



April 23, 2024

Corey Amundson, Esq.  
Chief, Public Integrity Section  
U.S. Department of Justice  
1301 New York Avenue, 10th Floor  
Washington, DC 20005

Dear Mr. Amundson:

On April 22, 2024, Campaign Legal Center filed the attached two complaints with the Federal Election Commission (“FEC”), alleging knowing and willful violations of the Federal Election Campaign Act’s (“FECA”) prohibition on the fraudulent misrepresentation of campaign authority. We are referring these complaints to your office because the overall record indicates that the Respondents’ fraudulent schemes resulted in apparent criminal violations of FECA as well as the federal criminal statutes prohibiting fraud and conspiracy to commit fraud.

Specifically, one of the complaints alleges that a political committee called “Patriots for American Leadership” (“PAL”) and its treasurer, Eddie Shivers, knowingly and willfully violated 52 U.S.C. § 30124(b) by fraudulently misrepresenting that PAL was authorized by and soliciting funds on behalf of former President Donald Trump, using Trump’s voice on fundraising “robocalls” and falsely representing that PAL would use donations to support Trump’s campaign. As detailed in the complaint, of the nearly \$1.4 million that PAL raised since August 2020—over \$926,000 of which came from small donors giving less than \$200 in aggregate contributions—PAL reported disbursing over \$730,000 to Shivers, both directly and indirectly: PAL paid \$191,664.91 as “salary” to Shivers and a further \$538,528.67 for “direct calling service” to ANTT Promotion LLC, an entity that Shivers set up shortly before organizing PAL. At the same time, PAL reported contributing less than 3% of its money to other federal candidates or committees, and even that miniscule amount of reported electoral activity appears to have been

false: The contributions that PAL reported making to other federal committees were never reported as receipts by any of those committees. PAL and Shivers thus appear to have tried to conceal their illicit activity by filing false disclosure reports with the FEC. Further, PAL stopped filing disclosure reports entirely from April 2022 onward, despite receiving letters from the FEC reminding PAL of its legal obligation to file such reports.

Similarly, the second complaint alleges that a political committee, “Campaign for a Conservative Majority” (“CCM”), and William Hartford and Anna Hartford, respectively CCM’s treasurer and assistant treasurer, knowingly and willfully violated 52 U.S.C. § 30124(b). CCM also used fraudulent fundraising robocalls that featured Trump’s voice and falsely represented that donations to CCM would support Trump’s campaign. CCM disbursed nearly \$190,000 of the \$480,000 that it raised to a company, Expert Vendor, operated by the Hartfords. CCM only contributed about 9% of its money, or roughly \$43,000, to other federal candidates and committees. CCM also appears to have filed false disclosure reports with the FEC to conceal its fraudulent activity, both by inflating the proportion of its funds used for bona fide electoral activity—about \$12,000 in contributions that it reported making were never reported as receipts by the named recipients—and by failing to disclose any operating expenditures during the 2024 election cycle, despite evidence that it continued its robocall fundraising operation.

PAL and CCM thus appear to fit mold of a “scam PAC,” which typically uses the fraudulent promise of supporting a political candidate or cause to steal money from donors, many of whom are unsophisticated and give small amounts of money. Scam PAC operators generally use these PAC donations obtained under fraudulent pretenses to enrich themselves—often through payments to shell companies that they previously set up—and to perpetuate the fraudulent fundraising operation, spending little to none of the money on any bona fide political activity. This is a well-documented and pernicious practice that harms the public.<sup>1</sup> Indeed, in recent years the Department of Justice has successfully prosecuted several scam PAC operators.<sup>2</sup>

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<sup>1</sup> See Laura Nelson, *The Californians whose scam PACs tricked Trump and Clinton supporters out of millions*, L.A. Times (Jul. 9, 2023), <https://www.latimes.com/california/story/2023-07-09/california-man-scam-pacs-trump-clinton-political-fundraising>; Maia Cook, *How ‘Scam PACs’ line their pockets by deceiving political donors*, OpenSecrets (Aug. 18, 2023), <https://www.opensecrets.org/news/2023/08/how-scam-pacs-line-their-pockets-by-deceiving-political-donors/>.

<sup>2</sup> *Three Individuals Sentenced for Soliciting Millions of Dollars in Contributions to Scam PACs*, DOJ Press Release (Apr. 25, 2023), <https://www.justice.gov/opa/pr/three-individuals-sentenced-soliciting-millions-dollars-contributions-scam-pacs> (detailing prosecution of Matthew Tunstall); *Texas Man Sentenced to Prison for Fraudulent Scheme to Solicit Hundreds of Thousands of Dollars in Contributions to Scam-PACS*, DOJ Press Release (Oct. 29, 2019), <https://www.justice.gov/opa/pr/texas-man-sentenced-prison-fraudulent-scheme-solicit-hundreds-thousands-dollars-contributions> (describing prosecution of Kyle Prall).

We therefore urge the Department of Justice to exercise its authority to conduct a criminal investigation of these apparent violations of federal law and, if warranted, to bring criminal proceedings to address any violations of federal law, including federal campaign finance law. Although the FEC has jurisdiction over civil enforcement of FECA, the Department of Justice has independent and exclusive jurisdiction to bring criminal enforcement proceedings for violations of FECA. Specifically, FECA provides for criminal sanctions, enforced by the Department of Justice, in the case of “knowing and willful” violations of FECA that exceed specified monetary thresholds, which vary according to the specific statutory provision violated. *See* 52 U.S.C. § 30109(d).<sup>3</sup>

The Department of Justice is responsible for protecting the public by ensuring that fraudulent political activity such as that outlined in these complaints is investigated, and that the perpetrators of such schemes are held accountable for their actions. We respectfully urge the Department to take immediate action.

Sincerely,

          /s/ Saurav Ghosh            
Campaign Legal Center, by  
Saurav Ghosh  
1101 14th St. NW, Suite 400  
Washington, DC 20005

Encls.

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<sup>3</sup> As explained in the Department of Justice handbook *FEDERAL PROSECUTION OF ELECTION OFFENSES* 12-14 (8th ed. 2017):

In general, violations of FECA become crimes when they satisfy a monetary threshold and are committed with specific intent. Non-criminal FECA violations are subject to the exclusive jurisdiction of the FEC.

....

The Department interprets the significant enhancements to FECA’s criminal penalties enacted in 2002 as reflecting a clear congressional intent that all knowing and willful violations involving sums aggregating above the statutory minimums for FECA crimes be considered for prosecution.

**BEFORE THE FEDERAL ELECTION COMMISSION**

CAMPAIGN LEGAL CENTER  
ROGER G. WIEAND  
1101 14th Street NW, Suite 400  
Washington, DC 20005

v. MUR No. \_\_\_\_\_

PATRIOTS FOR AMERICAN  
LEADERSHIP and EDDIE SHIVERS  
in his individual capacity and official  
capacity as treasurer  
P.O. Box 46295  
Phoenix, AZ 85063

**COMPLAINT**

1. Over the past four years, the political committee “Patriots for American Leadership” (“PAL”) raised nearly \$1.4 million dollars in contributions under fraudulent and materially deceptive pretenses—including by using former President Donald Trump’s voice in its fundraising robocalls and falsely pledging to support Trump and other Republican Party candidates. Over the same period, PAL reported spending less than three percent (3%) of the money it raised to pay for federal election activity, and even that spending appears to be fraudulent, as the federal candidates and political committees PAL purportedly supported never reported receiving PAL’s contributions. PAL, it seems, fabricated all of the contributions it reported making. Instead of seeking to influence elections, PAL transferred over \$730,000 to its treasurer, Eddie Shivers, through salary payments to Shivers or payments to “ANTT Promotion LLC,” an apparent shell company that Shivers incorporated shortly before forming PAL. As such, the vast majority of PAL’s money—most of which came from donors giving \$200 or less—was either diverted to Shivers or plowed back into PAL’s fundraising and operating expenses.

2. PAL thus appears to be a “scam PAC,” *i.e.*, a PAC that defrauds donors by claiming it will engage in electoral activity but does nothing more than transfer money to those running it and continue fundraising under false pretenses. PAL and Shivers even added another layer of deception by fraudulently using Trump’s voice to peddle false promises that PAL would engage in electoral advocacy supporting Trump, defrauding thousands of donors with these unauthorized fundraising robocalls.
3. Shivers and PAL appear to have concealed this fraudulent scheme by knowingly filing false disclosure reports with the Federal Election Commission (“FEC” or “Commission”)—including reporting purported contributions to other federal committees that were never made and failing to file reports of independent expenditures when their robocalls included limited instances of express advocacy—and by failing to file required disclosure reports from 2022 onward, despite continuing to spend money to solicit (and potentially receive) contributions through deceptive fundraising robocalls.
4. Accordingly, as set forth herein, there is reason to believe PAL and Shivers committed numerous knowing and willful violations of the Federal Election Campaign Act (the “Act” or “FECA”).
5. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that PAL and Shivers have violated and continue to violate 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.”<sup>1</sup>

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

## FACTUAL BACKGROUND

6. PAL registered with the Commission on August 10, 2020, and Shivers serves as its treasurer.<sup>2</sup> PAL’s initial statement of organization indicated that PAL was a leadership PAC and identified the “leadership PAC sponsor” as Shivers, rather than any federal candidate or officeholder.<sup>3</sup> PAL later amended its committee type to “nonconnected committee.”<sup>4</sup>
7. PAL filed reports with the Commission from October 2020 through April 2022, covering activity in 2020 and 2021.<sup>5</sup> During that period of time, PAL reported receiving \$1,397,270.91 in contributions.<sup>6</sup> It raised most of that money—over \$1 million—in 2020.<sup>7</sup> Most of PAL’s contributions came from donors whose aggregate contributions were below the \$200 itemization threshold: PAL reported receiving \$926,472.77 in unitemized individual contributions.<sup>8</sup>
8. PAL has filed no disclosure report since April 1, 2022, thus failing to report any activity after the reporting period for its 2021 Year-End Report, covering activity through December 31, 2021.<sup>9</sup> PAL has received a FEC Request for Additional Information (“RFAI”) for each missing report.<sup>10</sup>

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<sup>2</sup> PAL, Statement of Org. at 1 (Aug. 10, 2020).

<sup>3</sup> *Id.* at 3; see 52 U.S.C. § 30104(i)(8)(B) (defining “leadership PAC”).

<sup>4</sup> PAL, Amend. Statement of Org. at 2 (Aug. 18, 2021).

<sup>5</sup> PAL, Committee Filings, <https://www.fec.gov/data/committee/C00754283/?tab=filings&cycle=2024> (last visited Apr. 8, 2024).

<sup>6</sup> PAL, Financial Summary (2021-2022), <https://www.fec.gov/data/committee/C00754283/?tab=summary&cycle=2022> (last visited Apr. 8, 2024); PAL, Financial Summary (2019-2020), <https://www.fec.gov/data/committee/C00754283/?tab=summary&cycle=2020> (last visited Apr. 8, 2024).

<sup>7</sup> PAL, Financial Summary (2019-2020), *supra* note 6.

<sup>8</sup> PAL, Financial Summary (2021-2022), *supra* note 6; PAL, Financial Summary (2019-2020), *supra* note 6.

<sup>9</sup> PAL, Committee Filings, *supra* note 5.

<sup>10</sup> *Id.*

*PAL's Robocall Solicitations*

9. PAL appears to have conducted most (if not all) of its fundraising via automated recorded phone calls, commonly referred to as “robocalls.” As described in greater detail below, PAL’s FEC reports show nearly \$750,000 in expenditures purportedly for services related to phone calls.<sup>11</sup>
10. A company named NoMoRobo, which detects, screens, records, and archives robocalls,<sup>12</sup> archived several of PAL’s fundraising robocalls.<sup>13</sup>
11. All of the archived PAL calls follow the same format: They open with an audio recording of former President Trump’s voice, followed by a narrator who asks for contributions to support Trump. After providing information on how to complete the contribution, the narrator closes by thanking the listener for supporting Trump. The unmistakable overall impression conveyed in each call is that Trump is soliciting the contribution, and that the funds donated will be used by or in support of his campaign.
12. The following is an example of one of the fundraising robocalls, which NoMoRobo recorded on November 4, 2022:<sup>14</sup>

<b>Speaker</b>	<b>Text</b>
Trump’s Voice	Hi, this is Donald Trump. With your help and support, we can make America truly great again.
Narrator	President Trump is calling on you to help protect our true American values and help make sure we, the American people, are not voiceless. Do your part and show your support by pressing 3 to donate \$25 or more and we’ll send you a special gift. Also ask our register [sic] agent how to become a VIP donor and receive a special framed Trump poster. Press 3 now, friend. Please press 3 on your keypad to show your support for Trump and the Republican Party. Press 1 to

<sup>11</sup> See *infra* ¶¶ 19, 21.

<sup>12</sup> NoMoRobo, <https://www.nomorobo.com/> (last visited Apr. 19, 2024).

<sup>13</sup> Exhibit A contains a transcript of the available calls.

