



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

November 7, 2016

Trudi Hubing-Cooper
6221 Sharon Hollow Road
Manchester, Michigan 48158

Dear Ms. Hubing-Cooper:

The Department of State (Department) received a formal complaint filed by Robert Guysky against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign materials. A copy of the complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

In support of his complaint, Mr. Guysky provided copies of pictures of signs which state, "Trudi COOPER FOR Trustee [,] Sharon Township [,]" and a postcard which states, "Trudi for Trustee [,]" The paid-for-by statements on these materials appear to be missing or improper.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

If you wish to file a written response to the complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to Mr. Guysky, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [,]" MCL 169.215(10). Note that the Department's

Trudi Hubing-Cooper
November 7, 2016
Page 2

enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Robert Guysky

2016-1102
WED. 12:18 PM

Campaign Finance Complaint Form Michigan Department of State

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*). All information on the form must be provided along with an original signature and evidence. Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name ROBERT J. GUYSKY	Daytime Telephone Number 248-202-1739	
Mailing Address 17355 Grass Lake Road		
City Grass Lake	State MI	Zip 49240

Section 2. Alleged Violator		
Name TRUDI HUBING-COOPER	Mailing Address 6221 Sharon Hollow Road	
City Manchester	State MI	Zip 48158

Section 3. Alleged Violations (Use additional sheet if more space is needed.)

Section(s) of the MCFA violated: 169.247

Explain how those sections were violated:

CANDIDATE IDENTIFICATION DISCLAIMER
ABSENT FROM THE CANDIDATES
YARD SIGNS AS WELL AS
THE CANDIDATES POST CARD

MAILING NOTIFICATION TO WASHTENAW
COUNTY CLERK'S OFFICE (TRISH) TODAY AS WELL.

Evidence that supports those allegations (attach copies of pertinent documents and other information):

SEE ATTACHMENTS, Pages 4-8

2016 NOV -2 PM 12:31

RECEIVED/FILED
MICHIGAN DEPARTMENT OF STATE

Page 1 of 8

Section 4. Certification (Required)

I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.

X


Signature of Complainant

11-2-16

Date

Section 5. Certification without Evidence (Supplemental to Section 4)

Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint. However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:

X

Signature of Complainant

Date

Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to \$1,000.00 and some or all of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.

Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918



MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.247 Printed matter or radio or television paid advertisement having reference to election, candidate, or ballot question; name and address; identification or disclaimer; size and placement; rules; exemption; statement that payment made "with regulated funds"; communication exempted under section 6(2)(j); violation as misdemeanor; penalty; prerecorded telephone message.

Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it an identification that contains the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subsection (5) and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, in addition to the identification required under this subsection, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the Federal Communications Commission, bear an identification that contains the name of the person paying for the advertisement, and be in compliance with subsection (3) and, except as otherwise provided by subsection (5), with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

"Authorized by.....".
(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) Except for a communication described in subsection (5) and except for a candidate committee's printed matter or radio or television paid advertisements, each identification required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

(5) A communication otherwise entirely exempted from this act under section 6(2)(j) is subject to both of the following:

(a) Must contain the identification required by subsection (1), (2), or (7) if that communication references a clearly identified candidate or ballot question within 60 days before a general election or 30 days before a primary election in which the candidate or ballot question appears on a ballot and is targeted to the relevant electorate where the candidate or ballot question appears on the ballot by means of radio, television, mass mailing, or prerecorded telephone message.

(b) Is not required to contain the disclaimer required by subsection (1) or (2).

(6) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

(7) A prerecorded telephone message that in express terms advocates the election or defeat of a clearly identified candidate, or the qualification, passage, or defeat of a ballot question, shall bear an identification that contains the name and telephone number, address, or other contact information of the person paying for the prerecorded telephone message, and shall be in compliance with subsection (4). A prerecorded telephone message subject to this subsection is not required to contain a disclaimer.

