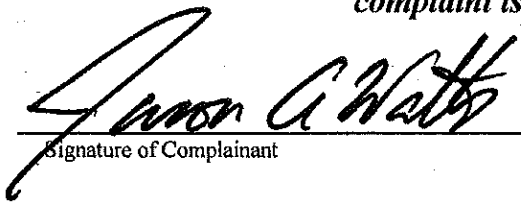


Section 4. Certification (Required)

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

1/27/2020
Date

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

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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.

Section 6. Submission

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

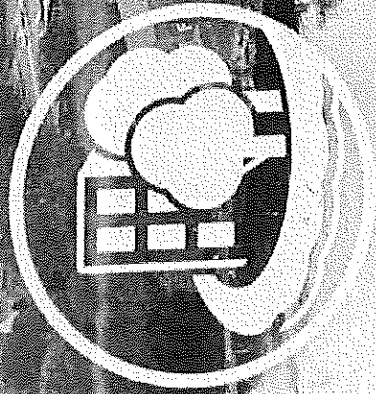
Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

VOTE YES ^{ON} PROP 2020-2

MARCH 10, 2020

- ✓ Redraw & Expand the Boundaries of Mahan Park
- ✓ Build an Upscale Boutique Hotel for our Town
- ✓ Extend the Urban Edge of our Downtown
- ✓ Make Mahan Park ADA Accessible
- ✓ Add Outdoor Public Restrooms for the Park
- ✓ Add 40 New Parking Spots to our Downtown
- ✓ Create Stepped Seating along the Riverwalk

www.AlleganRiverfront.com
FOR MORE INFORMATION



FRIENDS
OF THE
RIVERFRONT

WHO WE ARE

Friends of the Riverfront is committed to caring for and improving our town, which is why we support ballot proposal 2020-2. Our hope is to spread awareness for this proposal and its positive impact. Read about the initiative and how it will help grow our downtown, the Riverwalk, and historic Mahan Park below.

Vote Yes on 2020-2 on March 10, 2020!

[ADD YOUR NAME](#)

BALLOT PROPOSAL 2020-2

Proposal 2020-2 will allow the city of Allegan to redraw and expand the boundaries of Mahan Park, fill in the final stretch of the boardwalk, and extend the urban edge of our downtown with the addition of an upscale boutique hotel.

[VIEW PROPOSAL](#)

MAHAN PARK EXPANSION

Mahan Park will not disappear from the Allegan riverfront.

In fact Mahan Park will grow, become more accommodating and accessible to the community,

and will last decades longer as a memorial to Dr. Mahan and his life of service to his beloved Allegan.

[READ MORE](#)

HOTEL DEVELOPMENT

Over the past few years the City of Allegan has planned to develop 101 Brady Street into an unspecified, mixed-use project that would enhance the riverfront and draw more attention to downtown Allegan. In March of 2019, CL Real Estate was selected as the potential developer for this lot and were tasked with assessing the site and constructing a plan for it over the following year. The developers worked with our city and hospitality experts to outline a project that will build up the riverfront and help make it a hub of activity and relaxation without sacrificing its unique charm or history.

[READ MORE](#)

ABOUT CL REAL ESTATE

CL Real Estate Development is a family business operated by husband and wife Peter Limberger and Inga Carus. The two have spent their lives in small towns and created CL Real Estate Development to invest in their community and others throughout the Midwest. Peter and Inga's mission is to help revitalize small town America by investing in high quality economic drivers that showcase each town's

unique character and value.

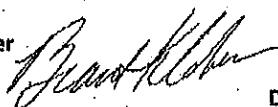
READ MORE



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR LOCAL BALLOT QUESTION COMMITTEES FILED WITH COUNTY CLERK
Information on this form is made public.