<sup>14</sup> (202) 972-1177, NoMoRobo (Nov. 4, 2022), <https://nomorobo.com/lookup/202-972-1177>. While NoMoRobo captured this call on November 4, 2022, it may have been playing for weeks or months after this date.

	<p>unsubscribe. Once again, thank you for your continued support for President Trump.</p> <p>This call is paid for by Patriots for American Leadership and not authorized by any candidate nor committee. Contributions are not tax deductible for federal income purposes. And don't forget to vote Republican in 2022 and 2024.</p>
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13. The above call includes express advocacy for Trump, *e.g.*, a message urging the listener to vote for Trump. It clearly identifies Trump by name, ties him to the Republican Party, and tells people to “vote Republican,” which plainly includes voting for Trump.
14. Another call—recorded by NoMoRobo on November 14, 2020—also includes express advocacy, explicitly telling listeners, “Don’t forget to vote Trump in 2020:”<sup>15</sup>

Speaker	Text
Trump’s Voice	I’m Donald Trump. I want to thank the American people for their tremendous support.
Narrator	<p>The Democrats and radical left are trying to steal this election, and President Trump needs your emergency support right now. With no time to waste and results coming in by the minute, do your part to help the campaign until the very end by pressing 3 right now to contribute to elect President Trump.</p> <p>To record your emergency contribution to help President Trump win this election, press 3 now. Again, press 3 now to donate to defeat Joe Biden and elect President Trump. That’s 3 on your keypad to elect President Trump now. Press 7 to unsubscribe.</p> <p>Once again, thank you so much for your support of President Trump. And this call is paid for Patriots for American Leadership. Not authorized by any candidate or committee. Contributions are not tax deductible for federal income purposes. Don’t forget to vote Trump in 2020.</p> <p>Please call 844-394-1254 with any questions.</p>

15. NoMoRobo has recorded PAL robocalls as recently as February 8, 2024.<sup>16</sup>

<sup>15</sup> (202) 235-8792, NoMoRobo (Nov. 14, 2020), <https://www.nomorobo.com/lookup/202-235-8792>. While the recording of this call appears to have been made 11 days after the 2020 presidential election, which was held on November 3, 2020, the robocall may have been in use for weeks or months before that date.

<sup>16</sup> (332) 206-1322, NoMoRobo (Feb. 8, 2024), <https://www.nomorobo.com/lookup/332-206-1322>.



16. PAL has never reported making any independent expenditures.<sup>17</sup>

*PAL's Spending*

17. The vast majority of the money PAL solicited was directly or indirectly transferred to Shivers or reinvested in PAL's fundraising operation, and some of these fundraising costs also appear to have been paid to a different (now-convicted) scam PAC operator.

18. According to PAL's disclosure reports, Shivers received \$191,664.91 in "salary" payments.<sup>18</sup> The payments occurred in uneven intervals and in varied amounts ranging from \$400 to \$25,000.<sup>19</sup>

19. In addition, PAL paid \$538,528.67 to ANTT Promotion LLC ("ANTT"),<sup>20</sup> an entity that Shivers incorporated on May 15, 2020—less than three months before he registered PAL with the FEC.<sup>21</sup> The stated purpose of each disbursement to ANTT was "direct calling service."<sup>22</sup> However, ANTT has no discernible online presence and has had only two other clients—one of which is another suspected scam PAC that operated similarly to PAL, *i.e.*, it made false promises to potential donors about working to support Trump's candidacy, but then did scant advocacy and funneled contributions to the treasurer and assistant treasurer and back into robocall solicitations.<sup>23</sup> It is therefore unclear whether ANTT was providing any *bona fide* services to PAL.

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<sup>17</sup> PAL, Financial Summary (2021–2022), *supra* note 6; PAL, Financial Summary (2019–2020), *supra* note 6.

<sup>18</sup> PAL, Filtered Disbursements: Shivers (2019–2022), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00754283&recipient\\_name=shivers&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00754283&recipient_name=shivers&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024).

<sup>19</sup> *Id.*

<sup>20</sup> PAL, Filtered Disbursements: ANTT (2019–2022), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00754283&recipient\\_name=ANTT&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00754283&recipient_name=ANTT&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024).

<sup>21</sup> *See* ANTT Promotion, LLC, Articles of Org. (attached as Exh. B).

<sup>22</sup> *See supra* note 20.

<sup>23</sup> Disbursements by Recipient: ANTT Promotion (2019–2024), [https://www.fec.gov/data/disbursements/?data\\_type=processed&recipient\\_name=ANTT+promotion&two\\_year\\_transaction\\_period=2024&two\\_year\\_transaction\\_perio](https://www.fec.gov/data/disbursements/?data_type=processed&recipient_name=ANTT+promotion&two_year_transaction_period=2024&two_year_transaction_perio)

20. Overall, therefore, Shivers obtained over \$730,000 from PAL’s donors, combining the \$191,000 in salary payments and the \$538,000 paid to ANTT, an apparent shell company.
21. In addition, PAL spent over \$210,000 on other disbursements for its fundraising operations, including payments for “telemarketing,” “call dialer,” and “dialer costs.”<sup>24</sup> PAL’s disbursements to Shivers, ANTT, and to cover its fundraising expenses—which aggregate over \$941,000, or two-thirds of its overall spending—are detailed further in the table below:

Recipient	Purpose	Total Disbursements
ANTT PROMOTION LLC	DIRECT CALLING SERVICE	\$538,528.67
EDDIE SHIVERS	SALARY	\$191,664.91
STRATICS NETWORK <sup>25</sup>	CALL DIALER	\$173,929.52
T-MAX	DIALER COSTS	\$33,118.00
CALL 48	TELEMARKETING	\$4,524.00
<b>TOTAL</b>		<b>\$941,765.10</b>

22. Outside of these costs, PAL reported disbursing \$122,000 to Modern Media Group (“MMG”) for “media buys,”<sup>26</sup> a term that typically refers to the purchase of ad space for a committee to disseminate its electoral communications. But in PAL’s case, these

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[d=2022&two\\_year\\_transaction\\_period=2020](#) (last visited Apr. 19, 2024). Campaign Legal Center’s research suggests Campaign for a Conservative Majority—which was also paying ANTT—is a scam PAC.

<sup>24</sup> PAL, Disbursements (2019–2022), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00754283&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00754283&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024).

<sup>25</sup> The Department of Justice sued Stratics Networks, on behalf of the Federal Trade Commission, for providing technical services in furtherance of illegal robocalls. *United States Files Complaint Against Illegal Robocall Telemarketers and Telecommunications Service Providers*, DOJ (Feb. 17, 2023), <https://www.justice.gov/opa/pr/united-states-files-complaint-against-illegal-robocall-telemarketers-and-telecommunications>. A court recently dismissed Stratics Networks from the case on immunity grounds, but the time for the government to appeal the ruling has not elapsed. Order, *United States v. Stratics Networks, Inc.*, Case No. 23-cv-0313-BAS-KSC (S.D. Cal. Mar. 6, 2024), 2024 WL 966380.

<sup>26</sup> PAL, Filtered Disbursements: Modern Media Group (2019–2022), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00754283&recipient\\_name=modern+media+group&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00754283&recipient_name=modern+media+group&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024).

disbursements are concerning not only because PAL reported making no independent expenditures or electioneering communications, but also because MMG does not appear to be a *bona fide* company: MMG was reportedly established by Robert Reyes—who in 2022 pleaded guilty to a conspiracy charge arising from his control of two scam PACs—and used to funnel money from scam PACs to Reyes’s bank account.<sup>27</sup>

23. PAL has reported making 27 contributions totaling \$30,611 to 18 federal candidates and committees, which would constitute roughly three percent (3%) of the \$1.4 million that PAL raised overall.<sup>28</sup> However, it does not appear that PAL actually made these contributions: None of these contributions appear on the disclosure reports of the recipient committees, and no federal candidate or committee has ever reported receiving any funds from PAL.<sup>29</sup> As such, it appears that PAL fabricated these contributions and that Shivers, as PAL’s treasurer, knowingly filed false disclosure reports.<sup>30</sup>
24. PAL spent the remainder of its money on overhead costs, like accounting services, merchant and bank fees, and even one payment to the Commission for a fine.
25. Since PAL’s 27 purported contributions to federal candidates or committees appear to be false, and its payments to Modern Media Group—a shell company formed to launder scam PAC proceeds—almost certainly did not result in any *bona fide* “media buys,” PAL appears to have spent essentially *none* of the over \$1.4 million it raised on electoral

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<sup>27</sup> Indictment, *United States v. Tunstall*, Case No. 1:21-cr-00223-LY (W.D. Tex. Nov. 2, 2021); *California Man Pleads Guilty to \$3.5 Million Scam-PAC Fraud*, Dep’t of Justice (Aug. 9, 2022); Caitlin Oprysko, *They Raised Millions for Trump, Spent Barely Any of It on Him. Now They’re Indicted*, Politico (Nov. 10, 2021), <https://www.politico.com/news/2021/11/10/trump-era-scam-pac-indictment-520610>.

<sup>28</sup> PAL, Contributions to Other Federal Candidates or Committees, [https://www.fec.gov/data/disbursements/?cycle=2022&data\\_type=processed&committee\\_id=C00754283&line\\_number=F3X-23](https://www.fec.gov/data/disbursements/?cycle=2022&data_type=processed&committee_id=C00754283&line_number=F3X-23) (last visited Apr. 19, 2024).

<sup>29</sup> All Receipts from “Patriots for American Leadership,” [https://www.fec.gov/data/receipts/?data\\_type=processed&contributor\\_name=C00754283&contributor\\_name=Patriots+for+American+Leadership](https://www.fec.gov/data/receipts/?data_type=processed&contributor_name=C00754283&contributor_name=Patriots+for+American+Leadership) (last visited Apr. 19, 2024).

<sup>30</sup> See PAL Disbursements to Other Federal Political Committees (attached as Exh. C).

advocacy in a manner consistent with its fundraising messages to prospective donors.

Indeed, aside from isolated comments on its fundraising calls urging listeners to “vote Trump in 2020” or “vote Republican in 2022 and 2024,” PAL apparently engaged in no election-related advocacy whatsoever; the whole operation was a scam.

26. Accordingly, PAL routed approximately 52% of its funds (\$730,193.58) to Shivers via salary payments and disbursements to ANTT, and appears to have spent the remaining 48% on solicitations and administrative expenses.

## SUMMARY OF THE LAW

### *Fraudulent Misrepresentation*

27. FECA and Commission regulations prohibit any person from “fraudulently misrepresent[ing] the person as speaking, writing, or otherwise acting for or on behalf of any candidate . . . or employee or agent thereof for the purpose of soliciting contributions or donations.”<sup>31</sup> Federal courts have made clear that “[e]ven absent an express misrepresentation, a representation is fraudulent if it was reasonably calculated to deceive persons of ordinary prudence and comprehension.”<sup>32</sup>
28. The Commission has found that a disclaimer stating who paid for a communication does not cure a fraudulent misrepresentation when the communication was otherwise “designed to mislead [recipients] of ordinary prudence and comprehension into believing that” the organization was representing a particular candidate.<sup>33</sup> In other words, a message designed to deceive and manipulate reasonable listeners into thinking the

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<sup>31</sup> 52 U.S.C. § 30124(b); 11 C.F.R. § 110.16(b)(1).

<sup>32</sup> *FEC v. Novacek*, 739 F. Supp. 2d 957, 961 (N.D. Tex. 2010).

<sup>33</sup> Factual and Legal Analysis (“F&LA”) at 3, MURs 7011 and 7092 (HC4President); F&LA at 8, MUR 6893 (Winning the Senate PAC).

speaker is authorized by a candidate can be fraudulent even if the message includes a required disclaimer that it was not authorized by any candidate.

29. In MURs 7011 and 7092, the Commission found that a website for a committee calling itself “HC4P” or “HC4President,” which stated that “contributions directly benefit” Hillary Clinton’s presidential campaign via statements like “Support Hillary Clinton,” “Stand with Hillary,” and “Donate today to help Hillary Clinton become our nation’s 45th President,” engaged in fraudulent misrepresentation.<sup>34</sup> The Commission concluded that although the PAC’s website contained disclaimers, which accurately stated that the site was not authorized by any candidate or candidate’s committee, those disclaimers did not cure the misrepresentation.<sup>35</sup>
30. In another matter, the FEC’s Office of General Counsel (“OGC”) concluded that a robocall fraudulently soliciting funds on behalf of Hillary Clinton’s 2016 presidential campaign, which opened with a recording of Clinton and included a narrator asking for contributions “to elect Hillary Clinton for President,” was calculated to deceive potential donors despite providing a “paid for by” disclaimer stating the communication was not authorized by any candidate or committee.<sup>36</sup>

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<sup>34</sup> F&LA at 7–8, MURs 7011 and 7092 (HC4President); *see also* 52 U.S.C. § 30102(e)(4) (providing that a committee that is not authorized by a candidate “shall not include the name of any candidate in its name”); 11 C.F.R. § 102.14(a) (generally providing that “no unauthorized committee shall include the name of any candidate in its name” and that “name” in this context “includes any name under which a committee conducts activities, such as solicitations or other communications, including a special project name or other designation”).

