



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

April 5, 2016

Committee to Elect John Fisher  
David C. Lushin, Treasurer  
P.O. Box 1322  
Portage, Michigan 49081

Dear Mr. Lushin:

The Department of State (Department) received a formal complaint filed by Anthony Daunt against the Committee to Elect John Fisher (Committee), alleging that the Committee violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of these complaints is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.235. A treasurer who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.235(6). A treasurer who knowingly omits or underreports a contribution or expenditure may be subject to a civil fine of up to \$1,000.00, or the amount of the undisclosed contribution or expenditure, whichever is greater. MCL 169.233(11).

Mr. Daunt alleges that the Committee failed to report 5 contributions on its 2016 Annual campaign statement.

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.** 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, 1<sup>st</sup> 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. Daunt, 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

Committee to Elect John Fisher  
David C. Lushin, Treasurer  
April 5, 2016  
Page 2

enforcement powers include the possibility of entering a conciliation agreement or conducting an administrative hearing.

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

Sincerely,

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

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Anthony Daunt

***Complaint Against:***

*Committee to Elect John Fisher*  
*Committee Identification No. 516716*  
*David C. Lushin, Treasurer*  
*P.O. Box 1322*  
*Portage, MI 49081*  
*Telephone No. 269.327.3277*

*Friends of Andy Schor*  
*Committee Identification No. 515501*  
*Brian McGrain, Treasurer*  
*2210 Moores River Drive*  
*Lansing, MI 48911*  
*Telephone No. 517.618.1666*

*Friends of Jon Hoadley*  
*Committee Identification No. 516478*  
*Mary Harper, Treasurer*  
*2720 Parkview Ave.*  
*Kalamazoo, MI 49008*  
*Telephone No. 269.447.1175*

*Friends of Julie Plawecki*  
*Committee Identification No. 516761*  
*Peter L. Marabeas, Treasurer*  
*26736 Cecile*  
*Dearborn Heights, MI 48127*  
*Telephone No. 313.730.9044*

*Jeremy Moss for State Representative*  
*Committee Identification No. 516409*  
*Barry Moss, Treasurer*  
*18405 Melrose Avenue*  
*Southfield, MI 48075*  
*Telephone No. 248.819.1802*

*Sam Singh for State Representative*  
*Committee Identification No. 515524*  
*H. Lynn Jondahl, Treasurer*  
*1625 Ann Street*  
*East Lansing, MI 48823*  
*Telephone No. 517.515.1075*

2016 MAR 29 PM 3:20  
ELECTIONS/GREAT SEAL

***Complainant:***

*Anthony Daunt  
PO Box 14162  
Lansing, MI 48901  
Telephone No. 517.618.1589*

***Dated: March 29, 2016***

***Filed Pursuant to MCL 169.215  
and the Administrative Rules of the  
Michigan Department of State  
Legal and Regulatory Services Administration  
Treasury Building, 4<sup>th</sup> Floor  
430 W. Allegan  
Lansing, Michigan 48918***

## **COMPLAINT**

Complainant, Anthony Daunt, whose address is PO Box 14162, Lansing, MI 48901, Telephone: 517.618.1589, declares to the Michigan Secretary of State the following:

