

BEFORE THE FEDERAL ELECTION COMMISSION

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

SOPHIA GONSALVES-BROWN
1101 14th Street NW, Suite 400
Washington, DC 20005

v. MUR No. _____

SNOW GOOSE, LLC
5830 E. 2nd St
Casper, WY 82609

ANY UNKNOWN PERSON(S)
who made contributions to Wyoming
Values in the name of Snow Goose, LLC

COMPLAINT

1. Snow Goose, LLC, an obscure entity with no apparent income or assets, no identifiable commercial activity, and no discernible online or physical presence, appears to have served only one purpose: Allowing unknown persons to make a \$50,000 political contribution to a super PAC in the LLC’s name, roughly two months after the LLC was organized, thereby concealing the true contributors’ identities from public disclosure. This “straw donor” scheme violated federal campaign finance laws and deprived voters of information essential to a transparent political process.
2. Wyoming Values, an independent-expenditure only political committee (“IEOPC”) — commonly referred to as a super PAC — reported receiving a \$50,000 contribution from Snow Goose, LLC (“Snow Goose”), on February 14, 2022. As set forth in this complaint, Snow Goose does not appear to have generated any income or engaged in any activities since it was registered as a Wyoming limited liability company (“LLC”) on December

10, 2021. It therefore appears that one or more unknown persons provided funds to Snow Goose for the purpose of making a \$50,000 contribution to Wyoming Values without disclosing the true contributors' identities.

3. Accordingly, there is reason to believe one or more unknown person(s) violated 52 U.S.C. § 30122 by making this \$50,000 contribution in the name of Snow Goose, and that Snow Goose violated the same provision by knowingly permitting its name to be used to effect the contribution of one or more other persons in its name.
4. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that Snow Goose and any persons that created, operated, and/or made contributions to Wyoming Values in the name of Snow Goose 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

FACTS

5. Wyoming Values is an IEOPC that registered with the Commission on September 8, 2021, and Paul Kilgore is its treasurer.² During the 2022 election cycle, Wyoming Values has disclosed aggregate receipts of \$706,000 as of March 31, 2022.³ Wyoming Values has also spent over \$560,000 on independent expenditures exclusively supporting Harriet

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

² Wyoming Values, Statement of Org. (September 8, 2021).

³ Wyoming Values, Receipts, https://www.fec.gov/data/receipts/?two_year_transaction_period=2022&committee_id=C00788877&datatype=processed (last viewed June 21, 2022).

Hageman,⁴ a congressional candidate in Wyoming, or opposing Hageman’s opponent, incumbent Liz Cheney.⁵

6. “Snow Goose, LLC” was organized in Wyoming as a domestic limited liability company on December 10, 2021.⁶ Documents filed by Snow Goose with the Wyoming Secretary of State indicate that Matt Kim-Miller is the LLC’s organizer, attorney, and agent.⁷ Snow Goose’s mailing address and principal office address are at 5830 E. 2nd Street, Casper, WY 82609, which is the same address provided for its registered agent, Corporate Creations Network Inc.⁸
7. Wyoming Values received a \$50,000 contribution in Snow Goose’s name on February 14, 2022, approximately ten weeks after the LLC was organized.⁹ This appears to be the only federal contribution that Snow Goose has made.¹⁰ The address disclosed in connection with the \$50,000 contribution — 5830 E. 2nd St, Casper, WY, 82609 — matches that on Snow Goose’s articles of organization.
8. Snow Goose has no known business operations, investments, assets, or commercial ventures from which it might generate income of its own to make political contributions.

⁴ *E.g.*, “Donald Trump Jr. Cuts Ad for Harriet Hageman, Liz Cheney’s Opponent,” YouTube (May 9, 2022), <https://www.youtube.com/watch?v=SzCauzvLlA> (last viewed June 21, 2022).