History: 1976, Act 388, Eff. June 1, 1977;—Am. 1978, Act 348, Imd. Eff. July 12, 1978;—Am. 1996, Act 225, Imd. Eff. May 30, 1996;—Am. 2001, Act 250, Eff. Mar. 22, 2002;—Am. 2012, Act 277, Imd. Eff. July 3, 2012;—Am. 2013, Act 252, Imd. Eff. Dec. 27, 2013;—Am. 2015, Act 269, Imd. Eff. Jan. 6, 2016.

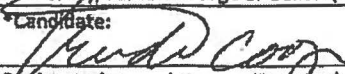
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MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

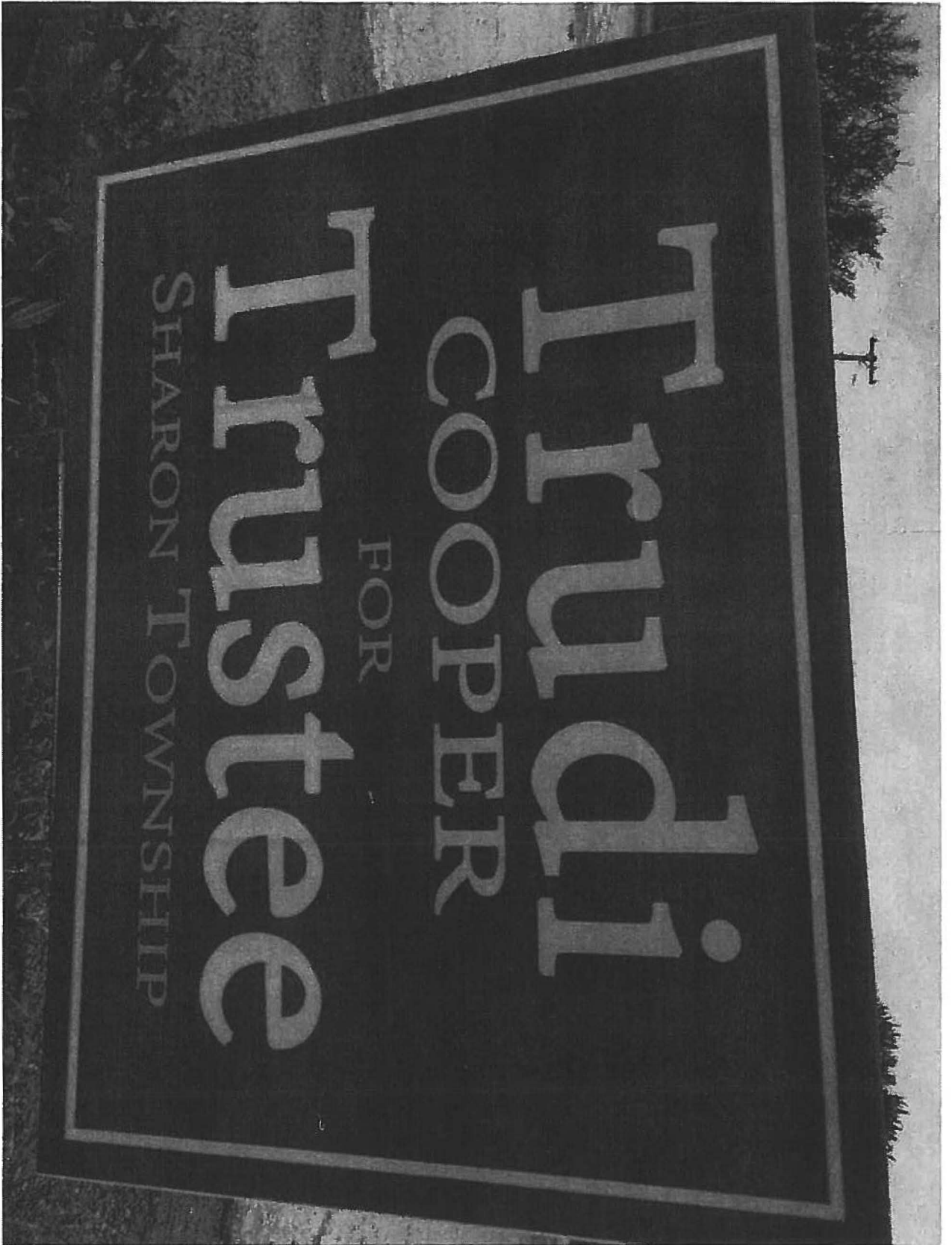
STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

