLC that makes a contribution pursuant to paragraph [11 C.F.R. § 110.1](g)(4) . . . shall, at the time it makes the contribution, provide information to the recipient committee as to how the contribution is to be attributed, and affirm to the recipient committee that it is eligible to make the contribution.”⁴³
29. In a September 13, 2018, Statement of Reasons, then-Chair Hunter and then-Commissioner Petersen reaffirmed that even in the context of contributions to independent-expenditure-only political committees, the Commission’s LLC attribution rules “apply to the reporting of these contributions”—*i.e.*, “contributions from an LLC with a single natural person member (that does not elect corporate taxation).”⁴⁴
30. More recently, on April 15, 2022, four Commissioners issued a Statement of Reasons reaffirming that the Commission’s LLC attribution rules apply to contributions made to IEOPCs: “[C]ontributions from LLCs to committees must be attributed pursuant to

⁴¹ 52 U.S.C. § 30104(b).

⁴² 11 C.F.R. § 110.1(g)(4) (emphasis added).

⁴³ 11 C.F.R. § 110.1(g)(5).

⁴⁴ Statement of Reasons of Chair Caroline Hunter and Commissioner Matthew Petersen at 2, 5, MURs 6969, 7031, and 7034 (Sept. 13, 2018).

Commission regulations, and those regulations apply to all committees, *including IEOPCs.*”⁴⁵

CAUSES OF ACTION

COUNT I:

TEETER JAY, LLC AND KIMBERLY SKAGGS, JOSEPH SKAGGS, TERRYL JAY SKAGGS, AND/OR THE UNKNOWN PERSON(S) WHO CONTRIBUTED TO THE FREEDOM FORWARD FUND IN THE NAME OF TEETER JAY, LLC VIOLATED 52 U.S.C. § 30122

31. Teeter Jay has no documented activities or verifiable presence, as it has no website, social media account, or substantive online presence, despite being organized in August 2019.⁴⁶ This lack of any apparent activity supports the conclusion that it neither conducted any real business nor had sufficient income from assets, investment earnings, business revenues, or bona fide capital investments from which it could have made \$100,000 in contributions to The Freedom Forward Fund, without an infusion of funds provided for that specific purpose.
32. Teeter Jay’s registration document lists a mailing address of “5033 Northwind Rd., Las Cruces, NM 88005.” That is the same address listed for Kimberly Skaggs in connection with a \$2,900 contribution to Mark Moores for Congress, as well as on a state campaign committee registration that Kimberly Skaggs filed when she ran for the New Mexico State Senate in 2020. Moreover, property records indicate that Joseph Skaggs and

⁴⁵ Statement of Reasons of Chairman Allen Dickerson, Vice Chair Steven T. Walther, Commissioner Shana M. Broussard and Commissioner Ellen L. Weintraub at 3, MUR 7454 (Apr. 15, 2022) (emphasis added); *see also* Statement of Reasons of Chairman Allen Dickerson at 3, 5, MUR 7454 (Apr. 14, 2022) (“The Commission’s regulations concerning the attribution of LLC contributions apply on their face to all LLC contributions irrespective of the recipient. . . . [W]here the Act or Commission regulations speak of “committees,” does that term encompass new vehicles, such as IEOPCs or Hybrid Committees, that arise from judicial decisions? In my view, the answer is “yes.” . . . [A] committee, like an IEOPC, is not some new thing under the sun. It is simply a committee, created and regulated pursuant to FECA . . . [that] remains subject to existing rules except insofar as those rules conflict with a course of conduct blessed by the judiciary.”).

⁴⁶ *See supra* ¶ 9.

Kimberly Skaggs are the owners of the property at “5033 Northwind Rd., Las Cruces, NM 88007.”