<sup>35</sup> F&LA at 8, MURs 7011 and 7092 (HC4President).

<sup>36</sup> Second Gen. Counsel’s Report at 10, 23–24, MUR 7468 (Progressive Priorities PAC). The Commission unanimously voted to dismiss the fraudulent misrepresentation violations pursuant to a recommendation from the General Counsel’s Office, which recommended taking no action on the fraudulent misrepresentation violations because the Department of Justice was already investigating the scam PAC and its operator, Matthew Tunstall, and because the five-year statute of limitations had run as to those violations. *See id.* at 24; Cert., MUR 7468 (Progressive Priorities PAC) (July 27, 2023).

31. To be held liable for fraudulent misrepresentation, a person must have the intent to deceive, in addition to publishing communications that would deceive a reasonable person.<sup>37</sup> The Commission has found the requisite intent to deceive when the person making the solicitation does not use any of the funds for the stated purpose for which they were solicited.<sup>38</sup> Failing to file reports with the Commission indicating how money was spent is also indicative of fraudulent intent.<sup>39</sup>

### *Reporting*

32. Each treasurer of a political committee is required to file accurate reports of receipts and disbursements.<sup>40</sup> The treasurer signs each disclosure report under penalty of perjury.<sup>41</sup>
33. Each political committee must file periodic disclosure reports—typically either quarterly or monthly—until the Commission approves a request to terminate (or administratively terminates) the committee.<sup>42</sup>
34. Each report a committee files must include, among other items, the committee’s cash on hand, its total disbursements, the total of contributions made to other committees, detailed information about the recipient of any expenditure of more than \$200 for the operation of the committee, and detailed information about each contribution made to another political committee.<sup>43</sup>

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<sup>37</sup> See F&LA at 2–3, MURs 7011 and 7092 (HC4President).

<sup>38</sup> See *id.* at 8.

<sup>39</sup> F&LA at 8, MUR 5472 (Republican Victory 2004 Committee).

<sup>40</sup> 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a); *Committee Treasurers (2017)*, FEC, <https://www.fec.gov/updates/committee-treasurers-2017-record/> (May 9, 2017) (explaining that treasurers are responsible for “filing all committee reports and statements accurately and on time”).

<sup>41</sup> See FEC Form 3X, <https://www.fec.gov/resources/cms-content/documents/policy-guidance/fecfrm3x.pdf>.

<sup>42</sup> 52 U.S.C. § 30104(a)(4); *Terminating a Committee*, FEC, <https://www.fec.gov/help-candidates-and-committees/terminating-a-committee/> (last visited Apr. 19, 2024).

<sup>43</sup> 52 U.S.C. § 30104(b); 11 C.F.R. § 104.3(a)(1), (b).

35. FECA also requires political committees other than candidate-authorized committees to itemize all independent expenditures aggregating in excess of \$200 with certain information, including the name and address of each person who receives disbursements in connection with an independent expenditure, as well as the date, amount, purpose, and identity of the candidate the independent expenditure is supporting or opposing.<sup>44</sup>
36. An “independent expenditure” is “an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate” that “is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate’s authorized political committee, or their agents, or a political party committee or its agents.”<sup>45</sup>
37. Commission regulations define two categories of communications that qualify as “expressly advocating” for or against a candidate.<sup>46</sup> Under the first category, a communication contains express advocacy if it uses so-called “magic words” such as “vote for,” “re-elect,” or “defeat” that “in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidate(s).”<sup>47</sup> The Commission provides, as another example of “magic word” express advocacy, a communication that says “vote Pro-Life” beside “a listing of clearly identified candidates described as Pro-Life.”<sup>48</sup> The second category of express advocacy is a communication that can “only be interpreted by a reasonable person as containing express advocacy”

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<sup>44</sup> 52 U.S.C. § 30104(b)(6)(B)(iii); 11 C.F.R. § 104.3(b)(3)(vii).

<sup>45</sup> 52 U.S.C. § 30101(17); *see* 11 C.F.R. § 100.16.

<sup>46</sup> 11 C.F.R. § 100.22(a)–(b).

<sup>47</sup> 11 C.F.R. § 100.22(a).

<sup>48</sup> *Id.*

because it has an unmistakable electoral portion and “[r]easonable minds could not differ as to whether it encourages actions to elect or defeat” a candidate.<sup>49</sup>

38. When any person makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day preceding, but more than 24 hours before, the date of an election, FECA requires that person to file an additional report describing those expenditures within 24 hours.<sup>50</sup> Further, any person that makes or contracts to make independent expenditures aggregating \$10,000 or more outside of that 20-day period, up to and including the 20th day, must file a report describing those expenditures within 48 hours.<sup>51</sup> These 24/48-hour reports must contain the same information that committees are required to include on their periodic reports, including the identity of any person that receives more than \$200 in connection with an independent expenditure.<sup>52</sup>

#### CAUSES OF ACTION

##### COUNT I:

##### **PAL AND SHIVERS VIOLATED 52 U.S.C. § 30124(B) BY FRAUDULENTLY MISREPRESENTING THAT THEY WERE SOLICITING CONTRIBUTIONS ON BEHALF OF TRUMP**

39. The available information supports finding reason to believe PAL and Shivers violated FECA by fraudulently misrepresenting that they were soliciting contributions on behalf of presidential candidate Donald Trump.
40. Information indicates that PAL used robocalls to solicit prospective donors to provide contributions, and that these robocalls featured a recording of Trump’s voice at the

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<sup>49</sup> *Id.* § 100.22(b).

<sup>50</sup> 52 U.S.C. § 30104(g)(1); 11 C.F.R. § 109.10(d).

<sup>51</sup> 52 U.S.C. § 30104(g)(2); 11 C.F.R. § 104.4(b)(2).

<sup>52</sup> 52 U.S.C. § 30104(g)(3)(B), *cross-referencing id.* § 30104(b)(6)(B)(iii); 11 C.F.R. § 104.4(b)-(c), *cross-referencing id.* § 104.3(b)(3)(vii).



beginning of a communication asking the listener to make a contribution, which the communication falsely indicated would be used to support Trump's campaign.

41. For instance, in one PAL-sponsored robocall recorded by NoMoRobo in November 2022, the communication first uses Trump's recorded voice to convince the listener that Trump is speaking, saying, "Hi, this is Donald Trump. With your help and support, we can make America truly great again," after which a narrator urges the listener:

"President *Trump is calling on you* to help protect our true American values and help make sure we, the American people, are not voiceless. *Do your part and show your support by pressing 3 to donate \$25 or more* and we'll send you a special gift. Also ask our register [sic] agent how to become a VIP donor and receive a special framed Trump poster. Press 3 now, friend. *Please press 3 on your keypad to show your support for Trump and the Republican Party.* Press 1 to unsubscribe. Once again, thank you for your continued support for President Trump."<sup>53</sup>

42. These statements and the false use of Trump's voice clearly indicate that the message is designed to convey that Trump is asking the listener to donate. As such, this solicitation message is "fraudulent" because it "was reasonably calculated to deceive persons of ordinary prudence and comprehension."<sup>54</sup>
43. Moreover, Commission precedent supports the conclusion that PAL's solicitations amount to fraudulent misrepresentation despite the fact that the robocall includes a "paid for by" disclaimer. As the Commission found in MURs 7011 and 7092, as well as in MUR 7468, the inclusion of a disclaimer does not cure the fraudulent misrepresentation. Those matters involved solicitations materially indistinguishable from PAL's robocall: Like MUR 7468, PAL's call included audio of the candidate at the start of the call, and like MURs 7011 and 7092, the PAL call asked people to "support" the candidate.

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<sup>53</sup> NoMoRobo Call, *supra* note 14 (emphases added).

<sup>54</sup> *Novacek*, 739 F. Supp. 2d at 961.

44. Likewise, in a second robocall captured in November 2020, the communication begins with a recording of Trump’s voice saying, “I’m Donald Trump. I want to thank the American people for their tremendous support,” conveying to any reasonable person that the message is approved of or authorized by Trump, before the narrator delivers the solicitation:

The Democrats and radical left are trying to steal this election, and *President Trump needs your emergency support right now. With no time to waste and results coming in by the minute, do your part to help the campaign until the very end by pressing 3 right now to contribute to elect President Trump. To record your emergency contribution to help President Trump win this election, press 3 now. Again, press 3 now to donate to defeat Joe Biden and elect President Trump.*<sup>55</sup>

45. Once again, this communication conveys the false impression that Trump has authorized the solicitation, coupled with a clear message that the solicited contributions will be used to support Trump’s campaign; as such, the communication is “reasonably calculated to deceive persons of ordinary prudence and comprehension.”<sup>56</sup> The disclaimer—“And this call is paid for Patriots for American Leadership. Not authorized by any candidate or committee”—is insufficient to cure the fraudulent effect of the communication.<sup>57</sup> Indeed, the disclaimer statement is immediately preceded by a fraudulent statement—“Once again, thank you so much for your support of President Trump”—falsely indicating that the solicited contributions will support Trump’s candidacy.<sup>58</sup>

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<sup>55</sup> NoMoRoBo Call, *supra* note 15 (emphases added).

<sup>56</sup> *Novacek*, 739 F. Supp. 2d at 961.

<sup>57</sup> NoMoRoBo Call, *supra* note 15; *see* F&LA at 8, MURs 7011 and 7092 (HC4President).

<sup>58</sup> NoMoRoBo Call, *supra* note 15.

46. Accordingly, there is sufficient information to find reason to believe PAL and Shivers fraudulently misrepresented that they were soliciting contributions on behalf of Trump, in violation of 52 U.S.C. § 30124(b).

**COUNT II:**

**PAL AND SHIVERS VIOLATED 52 U.S.C. § 30104 BY FILING INACCURATE DISCLOSURE REPORTS REGARDING PAL'S CONTRIBUTIONS TO OTHER CANDIDATES AND COMMITTEES**

47. The available information supports finding reason to believe PAL and Shivers violated FECA by filing false disclosure reports indicating that PAL made contributions to other federal candidates and committees, when in fact PAL appears to have made no such contributions.
48. Per PAL's disclosure reports, it made 27 contributions totaling \$30,611 to 18 federal candidates and committees; this would constitute roughly three percent (3%) of the \$1.4 million that PAL reported raising.<sup>59</sup> However, the candidates and committees that PAL reported contributing to have not reported a corresponding receipt from PAL on their disclosure reports.<sup>60</sup> In fact, no federal candidate or committee has reported receiving a contribution from PAL.<sup>61</sup> It therefore appears that PAL did not made any federal contributions with the funds that it raised, contrary to what it reported to the Commission.
49. Accordingly, there is reason to believe that PAL and Shivers knowingly filed false disclosure reports with the Commission, in violation of 52 U.S.C. § 30104.

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<sup>59</sup> PAL, Contributions to Federal Candidates or Committees, [https://www.fec.gov/data/disbursements/?cycle=2022&data\\_type=processed&committee\\_id=C00754283&line\\_number=F3X-23](https://www.fec.gov/data/disbursements/?cycle=2022&data_type=processed&committee_id=C00754283&line_number=F3X-23).

<sup>60</sup> See, e.g., Tim Scott for America (f/k/a "Tim Scott for Senate"), All Receipts from "Patriots for American Leadership," [https://www.fec.gov/data/receipts/?data\\_type=processed&committee\\_id=C00540302&contributor\\_name=C00754283&contributor\\_name=Patriots+for+American+Leadership](https://www.fec.gov/data/receipts/?data_type=processed&committee_id=C00540302&contributor_name=C00754283&contributor_name=Patriots+for+American+Leadership) (last viewed Apr. 10, 2024) (disclosing no receipts); PAL, July 2021 Quarterly Report at 108 (Jul. 15, 2021), <https://docquery.fec.gov/cgi-bin/fecimg/?202107159451300940> (disclosing \$2,000 contribution made on April 1, 2021, to Tim Scott for Senate, which was later renamed Tim Scott for America).

<sup>61</sup> All Receipts from "Patriots for American Leadership," [https://www.fec.gov/data/receipts/?data\\_type=processed&contributor\\_name=C00754283&contributor\\_name=Patriots+for+American+Leadership](https://www.fec.gov/data/receipts/?data_type=processed&contributor_name=C00754283&contributor_name=Patriots+for+American+Leadership) (last viewed Apr. 10, 2024) (disclosing no receipts).

**COUNT III:**  
**PAL AND SHIVERS VIOLATED 52 U.S.C. § 30104 BY FAILING TO FILE  
REQUIRED DISCLOSURE REPORTS IN 2022, 2023, AND 2024**

50. The available information supports finding reason to believe PAL and Shivers violated FECA by failing to file any disclosure reports regarding PAL's financial activity from 2022 onward.
51. PAL has not filed any disclosure reports with the Commission after its 2021 Year-End Report, which it filed late, on April 1, 2022, and the Commission has sent PAL RFAI letters for each of the unfiled reports that it was required to file.<sup>62</sup> PAL has not filed a request to terminate.
52. PAL's last disclosure report indicated that the committee had a cash on hand balance of \$214,862.24, and it is unclear what the current status of those funds is.<sup>63</sup>
53. Moreover, at least some of the archived robocall solicitations from PAL were recorded in 2022 or later, after PAL ceased filing reports, indicating that PAL continued to engage in fundraising after it ceased reporting its activity to the Commission.<sup>64</sup> Given that NoMoRobo has captured PAL calls less than three months ago, it is entirely possible that PAL continues to raise and spend money under fraudulent pretenses while reporting none of this financial activity to the Commission, as required by law.<sup>65</sup>

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<sup>62</sup> PAL, Regularly Filed Reports, 2021-2022, <https://www.fec.gov/data/committee/C00754283/?tab=filings> (last viewed Apr. 10, 2024).