### **STATEMENT OF FACTS**

1. John Fisher is a candidate for the office of State Representative for the 61<sup>st</sup> District of the Michigan House of Representatives.
2. Committee to Elect John Fisher is the candidate committee for John Fisher. See Attachment 1. David Lushin is the Treasurer of Committee to elect John Fisher. See Attachment 1.
3. Friends of Andy Schor is the candidate committee for Andy Schor, a candidate for the office of State Representative for the 68<sup>th</sup> District of the Michigan House of Representatives. Brian McGrain is the Treasurer for Friends of Andy Schor.
4. Friends of Jon Hoadley is the candidate committee for Jon Hoadley, a candidate for the office of State Representative for the 60<sup>th</sup> District of the Michigan House of Representatives. Mary Harper is the Treasurer for Friends of Jon Hoadley.
5. Friends of Julie Plawecki is the candidate committee for Julie Plawecki, a candidate for the office of State Representative for the 11<sup>th</sup> District of the Michigan House of Representatives. Peter Marabeas is the Treasurer for Friends of Julie Plawecki.
6. Jeremy Moss for State Representative is the candidate committee for Jeremy Moss, a candidate for the office of State Representative for the 35<sup>th</sup> District of the Michigan House of Representatives. Barry Moss is the Treasurer for Jeremy Moss for State Representative.
7. Sam Singh for State Representative is the candidate committee for Sam Singh, a candidate for the office of State Representative for the 69<sup>th</sup> District of the Michigan House of Representatives. H. Lynn Jondahl is the Treasurer for Sam Singh for State Representative.
8. Section 35 of the Michigan Campaign Finance Act requires a candidate committee to file an annual campaign statement.
9. On or about December 22, 2015, according to its annual campaign statement, the Friends of Andy Schor reported making a \$100 contribution to the Committee to Elect John Fisher. See Attachment 2.
10. On or about December 29, 2015, according to its annual campaign statement, the Friends of Jon Hoadley reported making a \$100 contribution to the Committee to Elect John Fisher. See Attachment 3.

11. On or about December 27, 2015, according to its annual campaign statement, Friends of Julie Plawecki reported making a \$100 contribution to the Committee to Elect John Fisher. See Attachment 4.

12. On or about December 21, 2015, according to its annual campaign statement, Jeremy Moss for State Representative reported making a \$100 contribution to the Committee to Elect John Fisher. See Attachment 5.

13. On or about December 20, 2015, according to its annual campaign statement, the Sam Singh for State Representative reported making a \$100 contribution to the Committee to Elect John Fisher. See Attachment 6.

14. Before the signature line of each campaign statement, the following verification appears:

“I/We certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my knowledge and belief the contents are true, accurate and complete.”

15. Section 35(6) of the Michigan Campaign Finance Act provides that if a treasurer or other individual designated as responsible for the record keeping, report preparation, or report filing for a committee required to file an annual campaign statement knowingly files an incomplete or inaccurate statement or report required by this section, that treasurer or other designated individual is subject to a civil fine of not more than \$1,000.

16. As indicated in Paragraphs 9-13 above, as reported by the annual campaign statements filed by Friends of Andy Schor, Friends of Jon Hoadley, Friends of Julie Plawecki, Jeremy Moss for State Representative and Sam Singh for State Representative, many contributions were allegedly made to the Committee to Elect John Fisher. See Attachments 2-6. However, the annual campaign statement filed by the Committee to Elect John Fisher failed to disclose any of these contributions in its annual campaign statement.

17. Consequently, either Respondent Committee to Elect John Fisher or Respondents Friends of Andy Schor, Friends of Jon Hoadley, Friends of Julie Plawecki, Jeremy Moss for State Representative and Sam Singh for State Representative have violated Section 35(6) of the Michigan Campaign Finance Act by reporting contributions that did not occur, or failing to report contributions that did occur--one or all of these Respondents has filed an incomplete or inaccurate statement.

### CONCLUSION

Based on the foregoing, one or all of the Respondents have violated Section 35(6) of the Michigan Campaign Finance Act.

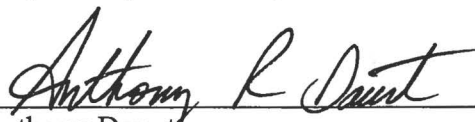
**REQUEST FOR ACTION BY THE SECRETARY OF STATE**

Accordingly, the Complainant respectfully requests that the Secretary of State immediately investigate these violations and determine that one or all of the Respondents have violated Section 35(6) of the Michigan Campaign Finance Act and to assess all appropriate penalties. In addition to any penalty, the Respondents should be required to forfeit any funds received in violation of the Michigan Campaign Finance Act.

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.