⁵ Wyoming Values, Independent Expenditures, https://www.fec.gov/data/independent-expenditures/?data_type=processed&most_recent=true&committee_id=C00788877&is_notice=true (last viewed June 1, 2022); *see* Maggie Mullen, *Super PACs spend record \$1 million in Wyo’s U.S. House race*, WyoFile (May 26, 2022), <https://wyofile.com/super-pacs-spend-record-1-million-in-wyos-u-s-house-race/> (“Wyoming Values, a Georgia-based super PAC, is responsible for more than half of the super PAC spending in Wyoming for the 2022 election. The group has dropped over \$560,000 on billboards and TV and radio advertisements in Wyoming.”).

⁶ “Snow Goose LLC,” Articles of Org., Wyoming Secretary of State (attached as Exhibit A).

⁷ *Id.*

⁸ *Id.*

⁹ Wyoming Values, 2022 April Quarterly Report at 12 (Apr. 15, 2022).

¹⁰ Individual Contributions, “Snow Goose,” https://www.fec.gov/data/receipts/?data_type=processed&contributor_name=Snow+Goose+LLC (last viewed June 21, 2022).

Aside from Snow Goose’s registration document, there is no publicly available information about the LLC; it does not appear to have any discernible public footprint:

- a. Searches on Google only provide results regarding the Wyoming entity named Snow Goose LLC that reproduce information from the LLC’s publicly filed registration documents (e.g., a Bizapedia page).¹¹
- b. The Wyoming entity named Snow Goose LLC does not appear to have a public website, or any account or page on Facebook, Instagram, or Twitter.
- c. There is no record of the Wyoming entity named Snow Goose LLC in searches with the Better Business Bureau,¹² EDGAR,¹³ the U.S. Patent & Trademark Office’s Trademark Electronic Search System,¹⁴ or the Casper Area Chamber of Commerce.¹⁵

SUMMARY OF THE LAW

Contributions in the Name of Another

9. 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.”¹⁶

¹¹ Google.com, Search results, <https://www.google.com/search?q=%22SNOW+GOOSE+LLC%22+wyoming> (last visited May 27, 2022).

¹² See Better Business Bureau, Search Businesses and Charities, <https://www.bbb.org/search/> (last visited May 27, 2022).

¹³ U.S. Securities and Exchange Commission "EDGAR", Search results for "Snow Goose LLC", <https://www.sec.gov/edgar/search/#/q=%2522Snow%2520Goose%2520LLC%2522&dateRange=all> (last visited May 27, 2022).

¹⁴ See U.S. Patent & Trademark Office, Search Trademark Database, <https://www.uspto.gov/trademarks/search> (last visited May 27, 2022).

¹⁵ Casper Area Chamber of Commerce, Business Directory Search, <http://casperwyoming.chambermaster.com/list/search?q=Snow+Goose&c=&sa=False> (last visited May 27, 2022).

¹⁶ 52 U.S.C. § 30122.

10. 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.”¹⁷
11. 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,¹⁸ 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 Gonsalves-Brown, to have the information necessary to evaluate candidates for office, “make informed decisions[,] and give proper weight to different speakers and messages.”¹⁹
12. 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

¹⁷ 11 C.F.R. § 110.4(b)(2)(i)-(ii).

¹⁸ *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).

¹⁹ *Citizens United v. FEC*, 558 U.S. 310, 369-71 (2010).

person's name or promised as reimbursement of a solicited contribution.²⁰ 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]."²¹

13. On April 1, 2016, then-Chair Petersen and then-Commissioners Hunter and Goodman issued a Statement of Reasons explaining their view regarding "the appropriate standard" to apply "in future matters" raising the allegation that an LLC was used to facilitate a contribution in the name of another.²² The Commissioners explained that in their view, "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."²³ 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.

²⁰ 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.").

²¹ *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).

²² 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>.