33. Teeter Jay’s registration document also lists someone with the same surname—Terryl Jay Skaggs—as Teeter Jay’s only “Member,” and the LLC’s registration indicates that it is “Member Managed,” supporting the conclusion that Terryl Jay Skaggs is also the sole manager for the LLC.
34. Teeter Jay provided an address—“18 Prairie Trail, Tularosa, NM 88352”—in connection with its \$100,000 in contributions, which does not appear on its state LLC registration document.
35. The fact that Teeter Jay disclosed a different address that appears nowhere on its official registration document, in connection with \$100,000 in contributions, instead of its registered mailing address (which is publicly linked to Kimberly and Joseph Skaggs) suggests that the true contributor(s) were trying to conceal their connection to the LLC and their role in funding \$100,000 in contributions to The Freedom Forward Fund.
36. The sequence of events also suggests a possible explanation for why the true contributor(s) may have sought to conceal their identity as the source of the funds used to make independent expenditures opposing Melanie Stansbury.
37. Kimberly Skaggs, who shares a mailing address with Teeter Jay, is the Executive Director of the New Mexico Republican Party. She and her husband, Joseph Skaggs, each made a \$2,900 maximum contribution to Mark Moores for Congress shortly after Moores became the Republican candidate in the 2021 special election for New Mexico’s 1st congressional district. One month later, on May 3, 2021, The Freedom Forward Fund received the first of two \$50,000 contributions in the name of Teeter Jay.

38. The Freedom Forward Fund registered with the Commission eight days later, on May 11, 2021, and began making independent expenditures opposing Moores's opponent, Stansbury, the same day. Over seventeen days, from May 11, 2021, through May 28, 2021, the committee spent over \$94,000—all of its funds, minus \$13,800 for legal and administrative expenses—on independent expenditures opposing Stansbury. The Freedom Forward Fund effectively shut down immediately after the special election, reporting no subsequent receipts or expenditures aside from small payments for operational expenses.
39. The available facts, viewed as a whole, indicate that unidentified persons—who may include Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or other persons—used Teeter Jay, an LLC that had engaged in no known activity, as a straw donor to make contributions to an IEOPC, newly formed for the purpose of opposing a single congressional candidate in a special election, without disclosing their identities as the true contributor(s). In other words, by funneling the money through Teeter Jay, these unidentified persons secretly supplied The Freedom Forward Fund with money to run ads expressly advocating against Melanie Stansbury—thereby bolstering Mark Moores's candidacy—during the month leading up to the 2021 New Mexico special election, without being disclosed as the source of the funds paying for those ads.
40. Accordingly, there is reason to believe that unidentified persons—who may include Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or other person(s) who created, operated, and/or contributed through Teeter Jay—violated 52 U.S.C. § 30122 by making contributions in the name of another. Furthermore, there is reason to believe that Teeter

Jay violated 52 U.S.C. § 30122 when it knowingly permitted its name to be used to effect contributions in the name of another.

COUNT TWO:
**THE FREEDOM FORWARD FUND VIOLATED 52 U.S.C. § 30122 BY KNOWINGLY
ACCEPTING CONTRIBUTIONS IN THE NAME OF ANOTHER**

41. Based on the available information, the Freedom Forward Fund also appears to have violated Section 30122 by knowingly accepting contributions in the name of another. The committee reported receiving a \$50,000 contribution in the name of Teeter Jay, on May 3, 2021. This contribution was the first that it reported receiving, and The Freedom Forward Fund thereupon satisfied the statutory definition of a political committee, triggering the statutory requirement that it register as such within 10 days.⁴⁷ The Freedom Forward Fund filed a Statement of Organization with the Commission eight days later, on May 11, 2021.
42. The Freedom Forward Fund reported only two contributors, and 90% of its total funds came from Teeter Jay, including the \$50,000 it reported receiving on May 3, 2021, and a second \$50,000 contribution it reported receiving on May 17, 2021. The committee received only one other contribution, also on May 17, 2021, for \$10,000.
43. The Freedom Forward Fund spent all of its funds, after paying for its operational expenditures, on independent expenditures opposing a single congressional candidate in a special election held on June 1, 2021—*i.e.*, within a month of its organization—and subsequently ceased all activity, reporting no receipts or independent expenditures after the special election.