Respectfully submitted,

Dated: March 29, 2016

  
\_\_\_\_\_  
Anthony Daunt

# **ATTACHMENT 1**





STATEMENT OF ORGANIZATION FORM FOR CANDIDATE COMMITTEES

382910

1. Committee ID #: <b>516716</b>	*2. Type of Filing: <input type="checkbox"/> Original: <input checked="" type="checkbox"/> Amendment to items: <b>7A, 8</b>		Eff. Date: <b>3/23/14</b>
*3. Full Name of Committee (must include Candidate's first and last name): <b>COMMITTEE TO ELECT JOHN FISHER</b>			
*4a. Candidate Full Name: Last Name <b>FISHER</b>		First Name <b>JOHN</b>	M.I. <b>W</b>
*4b. Political Party (if applicable): <b>DEMOCRATIC PTY</b>		*4c. County of Residence: <b>KALAMAZOO</b>	
*4d. Office Sought: <b>STATE REP</b>		*4e. District/Circuit # or Jurisdiction: <b>61</b>	
*5. Date Committee was Formed: <b>02/14/2014</b>			
*6a. Committee Phone: <b>269-327-3277</b>		6b. Committee Fax #:	
6c. Committee Email Address: <b>ctejohnfisher@gmail.com</b>		6d. Committee Website Address:	
*7a. Complete Committee Mailing Address (May be PO Box): <b>PO BOX 1322, PORTAGE, MI 49081</b>			
*7b. Complete Committee Street Address (May not be PO Box): <b>3506 EAST SHORE DR., PORTAGE, MI 49002</b>			
*8. Treasurer Name and Complete Address: <b>LUSHIN, DAVID C, 7102 INVERNESS DR, KALAMAZOO, MI 49009</b>			
Phone #: <b>(269) 254-6598</b>		Email Address: <b>lushindave@att.net</b>	
9. Designated Record Keeper Name and Complete Address:			
Phone #:		Email Address:	
*10. REPORTING WAIVER REQUEST: <input 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. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports. <input checked="" 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): <b>LAKE MICHIGAN CREDIT UNION, PO BOX 2848, GRAND RAPIDS, MI 49501-2848</b> 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 checked="" type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$5,000 and is required to file electronically. <input 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: <b>[Signature]</b>		Date: <b>3/23/14</b>	*Current Treasurer: <b>[Signature]</b> Date: <b>3/23/14</b>
Designated Record Keeper (Required only if filing electronically)		Date:	

# **ATTACHMENT 2**

Committee Making Expenditure Committee ID-Type	Sched Type	Payee Name Address City, State Zip Exp Type-Purpose	Exp Date	Exp Amt or Value	Support/Oppose Candidates or BQ Office Sought
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	MICHIGAN DEMOCRATIC PARTY 608 TOWNSEND LANSING, MI 48933-0000 PP-ANNUAL PARTY DUES	12/14/15	\$300.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	BRIAN MCGRAIN 300 NORTH FAIRVIEW LANSING, MI 48912-0000 CN-ACCOUNTING FEE	12/11/15	\$250.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	COMMITTEE TO ELECT C. LAMONTE PO BOX 6 MONTAGUE, MI 49437-0000 TC-FUNDRAISER TICKET	11/05/15	\$100.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	MI WOMEN WIN PO BOX 12245 LANSING, MI 48901-0000 TP-FUNDRAISER TICKET	11/10/15	\$100.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	FRIENDS FOR THERESA ABED 805 SCHOOLCRAFT GRAND LEDGE, MI 48837-0000 TC-FUNDRAISER TICKET	12/17/15	\$100.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	COMMITTEE TO ELECT ANNIE BROWN 114 MICHIGAN AVENUE SOUTH HAVEN, MI 49080-0000 TC-FUNDRAISER TICKET	12/17/15	\$100.00	
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	COMMITTEE TO ELECT JOHN FISHER PO BOX 1322 PORTAGE, MI 49081-0000 TC-FUNDRAISER TICKET	12/22/15	\$100.00	