²³ *Id.*

These facts would suggest the corporate entity is a straw donor and not the true source of the contribution.²⁴

14. An April 15, 2022, Statement of Reasons by Chairman Allen Dickerson, Vice Chair Steven T. Walther, and Commissioners Shana M. Broussard and Ellen L. Weintraub reiterated that the public is now on notice that FECA’s straw donor ban and Commission regulations implementing that provision — *i.e.*, the “conduit contribution rules” — apply when LLCs purport to make contributions to IEOPCs:

[T]he Commission [previously] did not agree whether, following *Citizens United* and *SpeechNow.org v. FEC*, respondent committees had received adequate notice that the Commission’s LLC reporting rules and conduit contribution rules applied to contributions made to the newly formed IEOPCs authorized by those judicial rulings. With the passage of time, IEOPCs have become a regular part of the campaign finance landscape, and adequate notice to the public now exists. Consequently, there is *no longer a lack of clarity* concerning the application of LLC reporting rules and conduit contribution rules in these circumstances.²⁵

Accordingly, the FEC has made clear that the public is “on notice” that the straw donor ban applies in such circumstances, and thus prohibits any person from funneling a contribution to an IEOPC through an LLC.

15. 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.²⁶ As explained in one such indictment, the straw donor ban works in tandem with

²⁴ *Id.* at 12.

²⁵ Statement of Reasons of Chairman Allen Dickerson, Vice Chair Steven T. Walther, Commissioner Shana M. Broussard, and Commissioner Ellen L. Weintraub at 2, MUR 7454 (Apr. 15, 2022) (emphases added).

²⁶ 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),

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.²⁷ 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.²⁸

16. Even for contributions that would otherwise be legal — *i.e.*, contributions that would not be prohibited or excessive, if made in the true contributor's own name — the prohibition of contributions in the name of another serves FECA's core transparency purposes by ensuring that voters have access to complete and accurate information regarding the sources of electoral contributions.

CAUSE OF ACTION

COUNT I:

SNOW GOOSE, LLC AND THE UNKNOWN PERSON(S) WHO CONTRIBUTED TO WYOMING VALUES IN THE NAME OF SNOW GOOSE, LLC VIOLATED 52 U.S.C. § 30122

17. The available information supports finding reason to believe that Snow Goose was not the true source of the \$50,000 contributed in its name to Wyoming Values. Indeed, the available information indicates that Snow Goose served as a straw donor for this contribution, merely transmitting the funds of the true contributor, thus concealing the true contributor's identity — a contribution scheme that FECA prohibits.

<https://www.justice.gov/opa/pr/entainerbusinessman-and-malaysian-financier-indicted-conspiring-make-and-conceal-foreign>.

²⁷ 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>.

²⁸ 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>.

18. Snow Goose was formed on December 10, 2021, roughly two months before the \$50,000 contribution made in its name, and it has no documented activities or verifiable presence from either before or after the contribution: it has no website, social media account, or substantive online presence aside from news articles and reports regarding its political contributions.²⁹ The mailing and principal office address it has provided is simply that of its corporate registered agent, and the only person publicly associated with the LLC is its organizer, Kim-Miller, an attorney in Jackson, Wyoming.³⁰
19. This lack of any apparent activity or presence indicates that Snow Goose neither conducted any real business nor had sufficient income from capital assets, investment earnings, or revenues from which it could have made a \$50,000 contribution to an IEOPC, absent an infusion of funds given to it for that specific purpose.
20. The available facts, viewed as a whole, therefore support finding reason to believe that Snow Goose served as a straw donor for a \$50,000 contribution to Wyoming Values.
21. Accordingly, there is reason to believe that the unknown person(s) who created, operated, and/or contributed through Snow Goose violated 52 U.S.C. § 30122 by making contributions in the name of another. Furthermore, there is reason to believe that Snow Goose violated 52 U.S.C. § 30122 when it knowingly permitted its name to be used to effect contributions of one or more other persons in its name.

²⁹ See *supra* notes 11-15 and related text.

³⁰ See *supra* note 6 and related text.

PRAYER FOR RELIEF

22. Wherefore, the Commission should find reason to believe that Snow Goose, LLC, and any person(s) who created, operated, and made contributions to or in the name of this entity have violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
23. Further, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations, injunctive relief to remedy these violations and prohibit any and all future violations, and such additional remedies as are necessary and appropriate to ensure compliance with FECA.