⁴⁷ See 52 U.S.C. § 30103(a) (requiring political committees to register within 10 days of satisfying the statutory definition); 52 U.S.C. § 30101(4) (defining political committee).

44. Viewed as a whole, these circumstances—particularly that an overwhelming proportion of the committee’s receipts came from Teeter Jay, which was the first and one of only two reported contributors to the committee—indicate that The Freedom Forward Fund knew the identity or identities of the persons that made contributions in the LLC’s name. Thus, there is reason to believe that The Freedom Forward Fund knew that Teeter Jay was not the true contributor when it accepted those contributions.
45. Accordingly, the available information provides reason to believe that The Freedom Forward Fund violated 52 U.S.C. § 30122 by knowingly accepting contributions in the name of another.

COUNT THREE:

TEETER JAY, LLC VIOLATED ITS AFFIRMATIVE OBLIGATION TO PROVIDE COMPLETE AND ACCURATE ATTRIBUTION INFORMATION AT THE TIME OF THE CONTRIBUTIONS, AND THE FREEDOM FORWARD FUND VIOLATED ITS REPORTING OBLIGATIONS

46. The available information indicates that because Teeter Jay is a limited liability company with a single natural person member, the contributions made in Teeter Jay’s name were improperly attributed.
47. Teeter Jay’s registration document lists a single member, Terryl Jay Skaggs. There is no indication that Teeter Jay has elected to be taxed as a corporation.
48. Under 11 C.F.R. § 110.1(g)(4), “[a] contribution by an LLC with a single natural person member that does not elect to be treated as a corporation . . . shall be attributed *only* to that single member.”⁴⁸
49. If, as it appears, Teeter Jay is not taxed as a corporation, then its contributions must be attributed only to its single natural person member, Terryl Jay Skaggs. Nevertheless, on

⁴⁸ 11 C.F.R. § 110.1(g)(4) (emphasis added).

its disclosure report filed with the Commission, The Freedom Forward Fund attributed the contributions made in Teeter Jay's name to the LLC, not to Terryl Jay Skaggs.

50. Accordingly, there is reason to believe that The Freedom Forward Fund violated its reporting obligations under 52 U.S.C. § 30104(b) and 11 C.F.R. § 110.1(g)(4) when it attributed \$100,000 in contributions to Teeter Jay, and not to its single natural person member, Terryl Jay Skaggs.
51. Moreover, Teeter Jay appears to have violated Commission regulations by failing to “provide information to the recipient committee,” The Freedom Forward Fund, “as to how the contribution is to be attributed, and affirm to the recipient committee that it is eligible to make the contribution.”⁴⁹ In light of the fact that The Freedom Forward Fund wrongly attributed \$100,000 in contributions to Teeter Jay, there is reason to believe Teeter Jay violated 11 C.F.R. § 110.1(g)(5) by failing to provide The Freedom Forward Fund with information indicating that the contributions made in its name had to be attributed solely to Terryl Jay Skaggs.

PRAYER FOR RELIEF

52. Wherefore, the Commission should find reason to believe that Teeter Jay, LLC, any person(s) who created, operated, and made contributions to or in the name of this entity (Kimberly Skaggs, Joseph Skaggs, Terryl Jay Skaggs, and/or unknown person(s)), and Freedom Forward Fund have violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).

⁴⁹ 11 C.F.R. § 110.1(g)(5).

53. 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 FECA.

Respectfully submitted

/s/ Saurav Ghosh
Campaign Legal Center, by
Saurav Ghosh, Esq.
1101 14th Street NW, Suite 400
Washington, DC 20005
(202) 736-2200

/s/ Roger G. Wieand
Roger G. Wieand
1101 14th Street NW, Suite 400
Washington, DC 20005
(202) 736-2200

Saurav Ghosh, Esq.
Campaign Legal Center
1101 14th Street NW, Suite 400
Washington, DC 20005
Counsel to the Campaign Legal Center,
Roger G. Wieand

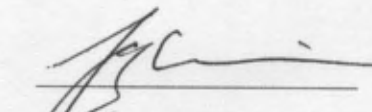
April 20, 2022

VERIFICATION

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

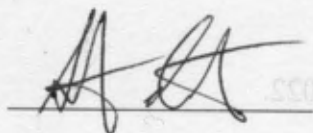
Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Roger G. Wieand



Roger G. Wieand

Sworn to and subscribed before me this 20 day of April 2022.