1. Committee ID #: 157796	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to Items:		Eff. Date: 01/13/2020
*3. Date Committee was Formed: 1/13/2020			
*4. Full Name of Committee: Friends of the Riverfront			
5. Acronym or Abbreviation (if any): FOR			
*6. Complete Committee Mailing Address (May be PO Box): 42 Union St., Suite 14, Hillsdale, MI 49242			
*7. Complete Committee Street Address (May not be PO Box): 42 Union St., Suite 14, Hillsdale, MI 49242			
*Committee Phone: 815.354.4721		*Committee Email Address: friendsofthealleganriverfront@gmail.com	
Committee Fax #:		Committee Website Address:	
*8. Treasurer Name and Complete Residential Address: 42 Union Street, Apt 21, Hillsdale, MI 49242			
Phone #: 815.354.4721		Email Address: friendsofthealleganriverfront@gmail.com	
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 spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an <i>election</i> , the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. <i>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</i> <input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We 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) *Official Depository (name and address): Southern Michigan Bank and Trust 10 Carleton Rd. E, Hillsdale, MI 49242 Secondary Depository (name and address):			
12. List the specific ballot proposal(s) involved using the official ballot designation if available and mark support or oppose as appropriate: <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose Description: Indicate the ballot proposal district below by selecting County (include the county name), Multi-County or Local (include the name of the jurisdiction). If multi-county, list the county where the greatest number of voters eligible to vote on the proposal reside. <input type="checkbox"/> County <input type="checkbox"/> Multi-County <input checked="" type="checkbox"/> Local City of Allegan 2020-2			
13. 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. 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.			
*Current Treasurer 		*Designated Record Keeper (if Applicable)	
Date: 01/13/2020		Date:	

Smith, Jessica (MDOS)

From: SOS, Disclosure
Sent: Wednesday, January 29, 2020 8:30 AM
To: Lovegrove, Amy (MDOS)
Subject: FW: Complaint Against Friends of Riverfront - Allegan Co #157796

RECEIVED
MICHIGAN DEPT OF STATE
JAN 29 10 30 AM 2020
* 157796/MDOS/AL

From: Kathy Nealand <revnealand05@gmail.com>
Sent: Wednesday, January 29, 2020 12:16 AM
To: Jason A. Watts <jaw.watts@gmail.com>
Cc: SOS, Disclosure <Disclosure@michigan.gov>
Subject: Re: Complaint Against Friends of Riverfront - Allegan Co #157796

Thank you.
Do we have to put a disclaimer on the Facebook page and name you as Treasurer?

I thank God for you,
Kathy Nealand
Pastor, First Presbyterian Church of Allegan, MI
A Ministry of Revitalization

nealandministries.com
Home: 269-355-1335
Skype # 631-572-8553
Cell 516-524-4864

On Mon, Jan 27, 2020 at 12:57 PM Jason A. Watts <jaw.watts@gmail.com> wrote:

Please find the following complaint and supporting documentation. The website is a bit dark, but I could not find one single page that had the disclaimer at that website address. If you have any questions or concerns, please let me know. Thank you.

-Jason A. Watts

--

Jason A. Watts
PO Box 216
Allegan, MI 49010-0216
269.998.3991
Tweet: @jawnwatts
jaw.watts@gmail.com

NOTICE: This e-mail message and any attachments are confidential and intended solely for use of the intended recipient. If you are not the intended recipient, you should not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please immediately notify us by return e-mail and delete this message and any attachments from your computer system. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the sender. This notice is automatically appended to each e-mail message leaving the sender's e-mail domain. Thank you.

Smith, Jessica (MDOS)

From: SOS, Disclosure
Sent: Monday, January 27, 2020 1:11 PM
To: Malerman, Melissa (MDOS)
Subject: FW: Complaint Against Friends of Riverfront - Allegan Co #157796
Attachments: for_complaint.pdf; for_poster.jpg; for_documentation.pdf

RECEIVED
MICHIGAN DEPT OF STATE
20 JAN 30 AM 8:59
OFFICE OF THE CLERK OF THE COURT
ALLEGAN COUNTY

From: Jason A. Watts <jaw.watts@gmail.com>
Sent: Monday, January 27, 2020 12:57 PM
To: SOS, Disclosure <Disclosure@michigan.gov>
Subject: Complaint Against Friends of Riverfront - Allegan Co #157796

Please find the following complaint and supporting documentation. The website is a bit dark, but I could not find one single page that had the disclaimer at that website address. If you have any questions or concerns, please let me know. Thank you.