<sup>63</sup> See PAL, 2021 Year-End Report at 2 (Apr. 1, 2021).

<sup>64</sup> See, e.g., NoMoRobo *supra* note 14.

<sup>65</sup> See NoMoRobo, *supra* note 16.

54. Accordingly, there is reason to believe that PAL and Shivers violated 52 U.S.C. § 30104 by failing to file required disclosure reports.

**COUNT IV:**  
**PAL AND SHIVERS VIOLATED 52 U.S.C. § 30104 BY FAILING TO DISCLOSE  
INDEPENDENT EXPENDITURES**

55. The available information supports finding reason to believe PAL and Shivers violated FECA by failing to file required disclosure reports regarding PAL’s independent expenditures.

56. At least some of PAL’s robocall solicitations contained express advocacy for Trump and were therefore reportable as independent expenditures.

57. For example, the robocall captured in November 2020 explicitly urged listeners, “Don’t forget to vote Trump in 2020.” The statement “Don’t forget to vote Trump in 2020” readily satisfies the express advocacy standard at 11 C.F.R. § 100.22(a) because it uses so-called “magic words,” such as “vote for,” that “in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidate(s).”<sup>66</sup>

58. Likewise, the 2022 robocall identifies Trump by name, connects him to the Republican Party by stating “show your support for Trump and the Republican Party,” and then urges the listener to “vote Republican in 2022 and 2024.” This call also satisfies the express advocacy standard at section 100.22(a) because, like the regulation’s example of a communication identifying a candidate as pro-life and then calling on people to vote pro-life, this message identifies Trump as a Republican and asks people to vote Republican. The statement has no other reasonable meaning than to urge people to vote for Trump.<sup>67</sup>

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<sup>66</sup> 11 C.F.R. § 100.22(a).

<sup>67</sup> *Id.*

59. As such, PAL’s disbursements of funds for communications containing those messages, which do not appear to have been coordinated with any candidate or political party committee, constitute “independent expenditures” under FECA.<sup>68</sup> Independent expenditures are reportable on a committee’s regularly scheduled disclosure reports and may have to be reported within 24 or 48 hours of the expenditure, depending on the amount spent and the proximity to an election.
60. Here, of course, PAL provided no disclosure of any independent expenditure. Accordingly, there is reason to believe that PAL and Shivers violated 52 U.S.C. § 30104 by failing to file required disclosure reports regarding PAL’s independent expenditures.

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61. Furthermore, the facts in this matter support finding reason to believe that PAL’s and Shivers’s aforementioned violations of FECA in Counts 1–3 were knowing and willful, and that Shivers is personally liable for these violations.
62. A violation of the Act is knowing and willful when the “acts were committed with full knowledge of all the relevant facts and a recognition that the action is prohibited by law.”<sup>69</sup> This standard does not require proving knowledge of the specific statute or regulation a person violated.<sup>70</sup> Rather, it is sufficient to demonstrate that a respondent “acted voluntarily and was aware that his conduct was unlawful.”<sup>71</sup> This awareness may

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<sup>68</sup> See 52 U.S.C. § 30101(17).

<sup>69</sup> 122 Cong. Rec H3778 (daily ed. May 3, 1976).

<sup>70</sup> See *United States v. Danielczyk*, 917 F. Supp. 2d 573, 579 (E.D. Va. 2013).

<sup>71</sup> *Id.*

be shown through circumstantial evidence, such as a person's efforts to disguise their actions.<sup>72</sup>

63. In addition, the treasurer of a political committee may be held personally liable for violations of FECA when it appears that, while serving as treasurer, they knowingly and willfully violated the Act or Commission regulations or recklessly failed to fulfill the duties imposed by law.<sup>73</sup>
64. The facts indicate that PAL's and Shivers's violations of FECA were knowing and willful because they engaged in a clear, concerted effort to conceal or disguise their actions, evidencing the requisite knowledge that their conduct was unlawful.
65. Specifically, in an apparent effort to conceal this illegal activity, PAL routed over \$538,000 to Shivers through ANTT, an apparent shell company that Shivers himself created shortly before organizing PAL. ANTT does not appear to have provided any *bona fide* services in exchange for these payments, and had only two other "clients"—one of which was another known scam PAC.
66. Moreover, to disguise their unlawful conduct, PAL and Shivers knowingly submitted false disclosure reports with the Commission that indicated PAL had made contributions to other candidates or committees, which those candidates or committees never reported receiving. These false reports were designed to convey the impression that PAL spent at least some portion of its funds in support of other candidates or committees—consistent with its fundraising appeals to prospective donors—thus concealing the reality that PAL

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<sup>72</sup> *United States v. Hopkins*, 916 F.2d 207, 213–15 (5th Cir. 1990).

<sup>73</sup> Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3, 4–5 (Jan. 3, 2005) ("Treasurer Policy").

spent all of its money either personally enriching Shivers or reinvesting in its fraudulent fundraising operation.

67. In addition, PAL and Shivers sought to cover their tracks by failing to file any disclosure reports after 2021, despite clear evidence—in the form of recorded robocalls to prospective donors—that PAL continued operating and trying to raise money in 2022 and beyond. The failure to file disclosure reports required by law, despite having over \$200,000 in cash on hand and receiving multiple RFAI letters from the Commission, clearly indicates that PAL and Shivers were aware of and deliberately flouted their federal reporting obligations.
68. Accordingly, as these facts firmly indicate, PAL and Shivers violated FECA “with full knowledge of all the relevant facts and a recognition that [their actions were] prohibited by law.”<sup>74</sup> The Commission should therefore find reason to believe their violations were knowing and willful.
69. In addition, because Shivers, acting as PAL’s treasurer, knowingly and willfully violated the Act or Commission regulations or recklessly failed to fulfill the duties imposed by law, the Commission should find reason to believe he violated FECA in his personal capacity.<sup>75</sup>

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<sup>74</sup> 122 Cong. Rec H3778 (daily ed. May 3, 1976).

<sup>75</sup> Treasurer Policy, *supra* note 73.



**PRAYER FOR RELIEF**

70. Wherefore, the Commission should find reason to believe that PAL and Shivers knowingly and willfully violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
71. 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  
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(202) 736-2200

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


April 22, 2024

**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 Wieand

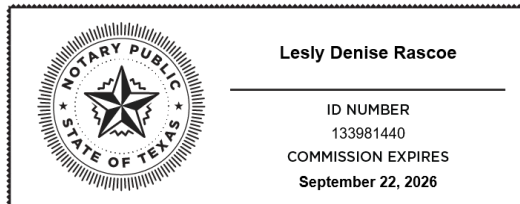


Roger Wieand

Sworn to and subscribed before me this 22<sup>nd</sup> day of April 2024.



Notary Public  
Travis County



Electronically signed and notarized online using the Proof platform.

**VERIFICATION**

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

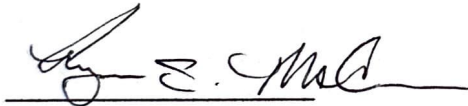
Sworn pursuant to 18 U.S.C. § 1001.

For Complainant Campaign Legal Center



Saurav Ghosh, Esq.

Sworn to and subscribed before me this 19 day of April 2024.



Notary Public



# EXHIBIT A

## PAL Robocall Transcripts

Captured November 14, 2020<sup>1</sup> and January 23, 2024:<sup>2</sup>

Speaker	Text
Trump	I'm Donald Trump. I want to thank the American people for their tremendous support.
Narrator	<p>The Democrats and radical left are trying to steal this election, and President Trump needs your emergency support right now. With no time to waste and results coming in by the minute, do your part to help the campaign until the very end by pressing 3 right now to contribute to elect President Trump.</p> <p>To record your emergency contribution to help President Trump win this election, press 3 now. Again, press 3 now to donate to defeat Joe Biden and elect President Trump. That's 3 on your keypad to elect President Trump now. Press 7 to unsubscribe.</p> <p>Once again, thank you so much for your support of President Trump. And this call is paid for Patriots for American Leadership. Not authorized by any candidate or committee. Contributions are not tax deductible for federal income purposes. Don't forget to vote Trump in 2020.</p> <p>Please call 844-394-1254 with any questions.</p>

Captured January 6, 2022<sup>3</sup> and February 8, 2024:<sup>4</sup>

Speaker	Text
Trump	I'm Donald Trump. Biden's botched exit in Afghanistan is the most astonishing display of gross incompetence by a nation's leader. He surrendered our air base, he surrendered our weapons, he surrendered our embassy. Our military is being given to the enemy.
Narrator	<p>President Trump is calling on you to help protect our true American values. Do your part and show your support by pressing 3 to donate \$25 or more, and we'll send you a special gift. Also, ask our register [sic] agent how to become a VIP donor and receive a special framed Trump poster. Press 3 now, friend. Please press 3 on your keypad to show your support for Trump and the Republican Party.</p> <p>Press 7 to unsubscribe.</p> <p>Paid for by Patriots for American Leadership and not authorized by any candidate nor committee.</p>

<sup>1</sup> (202) 235-8792, NoMoRobo (Nov. 14, 2020), <https://www.nomorobo.com/lookup/202-235-8792>.

<sup>2</sup> (719) 888-1509, NoMoRobo (Jan. 23, 2024), <https://www.nomorobo.com/lookup/719-888-1509>.

<sup>3</sup> (904) 650-1572, NoMoRobo (Jan. 6, 2022), <https://www.nomorobo.com/lookup/904-650-1572>.

<sup>4</sup> (332) 206-1322, NoMoRobo (Feb. 8, 2024), <https://www.nomorobo.com/lookup/332-206-1322>.

**Captured September 24, 2022,<sup>5</sup> November 4, 2022,<sup>6</sup> December 17, 2022,<sup>7</sup> and January 19, 2023:<sup>8</sup>**

<b>Speaker</b>	<b>Text</b>
Trump	I'm Donald Trump. I want to thank everybody for the tremendous support you've shown. We're going to take back the Senate, take back the House. We're going to take back the White House. And sooner than you think. It's going to be really something special. But the love and the affection and the respect that you've given all of us, it's really important. The Republican Party is stronger than it's ever been, and it's going to be a lot stronger than it is right now. We're going to turn it around. We're going to turn it around fast.
Narrator	<p>President Trump is calling on you to help protect our true American values. Do your part and show your support by pressing 3 to donate \$25 or more, and we'll send you a special gift. Also, ask our register [sic] agent how to become a VIP donor and receive a special framed Trump poster. Press 3 now, friend. Please press 3 on your keypad to show your support for Trump and the Republican Party.</p> <p>Press 7 to unsubscribe.</p> <p>Paid for by Patriots for American Leadership and not authorized by any candidate nor committee.</p>

**Captured November 4, 2022:<sup>9</sup>**

<b>Speaker</b>	<b>Text</b>
Trump	Hi, this is Donald Trump. With your help and support, we can make America truly great again.
Narrator	<p>President Trump is calling on you to help protect our true American values and help make sure we, the American people, are not voiceless. Do your part and show your support by pressing 3 to donate \$25 or more and we'll send you a special gift. Also ask our register [sic] agent how to become a VIP donor and receive a special framed Trump poster. Press 3 now, friend. Please press 3 on your keypad to show your support for Trump and the Republican Party. Press 1 to unsubscribe. Once again, thank you for your continued support for President Trump.</p> <p>This call is paid for by Patriots for American Leadership and not authorized by any candidate nor committee. Contributions are not tax deductible for federal income purposes. And don't forget to vote Republican in 2022 and 2024.</p>

<sup>5</sup> (912) 216-3107, NoMoRobo (Sept. 24, 2022), <https://www.nomorobo.com/lookup/912-216-3107>.

<sup>6</sup> (534) 400-3940, NoMoRobo (Nov. 4, 2022), <https://www.nomorobo.com/lookup/534-400-3940>.

<sup>7</sup> (512) 717-9100, NoMoRobo (Dec. 17, 2022), <https://www.nomorobo.com/lookup/512-717-9100>.

<sup>8</sup> (719) 654-0009, NoMoRobo (Jan. 19, 2023), <https://www.nomorobo.com/lookup/719-654-0009>.

<sup>9</sup> (202) 972-1177, NoMoRobo (Nov. 4, 2022), <https://nomorobo.com/lookup/202-972-1177>.