Notary Public



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 Campaign Legal Center



Saurav Ghosh, Esq.

Sworn to and subscribed before me this 20th day of April 2022.



Notary Public



EXHIBIT A

[HOME](#)

Search Information

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Entity Details

Business ID#: **5976375**Status: **Active**Entity Name: **TEETER JAY LLC**Standing: **Good Standing**DBA Name: **Not Applicable**

Entity Type and State of Domicile

Entity Type: **Domestic Limited Liability Company**State of Incorporation: **New Mexico**Statute Law Code: **53-19-1 to 53-19-74**

Formation Dates

Date of Incorporation in NM: **Not Applicable**Date of Organization in NM: **08/20/2019**Date of Formation in State of Domicile: **Not Applicable**Date of Authority in NM: **Not Applicable**Date of Registration in NM: **Not Applicable**Management Type: **Member Managed**

Reporting Information

Report Due Date: **Not Applicable**Next Annual Meeting Date: **Not Applicable**

Suspension Expiration Date:

Period of Existence and Purpose and Character of Affairs

Period of Duration: **Perpetual**Business Purpose: **PERFORMANCE & ARENA**

Character Of Affairs:

Outstanding Items

Not Applicable

Registered Agent:

No Records Found.

License:

No Records Found.

Contact Information

Mailing Address: **5033 NORTHWIND RD., Las Cruces, NM 88005**

Principal Place of Business
Anywhere: **7655 RABBIT RUN RD., Las Cruces, NM 88012**

Secondary Principal Place of
Business Anywhere:

Principal Office Outside of New
Mexico: **Not Applicable**

Registered Office in State of
Incorporation:

Principal Place of Business in
Domestic State/ Country: **Not Applicable**

Principal Office Location in NM: **Not Applicable**

Registered Agent Information

Name: **NORTHWEST REGISTERED AGENT, INC.**

Geographical Location
Address:

Physical Address: **530-B HARKLE ROAD, STE
100, Santa Fe, NM 87505**

Mailing Address: **522 W. Riverside Ave., Suite
N, Spokane, WA 99201**

Date of Appointment: **02/28/2020**

Effective Date of Resignation:

Director Information

Not Applicable

Officer Information

Not Applicable

Manager Information

No Records to View.

Member Information

Title	Name	Address
Member	TERRYL JAY SKAGGS	7655 RABBIT RUN RD., SUITE B, Las Cruces, NM 88012

Organizer Information

Title	Name	Address
-------	------	---------

Title	Name	Address
Organizer	LAURA LAZARO	4421 ELKS DR, Las Cruces, NM 88007

Incorporator Information**Not Applicable****Trustee Information****Not Applicable****Filing History**

Filing Date	Filing Type	Fiscal Year End Date	Post Mark	Survivor/ Re-Domesticated Entity	Instrument Text	Processed Date	Filing #
08/20/2019	Business Formation	12/31/2019				08/20/2019	1990909
02/28/2020	Registered Agent Change					02/28/2020	2024103