1. Committee ID #: C-2016-130		*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to items:		Eff. Date: 7/21/2016	
*3. Full Name of Committee (must include Candidate's first and last name): Trudi Cooper For Trustee					
*4a. Candidate Full Name: Last Name Hubing-Cooper		First Name Trudi		M.I. M	
*4b. Political Party (if applicable):		*4c. County of Residence: WASHTENAW			
*4d. Office Sought: Board Member - Local		*4e. District/Circuit # or Jurisdiction: SHARON TOWNSHIP			
*5. Date Committee was Formed: 7/11/2016					
*6a. Committee Phone: 734 428 9217		6b. Committee Fax #: n/a			
6c. Committee Email Address: trudi@seaofglasstudio.com		6d. Committee Website Address: n/a			
*7a. Complete Committee Mailing Address (May be PO Box): 6221 Sharon Hollow Rd. Manchester, MI 48158					
*7b. Complete Committee Street Address (May not be PO Box): 6221 Sharon Hollow Rd. Manchester, MI 48158					
*8. Treasurer Name and Complete Address: Trudi Hubing-Cooper					
Phone #: 734 428 9217		Email Address: trudi@seaofglasstudio.com			
9. Designated Record Keeper Name and Complete Address:					
Phone #:		Email Address:			
*10. REPORTING WAIVER REQUEST:					
<input checked="" type="checkbox"/> YES, I/We WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to receive or expend in excess of \$1,000 in an election. I/We understand that if the committee does not spend or received in excess of \$1,000 in an election, the committee does not owe Pre, Post, Quarterly and Annual Campaign Statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold and all required campaign statements must be filed. <u>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</u>					
<input type="checkbox"/> NO, I/We DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to receive or expend in excess of \$1,000 in an election. I/We understand that the committee owes Pre, Post, Quarterly and Annual Campaign Statements even if the committee does not spend or receive in excess of \$1,000 in an election. I further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees. Further information regarding Reporting Waivers can be found in Appendix C of the Committee Manual.					
*11. Name and Address of Depositories or Intended Depositories of committee funds. (Michigan Bank, Credit Union or Savings & Loan Association) While this item must be completed, an account does not have to be opened until the first contribution is received.					
*Official Depository (name and address): Lake Trust Credit Union, Chelsea, MI. 48118					
Secondary Depository (name and address):					
12. This item applies only to Gubernatorial Candidate Committees: Check if this committee intends to seek qualifying contributions or make qualifying expenditures.					
13. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to Candidate Committees that file with the County Clerk's office.					
<input type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$5,000 and is required to file electronically.					
<input checked="" type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$5,000 and would like to file electronically voluntarily. Further information regarding Electronic Filing can be found in Appendix D of the Committee Manual.					
14. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing electronically, we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date)					
*Candidate: 		Date: 7/21/2016		*Current Treasurer	
Designated Record Keeper (Required only if filing electronically)		Date:			