**Captured August 21, 2023:<sup>10</sup>**

<b>Speaker</b>	<b>Text</b>
Trump	<p>I'm Donald Trump.</p> <p>What Joe Biden said on tape—this isn't like gee whiz we think. Here's a man who is on tape saying exactly what he's going to do in terms of corruption.</p>
Narrator	<p>President Trump wants to impeach Biden after leaked phone call from Biden shows he was legitimizing the Taliban. Democrats tried to impeach President Trump twice, and now is your turn to impeach Biden. Press 3 now to join President Trump in calling for Joe Biden to be impeached. For your generous support, we'll send you a complimentary "Impeach Biden" sticker as a way of saying thank you. Again, press 3 now to join President Trump in calling for Joe Biden to be impeached. That's 3 on your keypad to donate now.</p> <p>Press 7 to unsubscribe.</p> <p>Paid for Patriots for American Leadership. And not authorized by any candidate or committee.</p>

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<sup>10</sup> (352) 399-9699, NoMoRobo (Aug. 21, 2023), <https://www.nomorobo.com/lookup/352-399-9699>.

# EXHIBIT B



## ARTICLES OF ORGANIZATION OF LIMITED LIABILITY COMPANY

### ENTITY INFORMATION

**ENTITY NAME:** ANTT PROMOTION L.L.C.  
**ENTITY ID:** 23086643  
**ENTITY TYPE:** Domestic LLC  
**EFFECTIVE DATE:** 05/15/2020  
**CHARACTER OF BUSINESS:** Any legal purpose  
**MANAGEMENT STRUCTURE:** Member-Managed  
**PERIOD OF DURATION:** Perpetual  
**PROFESSIONAL SERVICES:** N/A

### STATUTORY AGENT INFORMATION

**STATUTORY AGENT NAME:** United States Corporation Agents, Inc.  
**PHYSICAL ADDRESS:** 17470 N. Pacesetter Way, SCOTTSDALE, AZ 85255  
**MAILING ADDRESS:** 17470 N. Pacesetter Way, SCOTTSDALE, AZ 85255

### KNOWN PLACE OF BUSINESS

9002 W Meadowbrook Ave, PHOENIX, AZ 85037

### PRINCIPALS

Member: Eddie Lee Shivers JR - 9002 W Meadowbrook Ave, PHOENIX, AZ, 85037, USA - - Date of Taking Office:

### ORGANIZERS

Legalzoom.com, Inc.: 101 N Brand Blvd., 11th Floor, GLENDALE, CA, 91203, USA,

### SIGNATURES

Organizer: By: Cheyenne Moseley, Asst. Secretary of Legalzoom.com, Inc., A Delaware Corporation - 05/15/2020

# EXHIBIT C

**Disbursements to Other Federal Political Committees  
Reported by Patriots for American Leadership**

<b>Date</b>	<b>Recipient</b>	<b>Amount</b>
10/22/20	DEBBIE LESKO FOR CONGRESS	\$ 250.00
10/22/20	GOMURPH.COM	\$ 250.00
11/17/20	GEORGIANS FOR KELLY LOEFFLER	\$ 400.00
11/11/20	GEORGIANS FOR KELLY LOEFFLER	\$ 1,000.00
10/22/20	TAMIKA HAMILTON FOR CONGRESS	\$ 1,000.00
11/10/20	GEORGIANS FOR KELLY LOEFFLER	\$ 1,400.00
11/17/20	NICOLE FOR NEW YORK	\$ 1,500.00
8/31/20	MCSALLY FOR SENATE INC	\$ 1,511.00
11/10/20	MAKE AMERICA GREAT AGAIN	\$ 2,500.00
11/18/20	MAKE AMERICA GREAT AGAIN	\$ 2,500.00
9/15/20	DONALD J. TRUMP FOR PRESIDENT, INC.	\$ 5,000.00
7/1/21	NATIONAL REPUBLICAN COMMITTEE	\$ 25.00
7/1/21	SAVE AMERICA	\$ 25.00
6/30/21	NATIONAL REPUBLICAN SENATORIAL VICTORY SUPER PAC	\$ 25.00
6/30/21	SAVE AMERICA	\$ 25.00
3/30/21	SCALISE FOR CONGRESS	\$ 250.00
3/30/21	LAUREN BOEBERT FOR CONGRESS	\$ 500.00
4/13/21	NATIONAL REPUBLICAN SENATORIAL VICTORY SUPER PAC	\$ 500.00
4/13/21	TIM SCOTT FOR SENATE	\$ 500.00
5/4/21	WENDY ROGERS AZ SENATE	\$ 500.00
7/1/21	ARIZONA REPUBLICAN PARTY	\$ 1,000.00
6/30/21	ARIZONA REPUBLICAN PARTY	\$ 1,000.00
5/19/21	REPUBLICAN PARTY OF DELAWARE	\$ 1,000.00
4/13/21	RUBIO VICTORY COMMITTEE	\$ 1,000.00
4/1/21	TIM SCOTT FOR SENATE	\$ 2,000.00
7/1/21	SAVE AMERICA	\$ 2,450.00
5/19/21	SAVE AMERICA	\$ 2,500.00
<b>Total Reported Disbursed to Other Committees</b>		<b>\$ 30,611.00</b>
<b>Total Reported Received by Other Committees</b>		<b>\$ 0</b>

**BEFORE THE FEDERAL ELECTION COMMISSION**

CAMPAIGN LEGAL CENTER  
ROGER G. WIEAND  
1101 14th Street NW, Suite 400  
Washington, DC 20005

v. MUR No. \_\_\_\_\_

CAMPAIGN FOR A CONSERVATIVE  
MAJORITY, WILLIAM HARTFORD  
in his individual capacity and official  
capacity as treasurer, and ANNA  
HARTFORD in her individual capacity  
and official capacity as assistant treasurer  
712 H St. NE  
Washington, DC 20002

**COMPLAINT**

1. Since 2019, the political committee “Campaign for a Conservative Majority” (“CCM”) has raised nearly \$480,000 in contributions under fraudulent and materially deceptive pretenses—including by using former President Donald Trump’s voice in its fundraising robocalls and falsely pledging to support Trump’s candidacy. CCM has reported spending only \$55,000, or about eleven percent (11%) of the money it raised, to pay for federal electoral advocacy, and even some of that spending appears to be fraudulent, as five of the contributions—totaling \$12,200—that CCM claimed it made were never reported as receipts. At the same time, CCM reported spending over \$382,000 on its “robocall” fundraising operation, including disbursing almost \$190,000 to “Expert Vendor LLC,” which is run by CCM’s treasurer and assistant treasurer, William and Anna Hartford. As such, the vast majority of CCM’s money—most of which came from donors giving \$200 or less—was diverted to the Hartfords or otherwise plowed back into CCM’s fundraising operation.

2. CCM thus appears to be a “scam PAC,” *i.e.*, a PAC that defrauds donors by claiming it will engage in electoral activity but does nothing more than transfer money to those running it and continue fundraising under false pretenses. CCM and the Hartfords even added another layer of deception by fraudulently using Trump’s voice to peddle false promises that CCM would engage in electoral advocacy in support of Trump, defrauding thousands of donors with these unauthorized fundraising robocalls.
3. CCM and the Hartfords appear to have concealed the extent of this fraudulent scheme by knowingly filing false disclosure reports with the Federal Election Commission (“FEC” or “Commission”)—including reporting purported contributions to federal candidates that were never made and failing to file reports of independent expenditures when their robocalls included limited instances of express advocacy—and by failing to fully disclose CCM’s activities from 2023 onward, despite continuing to spend money to solicit (and potentially receive) contributions through deceptive fundraising robocalls.
4. Accordingly, as set forth herein, there is reason to believe CCM and the Hartfords committed numerous knowing and willful violations of the Federal Election Campaign Act (the “Act” or “FECA”).
5. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that CCM and the Hartfords have violated and continue to violate 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.”<sup>1</sup>

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

## FACTUAL BACKGROUND

6. CCM registered with the Commission on July 4, 2019.<sup>2</sup> William Hartford serves as its treasurer and custodian of records and Anna Hartford serves as its assistant treasurer.<sup>3</sup>
7. CCM has reported receiving \$479,645.73 in contributions.<sup>4</sup> It raised almost all of that money—over \$473,000—during the 2020 election cycle.<sup>5</sup> Most of CCM’s contributions came from donors whose aggregate contributions were below the \$200 itemization threshold: CCM reported receiving \$328,210.73 in unitemized individual contributions.<sup>6</sup>
8. While CCM continues to file disclosure reports, during the 2023–2024 election cycle it has reported no contributions and has not itemized any operating expenditures other than legal fees—*i.e.*, it has reported no disbursements for fundraising solicitations or electoral advocacy.<sup>7</sup>

### *CCM’s Robocall Solicitations*

9. CCM appears to have conducted most (if not all) of its fundraising via automated recorded phone calls, commonly referred to as “robocalls.” As described in greater detail below, CCM’s FEC reports show approximately \$382,000 in expenditures purportedly related to phone solicitations.<sup>8</sup>

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<sup>2</sup> CCM, Statement of Org. at 1 (July 4, 2019); *see* Amend. Statement of Org. at 3-4 (Oct. 30, 2020) (same). CCM’s current address corresponds to a “pack and ship” store in Washington, DC that offers mailbox rentals. However, the statement of organization does not include a mailbox number.

<sup>3</sup> *Id.* at 3–4.

<sup>4</sup> CCM, Financial Summary (2019–2020), <https://www.fec.gov/data/committee/C00711119/?tab=summary&cycle=2020> (last visited Apr. 19, 2024); CCM, Financial Summary (2021–2022), <https://www.fec.gov/data/committee/C00711119/?tab=summary&cycle=2022> (last visited Apr. 19, 2024); CCM, Financial Summary (2023–2024), <https://www.fec.gov/data/committee/C00711119/?tab=summary&cycle=2024> (last visited Apr. 19, 2024).

<sup>5</sup> CCM, Financial Summary (2019–2020), *supra* note 4.

<sup>6</sup> *Id.*; CCM Financial Summary (2021–2022), *supra* note 4; CCM Financial Summary (2023–2024), *supra* note 4.

<sup>7</sup> CCM, Disbursements (2023–2024), [https://www.fec.gov/data/disbursements/?committee\\_id=C00711119&two\\_year\\_transaction\\_period=2024&data\\_type=processed](https://www.fec.gov/data/disbursements/?committee_id=C00711119&two_year_transaction_period=2024&data_type=processed) (last visited Apr. 19, 2024); CCM Financial Summary (2023–2024), *supra* note 4.

<sup>8</sup> *See infra* ¶ 23.

10. A company named NoMoRobo, which detects, screens, records, and archives robocalls,<sup>9</sup> archived several of CCM’s fundraising robocalls, which follow a consistent format: They open with an audio recording of former President Trump’s voice, followed by a narrator who, after explicitly criticizing Joe Biden’s qualifications and abilities as a presidential candidate—*e.g.*, “Biden . . . is incapable of performing the duties of the presidency,” and “Nancy and AOC will be running our country if Joe Biden is elected”—asks the listener to make a contribution to support Trump. The unmistakable overall impression conveyed in each call is that Trump is soliciting (or has authorized the group to solicit) the contribution, and that funds donated will be used by or in support of his campaign.
11. The following is the transcript of a robocall (“Robocall 1”) that NoMoRobo recorded in February 2021, September 2022, and September 2023, though the call’s content indicates that CCM began disseminating the call shortly before the 2020 general election:<sup>10</sup>

<b>Speaker</b>	<b>Text</b>
Trump’s Voice	Hi, this is Donald Trump, and I’m running for the presidency of the United States of America.
Narrator	It is a very close election, and it is going to be a fight to the finish. There is a lot at stake this election, and President Trump, along with the Campaign for a Conservative Majority PAC, needs our support now. A Biden-Kamala presidency would be the most radical presidency in history.  You won’t hear this from the liberal media, but Joe Biden has adopted the policies of the radical Socialist left, including immediately raising your taxes, free and open borders, the job-killing Green New Deal, and eliminating private healthcare with healthcare for illegals.

<sup>9</sup> NoMoRobo, <https://www.nomorobo.com/> (last visited Apr. 19, 2024).

<sup>10</sup> (202) 381-9604, NoMoRobo (Feb. 2, 2021), <https://www.nomorobo.com/lookup/202-381-9604>; (202) 381-9624, NoMoRobo (Sept. 27, 2022), <https://www.nomorobo.com/lookup/202-381-9624>; (202) 838-0156, NoMoRobo (Sept. 7, 2023), <https://www.nomorobo.com/lookup/202-838-0156>. The reference to the “last week before the election,” and the remark about “Biden refus[ing] to leave his basement” dates the call to the 2020 election. *See, e.g.*, Nathan L. Gonzales, *GOP Banking on Post-Basement Blunders by Biden and Democrats*, Roll Call (Sept. 1, 2020) (stating that “Biden in the basement” was a favorite topic for Trump-supporters in the leadup to the 2020 election).