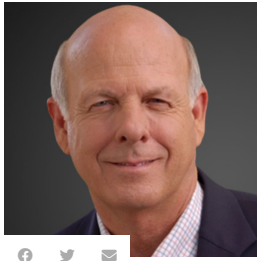
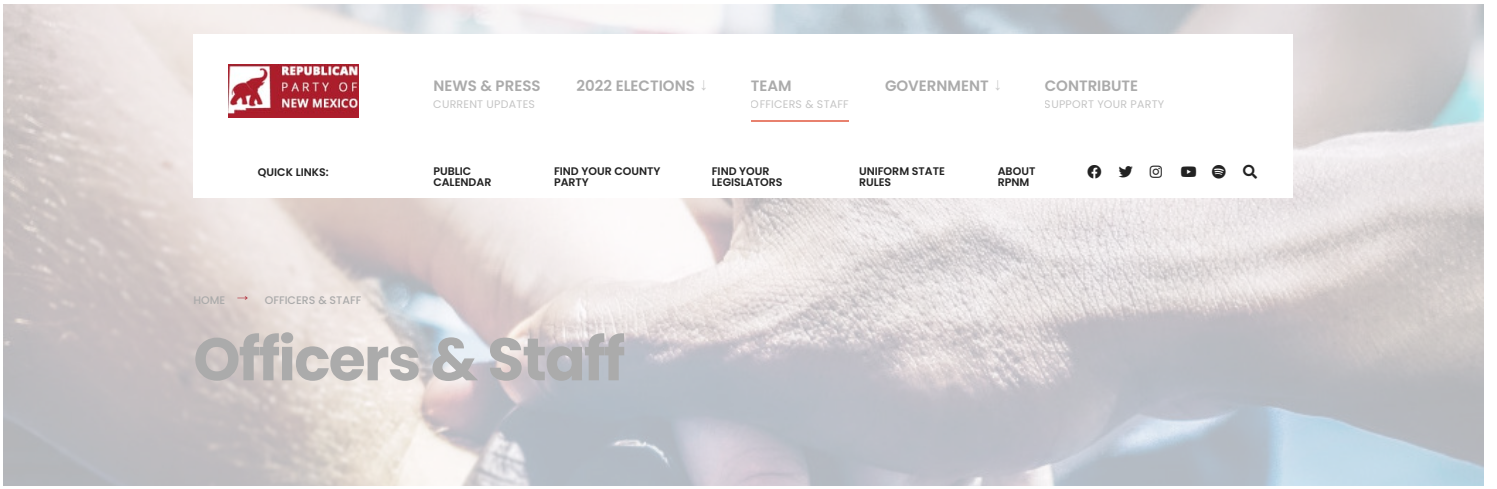
License History

Filing Date	Filing Number	License Start Date	License End Date
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No records to view.

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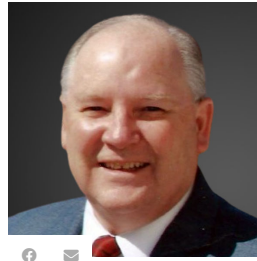
EXHIBIT B



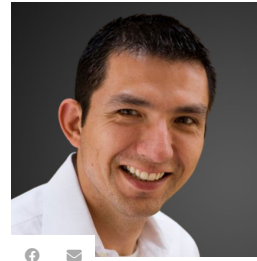
Steve Pearce
Chairman
tel: 505-298-3662



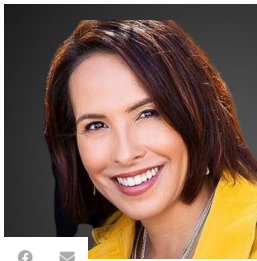
Frank Trambley
1st Vice Chairman
tel: 575-643-5591



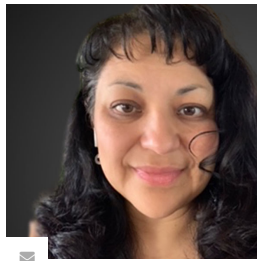
Bob Graham
2nd Vice Chairman
tel: 505-603-6564



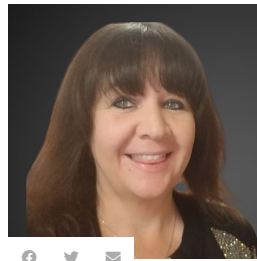
David Chavez, CPA
Treasurer
tel: 505-977-7868