-Jason A. Watts

--

Jason A. Watts
PO Box 216
Allegan, MI 49010-0216
269.998.3991
Tweet: @jawwatts
jaw.watts@gmail.com

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Smith, Jessica (MDOS)

From: Joan Simmons <grammiejoan10@gmail.com>
Sent: Thursday, February 6, 2020 10:17 AM
To: Jason A. Watts
Cc: SOS, Disclosure
Subject: Re: Third Complaint Against Friends of Riverfront - Allegan Co #157796

Received, thank you.

Honestly, their knowingly continuing to do this again, to me seems very intentional with an attitude of being above the law.

If we humbly try to follow God's law, these earthly battles would keep our hope ever present.

I appreciate your God-given discernment and experience Jason. I thank God for your courage to do the right thing as FOMP tries to fight for hundreds of people who value the life of Dr. Mahan and his contributions that were intended to be "forever" a part of our community's history.

Joan S.

On Wed, Feb 5, 2020, 11:45 PM Jason A. Watts <jaw.watts@gmail.com> wrote:

Please find the following third complaint & supporting documentation against the committee mentioned above. I will be also sending this by postal mail. If you have any questions or concerns, please let me know.

Thank you.
-Jason A. Watts

--

Jason A. Watts
PO Box 216
Allegan, MI 49010-0216
269.998.3991
Tweet: @jawnwatts
jaw.watts@gmail.com

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Smith, Jessica (MDOS)

From: Jason A. Watts <jaw.watts@gmail.com>
Sent: Wednesday, February 5, 2020 11:45 PM
To: SOS, Disclosure
Subject: Third Complaint Against Friends of Riverfront - Allegan Co #157796
Attachments: FOR_Complaint3.pdf

Please find the following third complaint & supporting documentation against the committee mentioned above. I will be also sending this by postal mail. If you have any questions or concerns, please let me know.

Thank you.
-Jason A. Watts

--

Jason A. Watts
PO Box 216
Allegan, MI 49010-0216
269.998.3991
Tweet: @jawwatts
jaw.watts@gmail.com

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Michigan Department of State - Bureau of Elections
Richard H. Austin Building 1st Floor
430 W. Allegan St, Lansing, MI 48918

RECEIVED
MICHIGAN DEPT OF STATE
20 FEB -6 AM 9:45
T. J. HARRIS/DEPT SEAL

5 February 2020

Complainant	Alleged Violator
Jason A. Watts PO Box 216 Allegan, MI 49010-0216 269.998.3991 jaw.watts@gmail.com	Brant Cohen - Friends of the Riverfront (FOR) 42 Union St, Suite 14 Hillsdale, MI 49242 815.354.4721 friendsoftheriverfront@gmail.com
Section of MCFA alleged to be violated:	MCL 169.247

Now appears Jason A. Watts, Complainant, making his second complaint against Mr. Brant Cohen and Friends of the Riverfront (**FOR**). In this complaint, Mr. Watts states:

1. That Friends of the Riverfront (**FOR**) filed their committee with the Allegan County Clerk on January 13th, 2020.
2. Mr. Cohen is the signed treasurer of **FOR**, but not the listed treasurer (see previous complaint).
3. That on or about January 27th, 2020, Mr. Watts documented that **FOR** were displaying posters and a website without the proper disclaimer, in violation of MCL 169.247 which states that all printed material produced by a person or campaign committee must include the following disclaimer: "Paid for by [name of committee and address]". (see previous complaint)
4. That the January 27, 2020 complaint was sent by email and postal mail.
5. That on or about February 2nd, 2020, Mr. Watts documented that said posters and website now display: "Paid for by Friends of the Riverfront", but omit an address of the committee. This complaint was emailed and sent by postal mail to the Bureau. (see previous complaint).

Mr. Watts further alleges:

1. That Mr. Cohen and **FOR** continue to be in violation of MCL 169.247 by not providing a paid for by or committee address on additional printed material appearing Wednesday, February 5th, 2020.