	<p>Even before this last week before the election, Biden refuses to leave his basement. He is incapable of performing the duties of the presidency. The radical left including Nancy and AOC will be running our country if Joe Biden is elected president.</p> <p>We need every American who supports the re-election of President Trump to press 3 now to pledge your support and contribute. Even if you have contributed in the past, please contribute again—</p> <p>[NoMoRobo recording ends abruptly]</p>
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12. NoMoRobo captured a second, very similar version of this call (“Robocall 2”), transcribed below, in November 2020 and November 2022:<sup>11</sup>

Speaker	Text
Trump’s Voice	Hi, this is Donald Trump, and I’m running for the presidency of the United States of America.
Narrator	<p>A Biden-Kamala presidency would be the most radical presidency in history. There is a lot at stake this election and President Trump, along with the Campaign for a Conservative Majority PAC, needs our support now.</p> <p>You won’t hear it with the liberal media, but Joe Biden has adopted the policies of the radical left, including raising your taxes, free and open borders, the Green New Deal, and eliminating private health care.</p> <p>Joe Biden refuses to leave his basement while demonstrating he is incapable of performing the duties of the presidency. The radical left, including Nancy and AOC, will be running our country if Joe Biden is elected president.</p> <p>We need every American who supports the re-election of President Trump to press 3 now to pledge your support and contribute. Even if you have contributed before, please contribute again. We cannot take a chance on a Biden presidency with Nancy holding the gavel. Please press 3 now to support the reelection of President Trump and to finally retire—</p> <p>[NoMoRobo recording ends abruptly]</p>

<sup>11</sup> (202) 655-3697, NoMoRobo (Nov. 24, 2020), <https://www.nomorobo.com/lookup/202-655-3697>; (202) 381-9572, NoMoRobo (Nov. 9, 2022), <https://www.nomorobo.com/lookup/202-381-9572>; (202) 381-9659, NoMoRobo (Nov. 23, 2022), <https://www.nomorobo.com/lookup/202-381-9659>. From context, it also appears that this call originally ran before the 2020 general election.



13. Although these calls appear to include express advocacy against Biden—*e.g.*, a message urging the listener to vote against Biden—CCM has never reported making any independent expenditures.<sup>12</sup>

#### *CCM's Spending*

14. The vast majority of the money CCM solicited was indirectly transferred to William and Anna Hartford or otherwise reinvested in CCM's fundraising operation.
15. According to CCM's disclosure reports, CCM paid Expert Vendor, LLC ("Expert Vendor") a total of \$189,291 for "call center services," "call center marketing services," "call center marketing consulting," or "fundraising phone calls."<sup>13</sup>
16. Expert Vendor, however, is operated by the Hartfords: According to Expert Vendor's most recent annual business report, William Hartford is the company's president and Anna Hartford is its manager.<sup>14</sup> The email address listed on CCM's statement of organization, [expertvendorteam@gmail.com](mailto:expertvendorteam@gmail.com), corresponds with the business.<sup>15</sup> And Expert Vendor's street address is the same address that was listed on CCM's original statement of organization.<sup>16</sup>
17. It is unclear what, if any, services Expert Vendor was providing to CCM that could reasonably be valued at nearly \$190,000—the amount that CCM paid Expert Vendor. Per its website, Expert Vendor matches "telemarketing or inbound call service companies" to

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<sup>12</sup> CCM Financial Summary (2019–2020), *supra* note 4; CCM Financial Summary (2021–2022), *supra* note 4; CCM Financial Summary (2023–2024), *supra* note 4.

<sup>13</sup> CCM, Filtered Disbursements: Expert Vendor (2019–2024), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00711119&recipient\\_name=expert+vendor&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2024&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00711119&recipient_name=expert+vendor&two_year_transaction_period=2020&two_year_transaction_period=2024&two_year_transaction_period=2022) (last visited Apr. 12, 2024).

<sup>14</sup> Expert Vendor, LLC, Annual Report (Feb. 21, 2024) (attached as Exh. A).

<sup>15</sup> CCM, Amend. Statement of Org. at 1 (Oct. 30, 2020).

<sup>16</sup> *Compare* CCM, Statement of Org. at 1 (July 4, 2019), *with* Exh. A.

users after users provide their information.<sup>17</sup> According to the website, Expert Vendor is free for users; vendors pay to be among the companies that Expert Vendor recommends to users.<sup>18</sup> Expert Vendor explains on a “frequently asked questions” page that it “makes money by billing our suppliers a referral fee for the privilege to bid on your business.”<sup>19</sup>

18. Given that Expert Vendor does not charge entities seeking out robocall providers a fee, and considering that the Hartfords could simply reach out to call centers directly based on their experience running Expert Vendor, there are no apparent *bona fide* services for which CCM would be paying Expert Vendor, let alone services that cost CCM nearly \$190,000. The circumstances instead suggest that Expert Vendor served as a shell to conceal the Hartfords’ actions to siphon CCM’s money to themselves.
19. Furthermore, only two other federal committees have ever reported disbursements to Expert Vendor: Campaign to Elect a Democratic Majority and Support American Leaders PAC.<sup>20</sup> Support American Leaders PAC is associated with convicted scam-PAC operator Matthew Tunstall.<sup>21</sup> Campaign to Elect a Democratic Majority, at a minimum, was a

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<sup>17</sup> Expert Vendor, <http://www.expertvendor.com/index.php> (last visited Apr. 19, 2024).

<sup>18</sup> *Help with Our Call Center Outsourcing Services (Frequently Asked Questions)*, Expert Vendor, <http://www.expertvendor.com/index.php> (last visited Apr. 19, 2024).

<sup>19</sup> *Id.*

<sup>20</sup> Filtered Disbursements: Expert Vendor, [https://www.fec.gov/data/disbursements/?data\\_type=processed&recipient\\_name=expert+vendor&two\\_year\\_transaction\\_period=2008&two\\_year\\_transaction\\_period=2010&two\\_year\\_transaction\\_period=2012&two\\_year\\_transaction\\_period=2014&two\\_year\\_transaction\\_period=2016&two\\_year\\_transaction\\_period=2018&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&recipient_name=expert+vendor&two_year_transaction_period=2008&two_year_transaction_period=2010&two_year_transaction_period=2012&two_year_transaction_period=2014&two_year_transaction_period=2016&two_year_transaction_period=2018&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024); Filtered Independent Expenditures: Expert Vendor, [https://www.fec.gov/data/independent-expenditures/?data\\_type=processed&most\\_recent=true&is\\_notice=true&payee\\_name=expert+vendor](https://www.fec.gov/data/independent-expenditures/?data_type=processed&most_recent=true&is_notice=true&payee_name=expert+vendor) (last visited Apr. 19, 2024).

<sup>21</sup> *See* Support American Leaders PAC, Statement of Org. at 1 (Sept. 24, 2018) (naming Matthew Tunstall as treasurer); *California Man Pleads Guilty in Scam PAC Schemes*, DOJ (Dec. 20, 2022), <https://www.justice.gov/opa/pr/california-man-pleads-guilty-scam-pacs-scheme>.

short-lived PAC that passed the majority of the \$85,000 it raised onto Expert Vendor before terminating.<sup>22</sup>

20. CCM's next largest vendor was Stratics Networks, which CCM paid \$117,003.90 for marketing- and phone-related services.<sup>23</sup>

21. CCM spent an additional \$76,038.14 on its robocall fundraising program, made up of the payments in the chart below.<sup>24</sup>

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<sup>22</sup> Campaign to Elect a Democratic Majority originally registered with the FEC in August 2020 as Campaign to Elect Biden-Harris. Campaign to Elect a Democratic Majority, Statement of Org. at 1 (Aug. 18, 2020). It changed its name in response to a Commission Request for Additional Information and went on to raise most of its roughly \$85,000 in total receipts in unitemized individual contributions, apparently from robocalls. Campaign to Elect a Democratic Majority, Financial Summary (2019–2020), <https://www.fec.gov/data/committee/C00755439/?tab=summary&cycle=2020> (last visited Apr. 19, 2024); Campaign to Elect a Democratic Majority, Filtered Disbursements, [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00755439&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00755439&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024) (itemizing disbursements for “voice recording” and to Expert Vendor). It disbursed a majority of its money—over \$48,000—to Expert Vendor and made five contributions to Democratic committees, spending the rest on overhead and fundraising. See Campaign to Elect a Democratic Majority, Filtered Disbursements, *id.*; Filtered Receipts: Campaign to Elect a Democratic Majority (2019–2022), [https://www.fec.gov/data/receipts/?data\\_type=processed&contributor\\_name=C00755439&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/receipts/?data_type=processed&contributor_name=C00755439&two_year_transaction_period=2020&two_year_transaction_period=2022) (last visited Apr. 19, 2024). It ceased fundraising by 2021. Campaign to Elect a Democratic Majority, Financial Summary (2021–2022), <https://www.fec.gov/data/committee/C00755439/?tab=summary&cycle=2022> (last visited Apr. 19, 2024).

<sup>23</sup> CCM, Filtered Disbursements: Stratics (2019–2020), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00711119&recipient\\_name=stratics&two\\_year\\_transaction\\_period=2024&two\\_year\\_transaction\\_period=2022&two\\_year\\_transaction\\_period=2020](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00711119&recipient_name=stratics&two_year_transaction_period=2024&two_year_transaction_period=2022&two_year_transaction_period=2020) (last visited Apr. 19, 2024). The Department of Justice recently sued Stratics Networks, on behalf of the Federal Trade Commission, for providing technical services in furtherance of illegal robocalls. *United States Files Complaint Against Illegal Robocall Telemarketers and Telecommunications Service Providers*, DOJ (Feb. 17, 2023), <https://www.justice.gov/opa/pr/united-states-files-complaint-against-illegal-robocall-telemarketers-and-telecommunications>. A federal court recently dismissed Stratics Networks from the case on immunity grounds, but the time for the government to appeal the ruling has not elapsed. Order, *United States v. Stratics Networks, Inc.*, Case No. 23-cv-0313-BAS-KSC (S.D. Cal. Mar. 6, 2024), 2024 WL 966380.

<sup>24</sup> CCM, Filtered Disbursements (2019–2022), [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00711119&two\\_year\\_transaction\\_period=2024&two\\_year\\_transaction\\_period=2022&two\\_year\\_transaction\\_period=2020](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00711119&two_year_transaction_period=2024&two_year_transaction_period=2022&two_year_transaction_period=2020) (last visited Apr. 19, 2024).

<b>Recipient</b>	<b>Purpose</b>	<b>Total Disbursements</b>
ANTTS PROMOTIONS	MARKETING LEADS	\$5,000.00
LABELS AND LISTS, INC.	MARKETING LEADS	\$43,819.45
VOICE JUNGLE	VOICE TALENT	\$1,625.30
VANILLA SOFT	PHONE SYSTEM	\$327.34
NICOLE MOBELEY	FUNDRAISING SALESPERSON	\$550.82
FRAMED SPORTS PRINTS	DIRECT MARKETING ITEMS	\$435.09
RUI ZHANG	BUMPER STICKERS	\$316.80
GOP BOX	MARKETING SOUVENIRS	\$263.88
RALLYPAY	CC PROCESSING FEES	\$17,176.75
SQUARE INC.	CREDIT CARD PROCESSING	\$6,522.71
<b>TOTAL</b>		<b>\$76,038.14</b>

22. As noted in the chart, CCM made a \$5,000 payment to “ANTTS Promotions,” which appears to be ANTT Promotion LLC, an entity that evidence indicates was set up as a shell company by Eddie Shivers, whose political committee “Patriots for America Leadership” is also an apparent scam PAC.<sup>25</sup>
23. Accordingly, between paying the Hartfords and reinvesting in its fundraising robocalls, including payments to Stratics Networks, CCM spent \$382,333.04 of the \$479,645.73 it raised (approximately 80% of its funds) on enriching the two individuals in charge of the PAC and soliciting contributions to continue raising funds under false pretenses and defrauding the public.
24. CCM also reported making 18 contributions totaling \$55,000 to 11 federal candidates and committees, which would constitute roughly 11 percent (11%) of what it raised overall.<sup>26</sup> However, it does not appear that CCM actually made all of those contributions: The

<sup>25</sup> See Campaign Legal Center Complaint re: Patriots for American Leadership (filed Apr. 22, 2024) (alleging that Shivers set up “Patriots for American Leadership” as a scam, and funneled the PAC’s money back to himself through salary payments as well as payments to ANTT Promotion LLC).

<sup>26</sup> CCM, Contributions to Other Candidates or Committees, [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00711119&two\\_year\\_transaction\\_period=2020&two\\_year\\_transaction\\_period=2022&two\\_year\\_transaction\\_period=2024&line\\_number=F3X-23](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00711119&two_year_transaction_period=2020&two_year_transaction_period=2022&two_year_transaction_period=2024&line_number=F3X-23) (last visited Apr. 19, 2024).

recipient committees never reported receiving 5 of the 18 contributions, amounting to \$12,200. Federal committees have reported receiving only \$42,800 in contributions from CCM, accounting for approximately nine percent (9%) of CCM’s total receipts. As such, it appears that CCM fabricated five of its contributions and that William and Anna Hartford, as treasurer and assistant treasurer, knowingly filed false disclosure reports. A list of the contributions reported by CCM with indications of those that apparently were not received by the purported recipient is below.