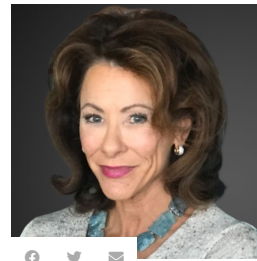
Mari Trujillo Spinelli
Secretary
tel: 505-309-4537



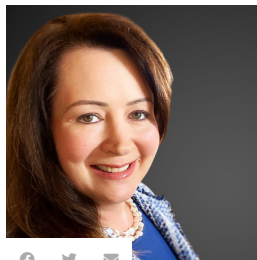
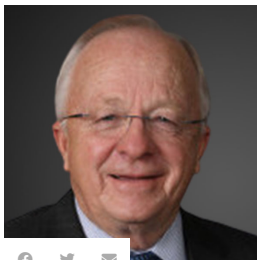
Leticia Munoz-Kaminski
CD1 Vice Chair
tel: 505-385-8181



Amy Barela
CD2 Vice Chair
tel: 505-298-3662



Anita Statman
CD 3 Vice Chair
tel: 505-490-0141





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Kimberly Skaggs

Executive Director

📞 (575) 491-3891

✉️ kim@gopnm.org

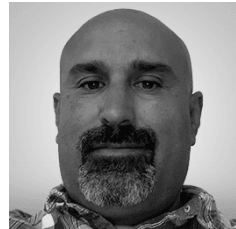


Mike Curtis

Communications Director

📞 (609) 529-1011

✉️ mike@gopnm.org

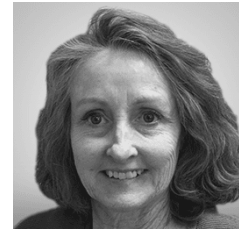


Victor Torres

Executive Lead

📞 (505) 298-3662

✉️ victor@gopnm.org



Maureen Tarbox

Finance Director

📞 (505) 298-3662

✉️ maureen@gopnm.org

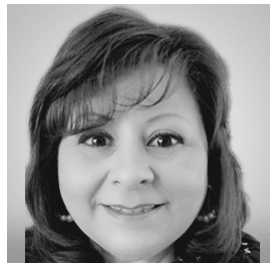


Ashely Soular

Videographer

📞 (505) 298-3662

✉️ ash@gopnm.org

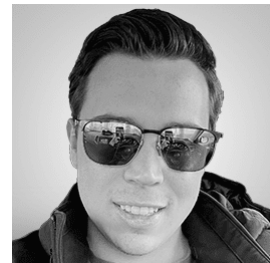


Norma Bojorquez

Team Member

📞 (505) 298-3662

✉️ norma@gopnm.org



Mateo Cuellar

Team Member

📞 (505) 298-3662

✉️ mateo@gopnm.org



Republican Party HQ
5150 San Francisco Rd NE #A
Albuquerque, NM 87109

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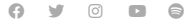
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EXHIBIT C

WARRANTY DEED

BUENO TITLE # 18070626/Bpm

Adan Velasquez and Elena Velasquez, his wife, for consideration paid, grant(s) to Joseph R. Skaggs and Kimberly A. Skaggs, his wife as joint tenants, whose address is 5033 Northwind Rd. Las Cruces, New Mexico 88007.

the following described real estate in Dona Ana County, New Mexico: 5033 Northwind Rd., Las Cruces, New Mexico.