Matches 1-7 of 7

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# **ATTACHMENT 3**

516478-CAN		CONGRESS PO BOX 454 SALINE, MI 48178-0484 CONTRIBUTION			
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	COMMITTEE TO ELECT ANNIE BROWN 114 MICHIGAN AVE SOUTH HAVEN, MI 49090-1221 CONTRIBUTION	11/23/15	\$100.00	Support
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	DAVID GERNANT FOR STATE REPRESENTATI 218 HICKS AVE PLAINWELL, MI 49080-1813 CONTRIBUTION	11/23/15	\$100.00	Support
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	COMMITTEE TO ELECT JOHN FISHER PO BOX 1322 PORTAGE, MI 49881-1322 CONTRIBUTION	12/29/15	\$100.00	
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	FRIENDS OF BRYAN MIELKE PO BOX 681 MOUNT PLEASANT, MI 48804-0681 CONTRIBUTION	12/29/15	\$100.00	
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	FRIENDS OF JOHN TAYLOR 3573 KENBROOKE CT KALAMAZOO, MI 49006-5436 CONTRIBUTION	11/23/15	\$100.00	Support
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	COMMITTEE TO ELECT COLLENE LAMONTE PO BOX 8 MONTAGUE, MI 49437-0008 CONTRIBUTION	11/02/15	\$100.00	Support
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	HEATHER RICKETTS 2800 HUNTERS PT KALAMAZOO, MI 49048-6105 REIMBURSEMENT OF COSTCO	11/22/15	\$100.00	Support
	SUPP	COSTCO 5100 CENTURY AVE KALAMAZOO, MI 49006-5714	11/22/15	\$100.00	
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	SAGE PAYMENT SOLUTIONS 1750 OLD MEADOW RD STE 300 MCLEAN, VA 22102-4304 CREDIT CARD FEES	12/02/15	\$94.97	
FRIENDS OF JON HOADLEY 516478-CAN	DIRECT	JON B HOADLEY 7700 PARKVIEW AVE	12/23/15	\$92.94	

# **ATTACHMENT 4**

FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	PROFESSIONAL PARTY PLANNER 1117 PINE ST. GRAND LEDGE, MI 48837-0000 CATERING FOR FUNDRAISER	11/23/15	\$423.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	JOSEPH SULLIVAN 1110 N. MAGNOLIA AVE. LANSING, MI 48912-0000 SW-PAYMENT FOR WORKING AT FUNDRAISER	12/16/15	\$150.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	KATHRYN ASHBAUGH 108 S. HOSMER ST. APT. 13 LANSING, MI 48912-0000 SW-PAYMENT FOR WORKING AT FUNDRAISER	12/16/15	\$150.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	GOVERNOR'S ROOM 124 W. ALLEGAN ST. LANSING, MI 48933-0000 ROOM RENTAL FOR FUNDRAISER	12/06/15	\$125.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	COMM TO ELECT COLLEEN LAMONTE 10115 WALSH ROAD MONTAGUE, MI 48943-0000 FUNDRAISER	11/11/15	\$100.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	COMM. TO ELECT JOHN FISHER 3506 EAST SHORE DRIVE PORTAGE, MI 49002-0000 FUNDRAISER 12/20/15	12/27/15	\$100.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	COMM TO ELECT JIM HAADSMAN 146 S. LINCOLN BLVD BATTLE CREEK, MI 49015-0000 FUNDRAISER 12/21/15	12/27/15	\$100.00
FRIENDS OF JULIE PLAWECKI 516761-CAN	DIRECT	FRIENDS FOR THERESA ABED 605 SCHOOLCRAFT ST. GRAND LEDGE, MI 48837-0000 FUNDRAISER	11/30/15	\$100.00