Respectfully submitted,

/s/ Saurav Ghosh
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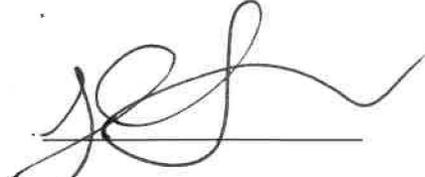
Saurav Ghosh, Esq.
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Counsel to the Campaign Legal Center,
Sophia Gonsalves-Brown
June 22, 2022

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 Sophia Gonsalves-Brown



Sophia Gonsalves-Brown

Sworn to and subscribed before me this 21st day of June 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 22nd day of June 2022.



Notary Public



EXHIBIT A



- I am the person whose signature appears on the filing; that I am authorized to file these documents on behalf of the business entity to which they pertain; and that the information I am submitting is true and correct to the best of my knowledge.
- I am filing in accordance with the provisions of the Wyoming Limited Liability Company Act, (W.S. 17-29-101 through 17-29-1105) and Registered Offices and Agents Act (W.S. 17-28-101 through 17-28-111).
- I understand that the information submitted electronically by me will be used to generate Articles of Organization that will be filed with the Wyoming Secretary of State.
- I intend and agree that the electronic submission of the information set forth herein constitutes my signature for this filing.
- I have conducted the appropriate name searches to ensure compliance with W.S. 17-16-401.
- I consent on behalf of the business entity to accept electronic service of process at the email address provided with Article IV, Principal Office Address, under the circumstances specified in W.S. 17-28-104(e).

Notice Regarding False Filings: Filing a false document could result in criminal penalty and prosecution pursuant to W.S. 6-5-308.

W.S. 6-5-308. Penalty for filing false document.

(a) A person commits a felony punishable by imprisonment for not more than two (2) years, a fine of not more than two thousand dollars (\$2,000.00), or both, if he files with the secretary of state and willfully or knowingly:

(i) Falsifies, conceals or covers up by any trick, scheme or device a material fact;

(ii) Makes any materially false, fictitious or fraudulent statement or representation; or

(iii) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry.

- I acknowledge having read W.S. 6-5-308.

Filer is: An Individual An Organization

Filer Information:

By submitting this form I agree and accept this electronic filing as legal submission of my Articles of Organization.

Signature: *Matt Kim-Miller* Date: 12/10/2021
 Print Name: Matt Kim-Miller
 Title: Attorney and agent
 Email: mwkimmiller@hollandhart.com
 Daytime Phone #: (307) 734-4504



Consent to Appointment by Registered Agent

Corporate Creations Network Inc., whose registered office is located at **5830 E 2nd St, Casper, WY 82609**, voluntarily consented to serve as the registered agent for **Snow Goose, LLC** and has certified they are in compliance with the requirements of W.S. 17-28-101 through W.S. 17-28-111.

I have obtained a signed and dated statement by the registered agent in which they voluntarily consent to appointment for this entity.

Signature: **Matt Kim-Miller** Date: **12/10/2021**
Print Name: **Matt Kim-Miller**
Title: **Attorney and agent**
Email: **mwkimmiller@hollandhart.com**
Daytime Phone #: **(307) 734-4504**

STATE OF WYOMING
Office of the Secretary of State

I, EDWARD A. BUCHANAN, Secretary of State of the State of Wyoming, do hereby certify that the filing requirements for the issuance of this certificate have been fulfilled.

CERTIFICATE OF ORGANIZATION

Snow Goose, LLC

I have affixed hereto the Great Seal of the State of Wyoming and duly executed this official certificate at Cheyenne, Wyoming on this **10th** day of **December, 2021** at **10:53 AM**.

Remainder intentionally left blank.



Filed Date: 12/10/2021

Edward A. Buchanan

Secretary of State

Filed Online By:

Matt Kim-Miller

on 12/10/2021