2. That by omitting a proper disclaimer, that Mr. Cohen and **FOR** are trying to obfuscate and mislead the voters of Allegan by omitting that the committee is based in Hillsdale.
3. That if Mr. Cohen and his committee were warned of their violation by the Bureau or a related entity, that **FOR** are not currently in full compliance with the law.
4. By placing the label on their materials, Mr. Cohen and the committee knew that **FOR** were in violation of the law. This current omission constitutes a knowing violation of the law.

Since this is the third violation of MCL 169.247, Mr. Watts believes this a knowing violation and that a **\$1,000 fine**, imprisonment for up to **93 days**, or **both** be assessed to Mr. Cohen. If Mr. Cohen was unaware of the responsibilities of being a committee treasurer, then he should not have signed his name to the Statement of Organization.

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



Jason A. Watts, Complainant

2/5/2020

Date

Downtown Allegan Hotel Development Meeting

Join us to learn more!



Thursday February 6th, 2020 at 6PM
at the Allegan District Library

Hosted by Friends of the Riverfront

Smith, Jessica (MDOS)

From: Jason A. Watts <jaw.watts@gmail.com>
Sent: Sunday, February 2, 2020 8:30 PM
To: SOS, Disclosure
Subject: Second Complaint Against Friends of Riverfront - Allegan Co #157796
Attachments: for_poster.jpg; FOR2_documentation.pdf; FOR2_complaint02022020.pdf

Please find the following second complaint & supporting documentation against the committee mentioned above. I will be also sending this by postal mail. If you have any questions or concerns, please let me know.

Thank you.

Jason A. Watts

--

Jason A. Watts
PO Box 216
Allegan, MI 49010-0216
269.998.3991
Tweet: @jawwatts
jaw.watts@gmail.com

NOTICE: This e-mail message and any attachments are confidential and intended solely for use of the intended recipient. If you are not the intended recipient, you should not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please immediately notify us by return e-mail and delete this message and any attachments from your computer system. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the sender. This notice is automatically appended to each e-mail message leaving the sender's e-mail domain. Thank you.

Michigan Department of State - Bureau of Elections
Richard H. Austin Building 1st Floor
430 W. Allegan St, Lansing, MI 48918

RECEIVED/FILED
MICHIGAN DEPT OF STATE
JAN 26 2020 -3 PM 4: 22
CLERK OF CIRCUIT COURT

2 February 2020

Complainant	Alleged Violator
Jason A. Watts PO Box 216 Allegan, MI 49010-0216 269.998.3991 jaw.watts@gmail.com	Brant Cohen – Friends of the Riverfront (FOR) 42 Union St, Suite 14 Hillsdale, MI 49242 815.354.4721 friendsoftheriverfront@gmail.com
Section of MCFA alleged to be violated:	MCL 169.247

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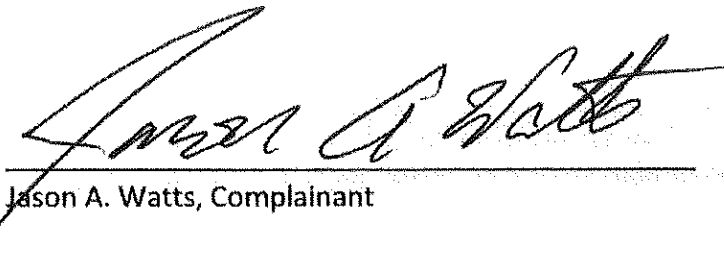
Mr. Watts further alleges:

1. That Mr. Cohen and **FOR** continue to be in violation of MCL 169.247 by not providing a committee address.
2. That by omitting an address that Mr. Cohen and **FOR** are trying to obfuscate and mislead the voters of Allegan by omitting that the committee is based in Hillsdale.

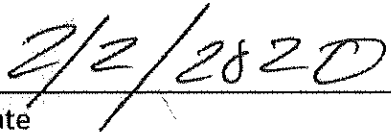
3. That if Mr. Cohen and his committee were warned of their violation by the Bureau or a related entity, that **FOR** are not currently in full compliance with the law.
4. By placing the label on their materials, Mr. Cohen and the committee knew that **FOR** were in violation of the law. The omission of the committee's address from their disclaimer constitutes a knowing violation of the law.