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# **ATTACHMENT 5**



REPRESENTATIVE 516409-CAN	DIRECT	27751 CALIFORNIA DR NE LATHRUP VILLAGE, MI 48078-0000 CONTRACTED SERVICES		
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	JEREMY MOSS 18405 MELROSE AVE SOUTHFIELD, MI 48075-0000 REIMBURSEMENT	12/21/15	\$182.87
	SUPP	USPS - SOUTHFIELD 22200 W. 11 MILE SOUTHFIELD, MI 48037-0000	11/28/15	\$147.00
	SUPP	FEDEX KINKOS 28844 NORTHWESTERN HWY SOUTHFIELD, MI 48034-0000	11/28/15	\$35.87
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	DELUXE BUSINESS CHECKS AND SOLUTIONS PO BOX 1188 LANCASTER, CA 93584-0000 CHECK PRINTING	11/23/15	\$117.78
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	CTE JIM HAADSMA 146 S. LINCOLN BLVD BATTLE CREEK, MI 49015-0000 TICKET TO FUNDRAISING EVENT	12/30/15	\$100.00
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	FRIENDS OF BRYAN MIELKE PO BOX 681 MT. PLEASANT, MI 48804-0000 TICKET TO FUNDRAISING EVENT	12/30/15	\$100.00
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	CTE COLLENE LAMONTE PO BOX 8 MONTAGUE, MI 49437-0000 TICKET TO FUNDRAISING EVENT	12/21/15	\$100.00
JEREMY MOSS FOR STATE REPRESENTATIVE 516409-CAN	DIRECT	CTE JOHN FISHER PO BOX 1888 PORTAGE, MI 49681-0000 TICKET TO FUNDRAISING EVENT	12/21/15	\$100.00

# **ATTACHMENT 6**

515524-CAN		WASHINGTON, DC 20005-0000 SOFTWARE FEES		
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	SAMIR SINGH 1837 CRICKET LANE EAST LANSING, MI 48823-0000 REIMBURSEMENT - NEED BREAKDOWN	12/12/15	\$344.37
	SUPP	LIQUID WEB 2703 ENA DR LANSING, MI 48917-0000	12/12/15	\$239.40
	SUPP	STAPLES 3003 E. MICHIGAN LANSING, MI 48912-0000	12/12/15	\$51.92
	SUPP	BLONDES BARN 5840 MARSH RD. HASLETT, MI 48840-0000	12/12/15	\$53.05
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	YOUTH IN GOVERNMENT 889 E. CHICAGO ROAD QUINCY, MI 49082-0000 DONATION	12/15/15	\$250.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	CTE JOHN FISHER PO BOX 1322 PORTAGE, MI 49081-0000 FUNDRAISING TICKET	12/20/15	\$100.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	HASLETT HIGH SCHOOL - BSU 5450 MARSH RD. HASLETT, MI 48840-0000 DONATION	11/08/15	\$100.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	CTE SCOTT CELELLO 1301 S. KIMBERLY AVE. IRON MOUNTAIN, MI 49801-0000 FUNDRAISER TICKET	11/10/15	\$100.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	FRAGILE X ASSN OF MI PO BOX 1414 TROY, MI 48069-0000 DONATION	11/08/15	\$100.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	CTE ANNIE BROWN 114 MICHIGAN AVE. SOUTH HAVEN, MI 49080-0000 FUNDRAISER TICKET	11/19/15	\$100.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	FRIENDS OF BRIAN MIELKE PO BOX 681 MT PLEASANT, MI 48804-0000 FUNDRAISING TICKET	12/17/15	\$100.00



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

April 5, 2016

Anthony Daunt  
P.O. Box 14162  
Lansing, Michigan 48901

Dear Mr. Daunt:

The Department of State (Department) acknowledges receipt of the complaint you filed against the candidate committees of Michigan State Representatives Andy Schor, Jon Hoadley, Julie Plawecki, Jeremy Moss, and Sam Singh (Committees) alleging a violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, 169.201 *et seq.* This letter concerns the disposition of your complaint against the Committees.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.235. A treasurer who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.235(6).

You have alleged that the Committees filed incomplete or inaccurate 2016 Annual campaign statements. You have provided a portion of the 2016 Annual campaign statements for the Committees, which each show a \$100.00 contribution to the Committee to Elect John Fisher. You have not provided any evidence that these contributions were not made.

Because evidence has not been provided to support your allegation that these contributions were not made to the Committee to Elect John Fisher and that the Committees filed incomplete or inaccurate statements, the portion of your complaint against the Committees is dismissed without prejudice. The Department will maintain its file, and if you discover evidence that the Committees have violated the Act, you may submit a new signed complaint along with all available evidence.