FILED
 WASHTENAW COUNTY, MI
 2016 JUL 21 A 11:12
 LANCE R. KESTER, CLERK
 COUNTY CLERK/REGISTRAR

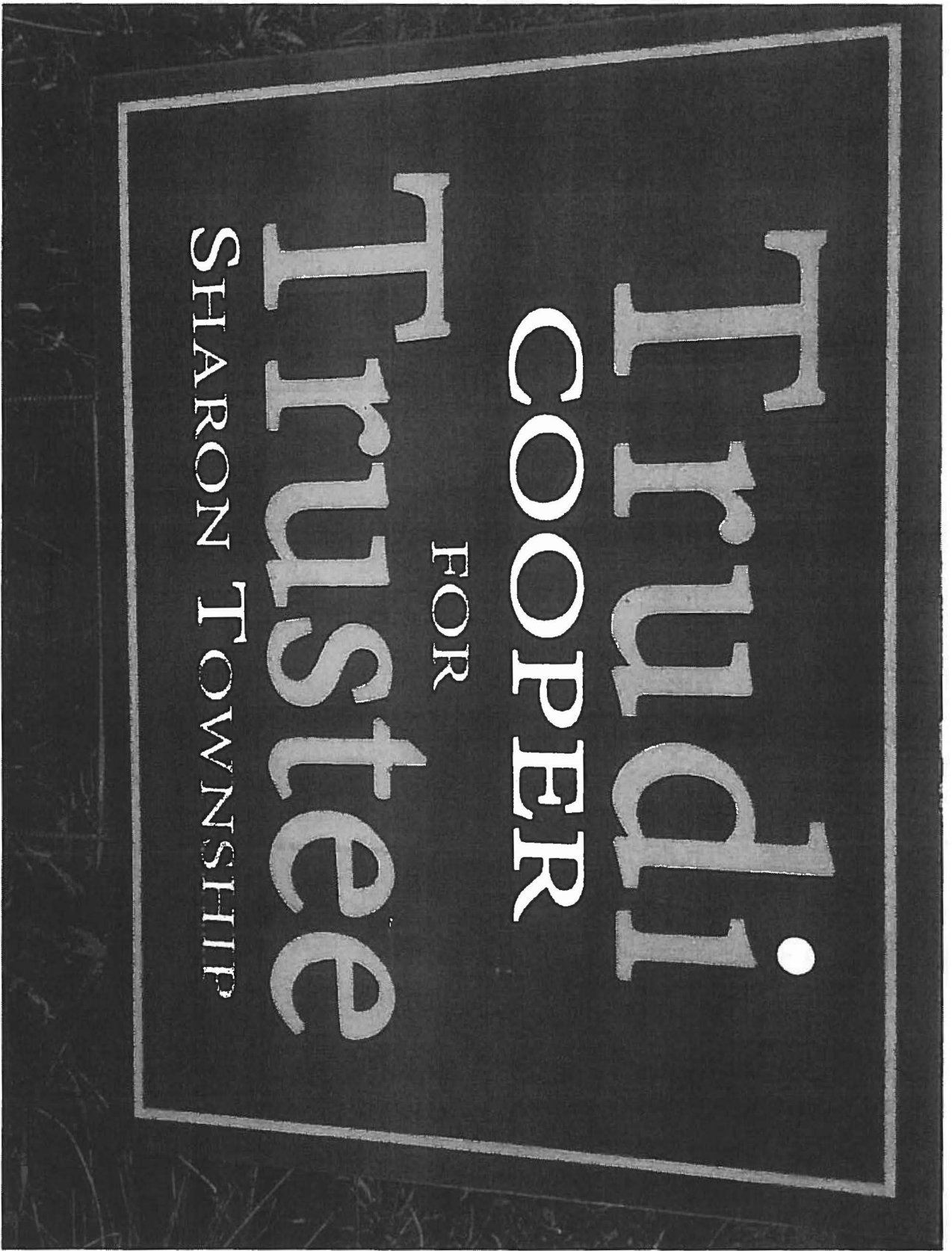
4 of 8

FRONT -



8/5

BACK SIDE



6 of 8

EVERETT
BELLING
FROM
NOM

Trudi for Trustee



Trudi Cooper
Sharon Township
Deputy Clerk

I pledge to...