Since this is the second violation of MCL 169.247, Mr. Watts believes this a knowing violation and that a **\$1,000 fine**, imprisonment for up to **93 days**, or **both** be assessed to Mr. Cohen. If Mr. Cohen was unaware of the responsibilities of being a committee treasurer, then he should not have signed his name to the Statement of Organization.

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



Jason A. Watts, Complainant



Date

ing an unexpected, massive project that would enhance the riverfront and draw more attention to downtown Allenton. In March of 2019, CL Real Estate was selected as the potential developer for this lot and were tasked with assessing the site and constructing a plan for it over the following year. The developers worked with our city and hospitality experts to outline a project that will build up the riverfront and help make it a hub of activity and recreation without sacrificing its unique charm or history.

[READ MORE](#)

CL ABOUT REAL ESTATE

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[READ MORE](#)


PAID FOR BY FRIENDS OF THE RIVERFRONT



MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR LOCAL BALLOT QUESTION COMMITTEES FILED WITH COUNTY CLERK
Information on this form is made public.

1. Committee ID #: 157796	*2. Type of Filing: <input checked="" type="checkbox"/> Original: <input type="checkbox"/> Amendment to Items:		Eff. Date: 01/13/2020
*3. Date Committee was Formed: 1/13/2020			
*4. Full Name of Committee: Friends of the Riverfront			
5. Acronym or Abbreviation (if any): FOR			
*6. Complete Committee Mailing Address (May be PO Box): 42 Union St., Suite 14, Hillsdale, MI 49242			
*7. Complete Committee Street Address (May not be PO Box): 42 Union St., Suite 14, Hillsdale, MI 49242			
*Committee Phone: 815.354.4721		*Committee Email Address: friendsofthealleganriverfront@gmail.com	
Committee Fax #:		Committee Website Address:	
*8. Treasurer Name and Complete Residential Address: 42 Union Street, Apt 21, Hillsdale, MI 49242			
Phone #: 815.354.4721		Email Address: friendsofthealleganriverfront@gmail.com	
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 spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We understand that if the committee does not spend or receive in excess of \$1,000.00 in an <i>election</i> , the committee does not owe detailed campaign statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000.00 threshold and all required campaign statements must be filed. <i>A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.</i> <input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We understand that the committee owes detailed campaign statements even if the committee does not spend or receive in excess of \$1,000.00 in an <i>election</i> . I/We 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 <u>Appendix C</u> of the Committee Manual.			
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*Current Treasurer 		*Designated Record Keeper (if Applicable)	
Date: 01/13/2020		Date:	

**VOTE YES ON
PROP 2020-2**

MARCH 10, 2020

- ✓ Redraw & Expand the Boundaries of Mahan Park
- ✓ Build an Upscale Boutique Hotel for our Town
- ✓ Extend the Urban Edge of our Downtown
- ✓ Make Mahan Park ADA Accessible
- ✓ Add Outdoor Public Restrooms for the Park
- ✓ Add 40 New Parking Spots to our Downtown
- ✓ Create Stepped Seating along the Riverwalk

www.AlleganRiverfront.com
FOR MORE INFORMATION

PAID FOR BY FRIENDS OF THE RIVERFRONT

A Accessible

Restrooms for the Park

Spots to our Downtown

ing along the Riverwalk

iverfront.com

ON

PAID FOR BY FRIENDS
OF THE RIVERFRONT

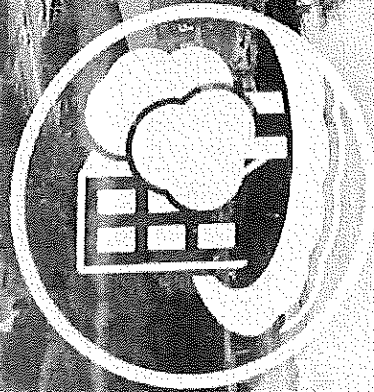
VOTE YES ^{ON} PROP 2020-2

MARCH 10, 2020

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FOR MORE INFORMATION



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OF THE
RIVERFRONT

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Vote Yes on 2020-2 on March 10, 2020!