<b>Date</b>	<b>Recipient</b>	<b>Amount</b>	<b>Receipt Reported by Recipient Committee</b>
10/23/20	KANSANS FOR LATURNER	\$2,800.00	No
10/23/20	LAUREN BOEBERT FOR CONGRESS	\$2,800.00	No
10/23/20	JEANNE FOR CONGRESS	\$2,800.00	Yes
10/23/20	JIM 2020 COMMITTEE	\$ 2,800.00	Yes
10/23/20	MARY MILLER FOR CONGRESS	\$2,800.00	Yes
10/23/20	NEHLS FOR CONGRESS	\$2,800.00	Yes
10/23/20	RODNEY FOR CONGRESS	\$2,800.00	Yes
10/26/20	JIM 2020 COMMITTEE	\$2,200.00	No
10/26/20	KANSANS FOR LATURNER	\$2,200.00	No
10/26/20	LAUREN BOEBERT FOR CONGRESS	\$2,200.00	No
10/26/20	JEANNE FOR CONGRESS	\$2,200.00	Yes
10/26/20	MARY MILLER FOR CONGRESS	\$2,200.00	Yes
10/26/20	NEHLS FOR CONGRESS	\$2,200.00	Yes
10/26/20	RODNEY FOR CONGRESS	\$2,200.00	Yes
10/30/20	DONALD J. TRUMP FOR PRESIDENT, INC.	\$5,000.00	Yes
10/30/20	JOHN JAMES FOR SENATE, INC.	\$5,000.00	Yes
10/30/20	TEAM GRAHAM, INC.	\$5,000.00	Yes
10/31/20	ILLINOIS REPUBLICAN PARTY - FEDERAL	\$5,000.00	Yes

Total Reported Disbursed to Other Committees: \$55,000  
Total Reported Received by Other Committees: \$42,800  
Total Missing from Reported Disbursements: \$12,200

25. Further, CCM did not report making any independent expenditures, and there are no costs related to communications (other than for fundraising robocalls) listed on its reports.

CCM spent its remaining money on overhead costs, like payments for a post office box, bank and legal fees, and even a fee paid to the Commission.<sup>27</sup> Thus, the nine percent (9%) it spent on contributions was the sum total of its activity consistent with its fundraising messages to prospective donors.

26. CCM has not reported spending any money for communications—either for fundraising or electoral advocacy—during the 2023–2024 election cycle.<sup>28</sup>
27. In sum, CCM routed approximately 39% of its funds (\$189,291) to the Hartfords via payments to Expert Vendor, 52% (\$247,554) on solicitation and administrative expenses, and roughly 9% (\$42,800) on electoral advocacy.

#### SUMMARY OF THE LAW

##### *Fraudulent Misrepresentation*

28. FECA and Commission regulations prohibit any person from “fraudulently misrepresent[ing] the person as speaking, writing, or otherwise acting for or on behalf of any candidate . . . or employee or agent thereof for the purpose of soliciting contributions or donations.”<sup>29</sup> Federal courts have made clear that “[e]ven absent an express misrepresentation, a representation is fraudulent if it was reasonably calculated to deceive persons of ordinary prudence and comprehension.”<sup>30</sup>
29. The Commission has found that a disclaimer stating who paid for a communication does not cure a fraudulent misrepresentation when the communication was otherwise “designed to mislead [recipients] of ordinary prudence and comprehension into believing

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<sup>27</sup> CCM, Filtered Disbursements (2019–2022), *supra* note 24.

<sup>28</sup> CCM, Disbursements (2023–2024), *supra* note 7.

<sup>29</sup> 52 U.S.C. § 30124(b); 11 C.F.R. § 110.16(b)(1).

<sup>30</sup> *FEC v. Novacek*, 739 F. Supp. 2d 957, 961 (N.D. Tex. 2010).

that” the organization was representing a particular candidate.<sup>31</sup> In other words, a message designed to deceive and manipulate reasonable listeners into thinking the speaker is authorized by a candidate can be fraudulent even if the message includes a required disclaimer that it was not authorized by any candidate.

30. In MURs 7011 and 7092, the Commission found that a website for a committee calling itself “HC4P” or “HC4President,” which stated that “contributions directly benefit” Hillary Clinton’s presidential campaign via statements like “Support Hillary Clinton,” “Stand with Hillary,” and “Donate today to help Hillary Clinton become our nation’s 45th President,” engaged in fraudulent misrepresentation.<sup>32</sup> The Commission concluded that although the PAC’s website contained disclaimers, which accurately stated that the site was not authorized by any candidate or candidate’s committee, those disclaimers did not cure the misrepresentation.<sup>33</sup>
31. In another matter, the FEC’s Office of General Counsel (“OGC”) concluded that a robocall fraudulently soliciting funds on behalf of Hillary Clinton’s 2016 presidential campaign, which opened with a recording of Clinton and included a narrator asking for contributions “to elect Hillary Clinton for President,” was calculated to deceive potential donors despite providing a “paid for by” disclaimer stating the communication was not authorized by any candidate or committee.<sup>34</sup>

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<sup>31</sup> Factual and Legal Analysis (“F&LA”) at 3, MURs 7011 and 7092 (HC4President); F&LA at 8, MUR 6893 (Winning the Senate PAC).

<sup>32</sup> F&LA at 7–8, MURs 7011 and 7092 (HC4President); *see also* 52 U.S.C. § 30102(e)(4) (providing that a committee that is not authorized by a candidate “shall not include the name of any candidate in its name”); 11 C.F.R. § 102.14(a) (generally providing that “no unauthorized committee shall include the name of any candidate in its name” and that “name” in this context “includes any name under which a committee conducts activities, such as solicitations or other communications, including a special project name or other designation”).

<sup>33</sup> F&LA at 8, MURs 7011 and 7092 (HC4President).

<sup>34</sup> Second Gen. Counsel’s Report at 10, 23–24, MUR 7468 (Progressive Priorities PAC). The Commission unanimously voted to dismiss the fraudulent misrepresentation violations pursuant to a recommendation from the

32. To be held liable for fraudulent misrepresentation, a person must have the intent to deceive, in addition to publishing communications that would deceive a reasonable person.<sup>35</sup> The Commission has found the requisite intent to deceive when the person making the solicitation does not use any of the funds for the stated purpose for which they were solicited.<sup>36</sup> Failing to file reports with the Commission indicating how money was spent is also indicative of fraudulent intent.<sup>37</sup>

### *Reporting*

33. Each treasurer of a political committee is required to file accurate reports of receipts and disbursements.<sup>38</sup> The treasurer signs each disclosure report under penalty of perjury.<sup>39</sup>
34. Each political committee must file periodic disclosure reports—typically either quarterly or monthly—until the Commission approves a request to terminate (or administratively terminates) the committee.<sup>40</sup>
35. Each report a committee files must include, among other items, the committee’s cash on hand, its total disbursements, the total of contributions made to other committees, detailed information about the recipient of any expenditure of more than \$200 for the

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General Counsel’s Office, which recommended taking no action on the fraudulent misrepresentation violations because the Department of Justice was already investigating the scam PAC and its operator, Matthew Tunstall, and because the five-year statute of limitations had run as to those violations. *See id.* at 24; Cert., MUR 7468 (Progressive Priorities PAC) (July 27, 2023).

<sup>35</sup> *See* F&LA at 2–3, MURs 7011 and 7092 (HC4President).

<sup>36</sup> *See id.* at 8.

<sup>37</sup> F&LA at 8, MUR 5472 (Republican Victory 2004 Committee).

<sup>38</sup> 52 U.S.C. § 30104(a)(1); 11 C.F.R. § 104.1(a); *Committee Treasurers (2017)*, FEC, <https://www.fec.gov/updates/committee-treasurers-2017-record/> (May 9, 2017) (explaining that treasurers are responsible for “filing all committee reports and statements accurately and on time”).

<sup>39</sup> *See* FEC Form 3X, <https://www.fec.gov/resources/cms-content/documents/policy-guidance/fecfrm3x.pdf>.

<sup>40</sup> 52 U.S.C. § 30104(a)(4); *Terminating a Committee*, FEC, <https://www.fec.gov/help-candidates-and-committees/terminating-a-committee/> (last visited Apr. 19, 2024).



operation of the committee, and detailed information about each contribution made to another political committee.<sup>41</sup>

36. FECA also requires political committees other than candidate-authorized committees to itemize all independent expenditures aggregating in excess of \$200 with certain information, including the name and address of each person who receives disbursements in connection with an independent expenditure, as well as the date, amount, purpose, and identity of the candidate the independent expenditure is supporting or opposing.<sup>42</sup>
37. An “independent expenditure” is “an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate” that “is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate’s authorized political committee, or their agents, or a political party committee or its agents.”<sup>43</sup>
38. Under Commission regulations, a communication is “expressly advocating” the election or defeat of a clearly identified candidate if, *inter alia*: (a) it uses so-called “magic words” such as “vote for,” “re-elect,” or “defeat;”<sup>44</sup> or (b) contains an unmistakable “electoral portion . . . suggestive of only one meaning” and “[r]easonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidate(s).”<sup>45</sup>
39. The Commission has explained that “[c]ommunications discussing or commenting on a candidate’s character, qualifications, or accomplishments are considered express

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<sup>41</sup> 52 U.S.C. § 30104(b); 11 C.F.R. § 104.3(a)(1), (b).

<sup>42</sup> 52 U.S.C. § 30104(b)(6)(B)(iii); 11 C.F.R. § 104.3(b)(3)(vii).

<sup>43</sup> 52 U.S.C. § 30101(17); *see* 11 C.F.R. § 100.16.

<sup>44</sup> 11 C.F.R. § 100.22(a).

<sup>45</sup> *Id.* §100.22(b).

advocacy . . . if, in context, they have no other reasonable meaning than to encourage actions to elect or defeat the candidate in question.”<sup>46</sup>

40. When any person makes or contracts to make independent expenditures aggregating \$1,000 or more after the 20th day preceding, but more than 24 hours before, the date of an election, FECA requires that person to file an additional report describing those expenditures within 24 hours.<sup>47</sup> Further, any person that makes or contracts to make independent expenditures aggregating \$10,000 or more outside of that 20-day period, up to and including the 20th day, must file a report describing those expenditures within 48 hours.<sup>48</sup> These 24/48-hour reports must contain the same information that committees are required to include on their periodic reports, including the identity of any person that receives more than \$200 in connection with an independent expenditure.<sup>49</sup>

#### CAUSES OF ACTION

##### **COUNT I:**

##### **CCM AND THE HARTFORDS VIOLATED 52 U.S.C. § 30124(B) BY FRAUDULENTLY MISREPRESENTING THAT THEY WERE SOLICITING CONTRIBUTIONS ON BEHALF OF TRUMP**

41. The available information supports finding reason to believe CCM and the Hartfords violated FECA by fraudulently misrepresenting that they were soliciting contributions on behalf of presidential candidate Donald Trump.
42. Information indicates that CCM used robocalls to solicit prospective donors to provide contributions, and that these robocalls featured a recording of Trump’s voice at the

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<sup>46</sup> F&LA at 6, MUR 7527 (News for Democracy) (quoting Express Advocacy; Independent Expenditures; Corporate and Labor Organization Expenditures, 60 Fed. Reg. 35,292, 35,294 (Jul. 6, 1995)).

<sup>47</sup> 52 U.S.C. § 30104(g)(1); 11 C.F.R. § 109.10(d).

<sup>48</sup> 52 U.S.C. § 30104(g)(2); 11 C.F.R. § 104.4(b)(2).

<sup>49</sup> 52 U.S.C. § 30104(g)(3)(B), *cross-referencing id.* § 30104(b)(6)(B)(iii); 11 C.F.R. § 104.4(b)-(c), *cross-referencing id.* § 104.3(b)(3)(vii).

beginning of the communication asking the listener to make a contribution, which the communication falsely indicated would be used to support Trump’s campaign.

43. For instance, in CCM Robocall 1, the communication first uses Trump’s recorded voice to convince the listener that Trump is speaking, saying, “Hi, this is Donald Trump, and I’m running for the presidency of the United States of America,” after which a narrator urges the listener:

It is a very close election, and it is going to be a fight to the finish. There is a lot at stake this election, and *President Trump*, along with the Campaign for a Conservative Majority PAC, *needs our support now*.

. . .

*We need every American who supports the re-election of President Trump to press 3 now to pledge your support and contribute. Even if you have contributed in the past, please contribute again—*<sup>50</sup>

44. These statements and the false use of Trump’s voice clearly indicate that the message is designed to convey that Trump is asking the listener to donate. As such, this solicitation message is “fraudulent” because it “was reasonably calculated to deceive persons of ordinary prudence and comprehension.”<sup>51</sup>
45. Likewise, CCM Robocall 2 begins with a recording of Trump saying, “Hi, this is Donald Trump, and I’m running for the presidency of the United States of America,” conveying to any reasonable person that the message is approved of or authorized by Trump, before the narrator delivers the solicitation:

There is a lot at stake this election and *President Trump*, along with the Campaign for a Conservative Majority PAC, *needs our support now*.

. . .

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<sup>50</sup> NoMoRoBo Calls, *supra* note 10 (emphases added).