- Protect the peaceful rural nature of the Township.
- Build community through picnics and special events.
- Work for Township-wide broadband internet.
- Do all I can to protect our ground water.
- Make decisions based on the greater good of all concerned.

Paid for by Eric & Trudi Cooper, Sharon Township residents for 30 yrs.

728

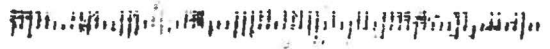
*"Working to
protect and
preserve our
little piece of
Paradise."*



OCCUPANT
17355 GRASS LAKE
GRASS LAKE MI 49240

**Vote Trudi Cooper
for
Sharon Township
Trustee**

**Co-founder, Stewards of
Western Washtenaw**



8/8



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

December 16, 2016

Robert J. Guysky
17355 Grass Lake Road
Grass Lake, Michigan 49240

Dear Mr. Guysky:

The Department of State received a response to the complaint you filed against Trudi Hubing-Cooper, which concerns an alleged violation of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Trudi Hubing-Cooper

Department of State
Bureau of Elections
Richard H. Austin Building, 1st Floor
430 West Allegan Street
Lansing, MI 48918

2.15.16 28 P11 2:58

6221 Sharon Hollow Rd.
Manchester, MI 48158

November 18, 2016

Dear Ms. Bourbonais,

I thank my colleague and friend Robert Guysky for bringing this matter to my attention. I am not certain what his motivation is for bringing these charges against me, and I can only hope that Mr. Guysky's intentions are honorable.

Rest assured, I would not risk being fined more than half of my annual salary (\$1800) as Sharon Township's Trustee by intentionally deceiving the constituents of Sharon Township. I did not knowingly violate the statute because I was unaware of it. This is my first time running for office, and my campaign was entirely self-funded.

Your letter requests that I provide your office with any corrective measures I have taken to bring my campaign materials into compliance with MCFA. As I received your letter after the election, all my material has been discarded, as it is no longer needed.

Thank you for contacting me. I look forward to your timely response.

Sincerely,



Trudi Hubing-Cooper



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

April 20, 2017

Trudi Hubing-Cooper
6221 Sharon Hollow Road
Manchester, Michigan 48158

Dear Ms. Hubing-Cooper:

The Department of State (Department) has completed its investigation of the complaint filed against you by Robert Guysky, which alleged that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign-related material. This letter concerns the disposition of Mr. Guysky's complaint.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

The Act also requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [.]" if it finds that "there may be reason to believe that a violation ... has occurred [.]". MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation [.]". Id.

Mr. Guysky filed his complaint on November 2, 2016, and you filed a written response on November 28, 2016. Mr. Guysky did not file a rebuttal statement with the Department.

Mr. Guysky alleged that you omitted a paid-for-by statement on your campaign signs and failed to include your address in your paid-for-by statement on your campaign postcard. In support of his complaint, Mr. Guysky provided pictures of a sign which stated, "Trudi COOPER FOR Trustee [.]". It appeared that there was no paid-for-by statement on the sign. Mr. Guysky also provided a copy of a postcard which stated, "Trudi for Trustee [.]". The paid-for-by statement on the postcard appeared to omit your address.

In your response you stated that you "did not knowingly violate the statute because [you were] unaware of it."

While the Department believes that the evidence tends to show that your campaign material failed to contain a complete paid-for-by statement, section 15(10) of the MCFA requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]".

Trudi Hubing-Cooper

April 20, 2017

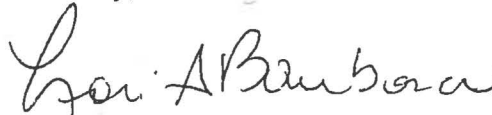
Page 2

The Department is advising you that section 47(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase "paid for by" followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter, and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10).

The Department now considers this matter closed and will take no further action against you at this time.

Sincerely,



Lori A. Bourbonais

Bureau of Elections

Michigan Department of State

c: Robert Guysky