ADD YOUR NAME

BALLOT PROPOSAL 2020-2

Proposal 2020-2 will allow the city of Allegan to redraw and expand the boundaries of Mahan Park, fill in the final stretch of the boardwalk, and extend the urban edge of our downtown with the addition of an upscale boutique hotel.

VIEW PROPOSAL

MAHAN PARK EXPANSION

Mahan Park will not disappear from the Allegan riverfront.

In fact Mahan Park will grow, become more accommodating and accessible to the community.

Old Site
w/o
Disclaimer

and will last decades longer as a memorial to Dr. Mahan and his life of service to his beloved Allegan.

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HOTEL DEVELOPMENT

Over the past few years the City of Allegan has planned to develop 101 Brady Street into an unspecified, mixed-use project that would enhance the riverfront and draw more attention to downtown Allegan. In March of 2019, CL Real Estate was selected as the potential developer for this lot and were tasked with assessing the site and constructing a plan for it over the following year. The developers worked with our city and hospitality experts to outline a project that will build up the riverfront and help make it a hub of activity and relaxation without sacrificing its unique charm or history.

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ABOUT CL REAL ESTATE

CL Real Estate Development is a family business operated by husband and wife Peter Limberger and Inga Carus. The two have spent their lives in small towns and created CL Real Estate Development to invest in their community and others throughout the Midwest. Peter and Inga's mission is to help revitalize small town America by investing in high quality economic drivers that showcase each town's

unique character and value

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STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

February 21, 2020

Brant Cohen
Friends of the Riverfront
42 Union Street, Suite 14
Hillsdale, MI 49242

Re: *Watts v. Friends of the Riverfront*
Campaign Finance Complaint
No. 2020-02-07-47

Dear Mr. Cohen and Friends of the Riverfront:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related materials. A copy of the complaint is enclosed.

The complaint was submitted to the Department on February 11, 2020¹ and alleges that you have failed to register as the committee's treasurer, and your committee website and certain campaign materials fail to contain a proper paid for by statement. As evidence to the complaint, Mr. Watts has included screenshots of the website, certain campaign materials, and your original statement of organization. The Department takes each allegation in turn.

First, the MCFA requires you to file a statement of organization listing the name and full address of the committee's treasurer. MCL 169.221. Submitted with the complaint was the original statement of organization. In determining whether an investigation was warranted, the Department contacted the Allegan County Clerk's office to verify whether an amended statement of organization was filed. An amendment listing Mr. Cohen as the treasurer was filed on January

¹ The Department has received a total of six complaints filed by Jason Watts which all allege the same violation has occurred multiple times. For purposes of administrative efficiency, the Department consolidates these cases. See *Michigan Waste Systems, Inc v Dep't of Natural Resources*, 157 Mich App 746, 756 (1987) ("The purpose of consolidation is to promote the convenient administration of justice and to avoid needless duplication of time, effort, and expense.") (Internal quotations omitted.)

14, 2020 – prior to the first of the instant complaints being filed with the Department. A copy of this amendment is enclosed herein. Therefore, the Department dismisses this allegation as the evidence is insufficient to conclude that a potential violation of the Act has occurred.

The second allegation states that certain campaign materials have failed to contain a proper paid for by statement. The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election 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). Materials produced by anyone other than a candidate or the candidate committee are required to include the phrase “with regulated funds” after the paid for by statement. MCL 169.247(4). 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).

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether it is an expenditure covered by the MCFA. The website and campaign material specifically urges voters to “VOTE YES on PROP 2020-2.” Because it urges voters to vote for the passage of a ballot question using words of express advocacy, the flyer is covered by the ambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). Based on the evidence provided, it appears that the paid for by statement has been omitted entirely. Since this phrase is absent, the evidence supports the conclusion that a potential violation has occurred.

After reaching this conclusion, the Act 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.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCL 169.247(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 and the phrase “with regulated funds.”

Note that all printed materials containing words of express advocacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected. If this information has been included in your materials and you wish to rebut the Department’s conclusion, you must respond in writing to the Department within 15 business days of the date of this letter, otherwise the Department will treat the complaint as resolved.

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

Brant Cohen
Friends of the Riverfront
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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).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Jason Watts