<sup>51</sup> *Novacek*, 739 F. Supp. 2d at 961.

*We need every American who supports the re-election of President Trump to press 3 now to pledge your support and contribute. Even if you have contributed before, please contribute again. We cannot take a chance on a Biden presidency with Nancy holding the gavel. Please press 3 now to support the reelection of President Trump and to finally retire—*<sup>52</sup>

46. Once again, this communication conveys the false impression that Trump has authorized the solicitation, coupled with a clear message that the solicited contributions will be used to support Trump’s campaign; as such, the communication is “reasonably calculated to deceive persons of ordinary prudence and comprehension.”<sup>53</sup>
47. Both recordings of the CCM robocalls end abruptly and appear to be incomplete. But even if the calls included a “paid for by” disclaimer at the end, Commission precedent supports the conclusion that these calls would still amount to fraudulent misrepresentation. As the Commission found in MURs 7011 and 7092, as well as in MUR 7468, the inclusion of a disclaimer does not cure the fraudulent misrepresentation, particularly since the calls convey the overall impression that they are authorized by or speaking for a candidate. Those prior matters involved solicitations materially indistinguishable from CCM’s robocalls: Like MUR 7468, CCM’s calls included audio of the candidate at the start of the call, and like MURs 7011 and 7092, the CCM calls asked people to “support” the candidate.<sup>54</sup>
48. Accordingly, there is reason to believe CCM and the Hartfords fraudulently misrepresented that they were soliciting contributions on behalf of Trump, in violation of 52 U.S.C. § 30124(b).

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<sup>52</sup> NoMoRoBo Calls, *supra* note 11 (emphases added).

<sup>53</sup> *Novacek*, 739 F. Supp. 2d at 961.

<sup>54</sup> See F&LA at 7–8, MURs 7011 and 7092 (HC4President); Second Gen. Counsel’s Report at 10, 23–24, MUR 7468 (Progressive Priorities PAC).

**COUNT II:**  
**CCM AND THE HARTFORDS VIOLATED 52 U.S.C. § 30104 BY FILING INACCURATE DISCLOSURE REPORTS REGARDING CCM’S CONTRIBUTIONS TO FEDERAL CANDIDATES**

49. The available information supports finding reason to believe CCM and the Hartfords violated FECA by filing false disclosure reports indicating that CCM made five federal contributions totaling \$12,200 that never occurred.
50. Per CCM’s disclosure reports, it made 18 contributions totaling \$55,000 to 11 federal candidates and committees; this would constitute roughly eleven percent (11%) of the \$479,645.73 that CCM reported raising.<sup>55</sup> However, for five of those contributions, the candidate or committee identified by CCM as the recipient of its reported contribution has not reported a corresponding receipt from CCM on their disclosure reports.<sup>56</sup> It therefore appears that CCM did not actually make \$12,200 of its reported contributions, contrary to what it reported to the Commission.
51. Accordingly, there is reason to believe that CCM and the Hartfords knowingly filed false disclosure reports with the Commission, in violation of 52 U.S.C. § 30104.

**COUNT III:**  
**CCM AND THE HARTFORDS VIOLATED 52 U.S.C. § 30104 BY FAILING TO DISCLOSE OPERATING EXPENDITURES IN THE 2023–2024 ELECTION CYCLE**

52. The available information supports finding reason to believe CCM and the Hartfords violated FECA by failing to disclose all of CCM’s 2023–2024 cycle expenditures.
53. CCM has not reported any operating expenditures, other than legal fees, since 2022,<sup>57</sup> despite the fact that NoMoRobo recorded a CCM robocall in September 2023.<sup>58</sup> As CCM’s reported spending from previous election cycles demonstrates, placing robocalls

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<sup>55</sup> CCM, Contributions to Other Candidates or Committees, *supra* note 26.

<sup>56</sup> See *supra* ¶ 24 (contribution chart).

<sup>57</sup> CCM, Disbursements (2023–2024), *supra* note 7.

<sup>58</sup> (202) 838-0156, NoMoRobo (Sept. 7, 2023), *supra* note 10.

requires spending money, which results in disbursements that CCM must report to the Commission. CCM's failure to report *any* expenditures associated with these robocalls during the 2023–2024 cycle therefore appears to be a deliberate abrogation of its reporting obligations.

54. CCM's apparent reporting omissions thus raise the possibility that CCM is continuing to fundraise under fraudulent pretenses but has ceased accurately and completely reporting its financial activity to the Commission, as required by law.
55. Accordingly, there is reason to believe that CCM and the Hartfords violated 52 U.S.C. § 30104 by failing to disclose all of CCM's operating expenditures during the current election cycle.

**COUNT IV:**  
**CCM AND THE HARTFORDS VIOLATED 52 U.S.C. § 30104 BY FAILING  
TO DISCLOSE INDEPENDENT EXPENDITURES**

56. The available information supports finding reason to believe CCM and the Hartfords violated FECA by failing to file required disclosure reports regarding CCM's independent expenditures.
57. At least some of CCM's robocalls contained express advocacy against Biden and were therefore reportable as independent expenditures.
58. Both of the robocalls that NoMoRobo captured referred to Biden as a candidate and included the statement that he "is incapable of performing the duties of the presidency."<sup>59</sup> As the Commission has previously concluded, a communication commenting on a candidate's qualifications is express advocacy when, as here, it is susceptible to no other reasonable interpretation than urging the election or defeat of a clearly identified

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<sup>59</sup> See NoMoRobo Calls *supra* note 10; NoMoRoboCalls, *supra* note 11.

candidate.<sup>60</sup> CCM’s robocalls reference an upcoming election and call Biden unfit for the office he seeks; the only reasonable interpretation of the communications is as encouraging people to vote against Biden.<sup>61</sup> Robocall 2 even has additional language stating, “We cannot take a chance on a Biden presidency,” which is an unambiguous call to action to vote against Biden.<sup>62</sup>

59. As such, CCM’s disbursements for communications containing express advocacy, which do not appear to have been coordinated with any candidate or political party committee, constitute “independent expenditures” under FECA.<sup>63</sup> Independent expenditures are reportable on a committee’s regularly scheduled disclosure reports and may have to be reported within 24 or 48 hours of the expenditure, depending on the amount spent and the proximity to an election.

60. Because CCM provided no disclosure of any independent expenditures, there is reason to believe that CCM and the Hartfords violated 52 U.S.C. § 30104 by failing to file required disclosure reports regarding CCM’s independent expenditures.

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61. Furthermore, the facts in this matter support finding reason to believe that CCM’s and the Hartfords’ aforementioned violations of FECA in Counts 1–3 were knowing and willful, and that William and Anna Hartford are personally liable for these violations.

62. A violation of the Act is knowing and willful when the “acts were committed with full knowledge of all the relevant facts and a recognition that the action is prohibited by

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<sup>60</sup> See F&LA at 6, MUR 7527 (News for Democracy).

<sup>61</sup> See 11 C.F.R. § 100.22(b).

<sup>62</sup> NoMoRoboCalls, *supra* note 11.

<sup>63</sup> See 52 U.S.C. § 30101(17).

law.”<sup>64</sup> This standard does not require proving knowledge of the specific statute or regulation a person violated.<sup>65</sup> Rather, it is sufficient to demonstrate that a respondent “acted voluntarily and was aware that his conduct was unlawful.”<sup>66</sup> This awareness may be shown through circumstantial evidence, such as a person’s efforts to disguise their actions.<sup>67</sup>

63. In addition, the treasurer of a political committee may be held personally liable for violations of FECA when it appears that, while serving as treasurer, they knowingly and willfully violated the Act or Commission regulations or recklessly failed to fulfill the duties imposed by law.<sup>68</sup>
64. The facts indicate that CCM’s and the Hartfords’ violations of FECA were knowing and willful because they engaged in a clear, concerted effort to conceal or disguise their actions, evidencing the requisite knowledge that their conduct was unlawful.
65. Specifically, in an apparent effort to conceal their financial gains, the Hartfords routed \$189,291 to their LLC, Expert Vendor. It is unlikely that Expert Vendor provided any *bona fide* services to CCM or any other committee—particularly since it claims its services are free, and one of the only other two federal committees that transferred money to it was helmed by convicted scam PAC operator, Matthew Tunstall—suggesting that it

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<sup>64</sup> 122 Cong. Rec H3778 (daily ed. May 3, 1976).

<sup>65</sup> See *United States v. Danielczyk*, 917 F. Supp. 2d 573, 579 (E.D. Va. 2013).

<sup>66</sup> *Id.*

<sup>67</sup> *United States v. Hopkins*, 916 F.2d 207, 213-15 (5th Cir. 1990).

<sup>68</sup> Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3, 4–5 (Jan. 3, 2005) (“Treasurer Policy”). While the Commission’s policy statement does not specifically address assistant treasurers, it does not foreclose holding an assistant treasurer personally liable for knowing and willful violations.



likely was nothing more than a shell company through which the Hartfords laundered the proceeds of CCM’s fraudulent fundraising operation.

66. Moreover, to disguise their unlawful conduct, CCM and the Hartfords knowingly submitted false disclosure reports with the Commission that indicated CCM had made over \$12,000 in contributions to federal candidates that those candidates never reported receiving. These false reports appear to have been designed to inflate the proportion of funds CCM spent in support of other candidates or committees—consistent with its fundraising appeals to prospective donors—thus helping to cover up the reality that CCM spent nearly all of its money either personally enriching the Hartfords or reinvesting in its fraudulent fundraising operation.
67. In addition, CCM and the Hartfords appear to be covering their tracks by failing to disclose any contributions received or expenditures made related to robocalls after 2022, despite clear evidence—in the form of a recorded robocall to prospective donors disseminated in September 2023, which may have resulted in contributions—that CCM has continued operating and trying to raise money in 2023 and potentially beyond.
68. Accordingly, as these facts firmly indicate, CCM and the Hartfords violated FECA “with full knowledge of all the relevant facts and a recognition that [their actions were] prohibited by law.”<sup>69</sup> The Commission should therefore find reason to believe their violations were knowing and willful.
69. In addition, because William and Anna Hartford, acting as CCM’s treasurer and assistant treasurer, respectively, knowingly and willfully violated the Act or Commission

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<sup>69</sup> 122 Cong. Rec H3778 (daily ed. May 3, 1976).

regulations or recklessly failed to fulfill the duties imposed by law, the Commission should find reason to believe they violated FECA in their personal capacities.<sup>70</sup>

**PRAYER FOR RELIEF**

70. Wherefore, the Commission should find reason to believe that CCM and the Hartfords knowingly and willfully violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
71. 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 Wieand  
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Saurav Ghosh, Esq.  
Campaign Legal Center  
1101 14th Street NW, Suite 400  
Washington, DC 20005  
Counsel to the Campaign Legal Center,  
Roger Wieand

April 22, 2024

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<sup>70</sup> Treasurer Policy, *supra* note 68.

**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 Wieand



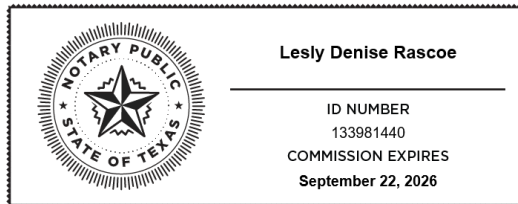
Roger Wieand

Sworn to and subscribed before me this 22<sup>nd</sup> day of April 2024.



Notary Public

Travis County



Electronically signed and notarized online using the Proof platform.

**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 19 day of April 2024.



Notary Public



# EXHIBIT A

Form **LLC-50.1**

Illinois  
Limited Liability Company Act  
Annual Report

FILE # 02462281

Due prior to: 02/01/2024

**Secretary of State**  
Department of Business Services  
Limited Liability Division  
501 S. Second St., Rm. 351  
Springfield, IL 62756  
217-524-8008  
www.ilsos.gov

**Filing Fee:** 75.00  
**Series Fee, if required:**  
**Penalty:** 0.00  
**Total:** 75.00

**FILED**

**February 21, 2024**

**Alexi Giannoulas**  
**Secretary of State**

1. Limited Liability Company Name: EXPERT VENDOR LLC

Registered Agent: R & S LEGAL SERVICES, INC.

200 W MADISON STREET, STE 2100

CHICAGO, IL 60606

2. State or Country of Organization: IL Date Organized in or Admitted to Illinois: 02/14/2008

3. Address of Principal Place of Business:  
1905 MARKETVIEW DR #279 YORKVILLE, IL 60560

4. Name and business address of all managers and any member having the authority of manager:

HARTFORD, WILLIAM YORKVILLE, IL 60560

HARTFORD, ANNA YORKVILLE, IL 60560

5. Entity managers affirm their current existence.

6. Changes to the registered agent and/or registered office must be submitted on Form LLC-1.36/1.37.

7. I affirm, under penalties of perjury, having authority to sign thereto, that this Annual Report is to the best of my knowledge and belief, true, correct and complete.

Dated: February 21, 2024  
Month/Day Year

WILLIAM HARTFORD  
Name

PRESIDENT  
Title

HARTFORD, WILLIAM MANAGER  
If applicant is a company or other entity, state Name of Company