Sincerely,

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

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State



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

April 20, 2016

Anthony Daunt  
P.O. Box 14162  
Lansing, Michigan 48901

Dear Mr. Daunt:

The Department of State received a response to the complaint you filed against the Committee to Elect John Fisher, 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, 1<sup>st</sup> 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: David Lushin

**David C. Lushin, Treasurer**  
**Committee to Elect John Fisher**

**P.O. Box 1322**  
**Portage, Michigan 49081-1322**  
**lushindave@att.net**

RECEIVED/FILED  
MICHIGAN DEPT OF STATE  
2016 APR 15 PM 2:28  
ELECTIONS/GREAT SEAL

Ms. Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State  
Richard H. Austin Building  
430 West Allegan  
Lansing, MI 48918

Dear Ms. Bourbonais:

This letter is in response to your letter of April 5, 2016 regarding the allegation that the Committee to Elect John Fisher failed to report five contributions on its campaign statement. The allegation is not true.


The five contributions were not received until after December 31, 2015. Four of the contributions were received on January 5, 2016. The remaining contribution was received on January 9, 2016. The law is clear that the campaign statement must report contributions based on the date of receipt, not on the date which appears on the check or other correspondence.

I swear that the above statements are true.

Sincerely,



David C. Lushin,  
Treasurer



JENNIFERA. HAYDON  
Notary Public, Saint Joseph County, MI  
My Commission Expires 04/31/2020  
Acting in Saint Joseph County, MI



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

July 7, 2016

Anthony Daunt  
P.O. Box 14162  
Lansing, Michigan 48901

Dear Mr. Daunt:

The Department of State (Department) has concluded its investigation of the complaint you filed against the Committee to Elect John Fisher (Committee), which concerned an alleged violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint.

You filed your complaint on March 29, 2016, and David Lushin filed an answer on April 15, 2016. You did not file a rebuttal statement with the Department.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.235. A treasurer who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.235(6). A treasurer who knowingly omits or underreports a contribution or expenditure may be subject to a civil fine of up to \$1,000.00, or the amount of the undisclosed contribution or expenditure, whichever is greater. MCL 169.233(11).

You alleged that the Committee failed to report 5 contributions on its 2016 Annual campaign statement. As evidence in support of your complaint you provided printouts of pages from the Department's campaign finance website which indicated that the Friends of Andy Schor committee reported a December 22, 2015 contribution of \$100.00 to the Committee, the Friends of Jon Hoadley committee reported a December 29, 2015 contribution of \$100.00 to the Committee, the Friends of Julie Plawecki committee reported a December 27, 2015 contribution of \$100.00 to the Committee, the Jeremy Moss for State Representative committee reported a December 21, 2015 contribution of \$100.00 to the Committee, and the Sam Singh for State Representative committee reported a December 20, 2015 contribution of \$100.00 to the Committee. None of these contributions appeared on the Committee's 2016 Annual campaign statement.


In response to your complaint Mr. Lushin provided a signed sworn statement in which he asserted that he did not receive the contributions until after December 31, 2015, which was the closing date for the 2016 Annual campaign statement. Mr. Lushin further asserted that 4 of the contributions were received on January 5, 2016, and 1 contribution was received on January 9, 2016.

Anthony Daunt  
July 7, 2016  
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The Act provides that a "contribution is considered received by a committee when it is received by the committee treasurer [.]” MCL 169.221(11). Mr. Lushin, the treasurer of the Committee, has provided a sworn statement that he did not receive the 5 contributions in question until January 5 and January 9, 2016, after the close of the time period reported on the 2016 Annual campaign statement. This explanation is satisfactory and the Department expects these transactions to appear on the next campaign statement filed by the Committee.

Because the evidence supports a reason to believe that Mr. Lushin received the contributions after the reporting period for the 2016 Annual statement, the Department has determined that he was not required to disclose those contributions until the next report, and your complaint is dismissed. However, if those contributions are not reported on the Committee's next campaign statement, you may file a new signed complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Bourbonais". The signature is fluid and cursive, with the first name "Lori" and last name "Bourbonais" clearly distinguishable.

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: David Lushin