A TRACT OF LAND SITUATE NORTH OF LAS CRUCES, DONA ANA COUNTY, NEW MEXICO, LOCATED IN SECTION 27, T. 22S., R. 1E., N.M.P.M. OF THE U.S.R.S. SURVEYS, AS U.S.R.S. TRACT 5-33A5 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED MARKED BY AN IRON ROD; WHENCE A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF U.S.R.S. TRACT 5-33 BEARS N.31 DEG., 05'W., A DISTANCE OF 791.74 FEET; THENCE S. 31 DEG., 05'E., 160.5 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER; THENCE S. 61 DEG., 22'W., 1011.15 FEET TO AN IRON ROD AT THE SOUTHWEST CORNER A POINT OF THE EAST LINE OF THE ORIGINAL DEL RIO DRAIN; THENCE FOLLOWING ALONG THE DRAINLINE AROUND THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 528.00 FEET, AN ARC LENGTH OF 133.48 FEET THROUGH A CENTRAL ANGLE OF 14 DEG., 29' AND WHOSE LONG CHORD BEARS N.2 DEG., 20'30"E., 133.12 FEET TO A POINT OF TANGENCY; THENCE N.9 DEG., 35'E., 25.78 FEET TO AN IRON ROD AT THE NORTHWEST CORNER OF THIS TRACT; THENCE N. 59 DEG., 45'E., 920.19 FEET TO THE PLACE OF THE BEGINNING, CONTAINING 3.269 ACRES OF LAND MORE OR LESS. Known as 5033 Northwind Rd. Las Cruces, New Mexico 88007

SUBJECT TO all patent and mineral reservations, restrictive covenants, restrictions, and reservations of easements and rights-of-way of record, and all applicable zoning regulations, restrictions and requirements, and all other matters of record and to taxes for the current year and subsequent years.

With warranty covenants.

WITNESS my hands and seals this 20 day of March, 2017.

COUNTY OF DONA ANA) WARRANTY DEED
STATE OF NEW MEXICO) ss PAGES: 1

Adan Velasquez (Seal)

Elena Velasquez (Seal)

I Hereby Certify That This Instrument Was Filed for Record On SEP 28, 2018 04:52:42 PM And Was Duly Recorded as Instrument # 1823392 Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office, Amanda Lopez Askin, County Clerk, Dona Ana, NM

Deputy Gabrielle Martinez

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss.

This instrument was acknowledged before me on March 20, 2017 by Adan Velasquez and Elena Velasquez.

My commission expires: 11-10-17

Wendy Loya (Notary Public)

(Seal)

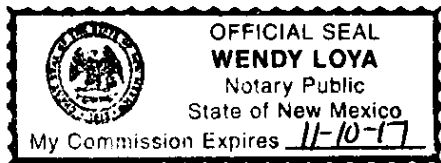


EXHIBIT D



OFFICE OF THE SECRETARY OF STATE

Bureau of Elections, Ethics Administration
325 Don Gaspar, Suite 300, Santa Fe, New Mexico 87501
Phone: (505) 827-3600 Toll-Free: (800) 477-3632
Fax: (505) 827-8403

CANDIDATE CAMPAIGN COMMITTEE REGISTRATION

New Registration

Registration Amendment

CANDIDATE NAME: KIMBERLY A SKAGGS

OFFICE: State Senator DISTRICT/DIVISION: DISTRICT 36
ELECTION YEAR: 2020 PARTY AFFILIATION: REPUBLICAN

CAMPAIGN COMMITTEE MAILING ADDRESS

Residential or P.O. Box: 5033 NORTHWIND RD

City or Town: LAS CRUCES State: NM Zip: 88007

County: Dona Ana Email: KIMBERLY.SENATE36@GMAIL.COM

Telephone 1: 575 4913891 Telephone 2: _____

Name of Campaign Committee: Committee to Elect Kimberly Skaggs

Campaign Committee Email: KIMBERLY.SENATE36@GMAIL.COM
(Primary email address used to setup CFIS account login)

Name of Bank: BBVA Address of Bank: 225 E IDAHO, LAS CRUCES, NM, 88005
(Where campaign committee bank account is maintained)

TREASURER INFORMATION

Treasurer's Name: SHAIN VAN DYKE

Treasurer's Mailing Address: 1155 N MIRANDA UNIT K8

City or Town: LAS CRUCES State: NM Zip: 88005

Treasurer's Email: SHAIN.VANDYKE@YAHOO.COM Treasurer's Telephone: (575)496-8905

KIMBERLY SKAGGS 7/31/2020
Signature of Candidate or Treasurer **Date**