

Campaign Finance Complaint Form

Michigan Department of State

2020 NOV -6 PM 1:47

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	Daytime Telephone Number	
Thomas P. Bruetsch	313-965-2121 Ext 7026	
Mailing Address		
Schenk & Bruetsch PLC, 535 Griswold, Suite 850		
City	State	Zip
Detroit	Michigan	48226

Section 2. Alleged Violator		
Name	Ahmed Ismail for School Board Committee	
Mailing Address		
20070 Berns Court		
City	State	Zip
Grosse Pointe Woods	MI	48236

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

Section(s) of the MCFA violated:
Section 47

Explain how those sections were violated:

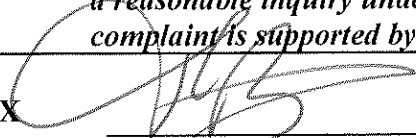
Candidate Ismail has published several advertisements in the Grosse Pointe Times concerning the Grosse Pointe Public Schools School Board Election. (Ex. 1). On October 29, 2020 the advertisement directly advocated the following: "[C]ast your five school board votes for ... candidates Ahmed Ismail, Lauren Nowicki, Cindy Pangborn ... Lisa Papas ... and John Steininger." The ad states that it was "sponsored by GP Masks Plus at the Portrait Place." The Portrait Place is a d/b/a for Creative Imaging Solutions LLC. (Ex. 2). Mr. Ismail is an authorized agent of that company. It is unclear who the company's members are. The advertisement lacks the identifier and disclaimer required by Section 47. In addition, if any of the members of Creative Imaging Solutions LLC is a corporation, then Section 54 has been violated as well.

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

Please see attached.

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. (Except as set out in Section 5, below)

X 

Signature of Complainant

10/30/2020

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.

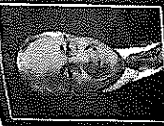
Mail or deliver the completed complaint form with an **original signature and evidence** to the following address:

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

EXHIBIT 1

www.grospointe.com

GROSSE POINTE TIMES, October 22, 2020



AHMED ISMAIL'S POINTS ABOUT THE POINTIES

The Pangborn Censure, the Weertz Squeeze Play and the Niehaus Email...is this the GP schools you want?

I've been watching our school system from both the inside as a school board member and the outside as a resident and business owner on and off for over twenty years. I regret to say I have never seen it so lacking in both ethical behavior and common sense. It's an utter mess. Here's my take on three of the most recent tragedies and embarrassments for our community:

The Pangborn Censure

On September 24, a mystery 501c4 non-profit organization called "Taxpayers for GP Schools" ran an ad on Page 6C of the GP News that was (hankly) not to my taste. The ad slammed the school system as a whole and specifically a few administrators. Part of the ad included the endorsement for re-election of school board member Cindy Pangborn and the election of school board candidates Lisa Papas and Lauren Nowicki.

Quick to jump on any oppor-

inform her that they were endorsing her candidacy and ask her for her photo, which is standard operating procedure.

Much to Mrs. Gafa's dismay, Pangborn informed the board that she didn't pay for the ads, didn't place the ads and didn't write the ads. All she, Papas and Nowicki did was accept the 501c4's endorsement and supply them a photo.

If Mrs. Gafa wanted to publicly roast someone, she should have gone after the 501c4 that placed, paid for and wrote the ads, Taxpayers for GP Schools or the publications who published them.

While an ethical school board would have publicly apologized to Pangborn, instead our bitter school board members continued the public hanging of Pangborn for what seemed like hours. The censure motion was scheduled for vote at the October 12 board meeting.

I attended a portion of the meeting, during which time I asked to see any proof that Mrs. Pangborn had anything to do with payment for en-

The Weertz Squeeze Play

Margaret Weertz is the current President of our school board. One of the burdens that comes with being president is that you are the only person who can speak for the school board as a whole. This means you have to be VERY careful about what you say to anyone that has anything at all to do with the school system.

The weight of this duty as president didn't seem to occur to Weertz when she took of unprecedented step of "suggesting" to the President of our Administrators Association (Parcells Principal Dan Hartley) that his association would have it in their best interest to endorse her list of preferred school board candidates.

Imagine the CEO of your employer making these kind of "suggestions" to you. Talk about pressure!

Hartley advised his members of the Weertz squeeze play in what he thought was a private email dated September 14 that

came to him AT ALL was highly inappropriate and that

was to continue his group's long standing policy of not endorsing ANY school board candidates.

As history shows, Hartley decided the Weertz "suggestions" were the way to go. After polling his members, the administrator's group "coincidentally" endorsed the school board candidates in his original email.

Think the school board will censure President Weertz for her Hartley squeeze play for violating the very policies that Pangborn was fired for? *I think you know the answer to that one!*

The Niehaus Email

I know your head is probably spinning if you're still reading this tell-all. The icing on the cake is the letter our Superintendent Gary Niehaus wrote in response to the ads run by the 501c4, Taxpayers for GP Schools.

Perhaps there *is* the *niehaus*.

again! *Stepping back, we now have a superintendent skewering a sitting board member and two board candidates for ads they didn't pay for, place or write using the school system's email system. Unethical? You bet. Illegal? Quite possibly.*

You see, the Michigan Campaign Finance Act (Section 57) puts some very clear restrictions on how school systems can participate in the election process. Many GPs think that Niehaus stepped over the line espousing his board member dislikes using public assets and plugging his views in a districtwide school email. Apparently, formal complaints have been filed with the State, so stay tuned.

Is This the School System You Want?

I certainly hope not. We have to end this madness and elect board members who care about our kids and the future viability of our school system.

EXHIBIT 2

LARA Corporations
Online Filing System
Department of Licensing and Regulatory Affairs

Form Revision Date 07/2016

ANNUAL STATEMENT

(Required by Section 207, Act 23, Public Act of 1993)

Identification Number: 801474938

Annual Statement Filing Year: 2020

1. Limited Liability Company Name:

CREATIVE IMAGING SOLUTIONS, LLC

2. The street address of the limited liability company's registered office and name of the resident agent at that office:

1. Resident Agent Name: RALPH R SAFFORD

2. Street Address: 5440 CORPORATE DR.

Apt/Suite/Other: STE. 220

City: TROY

State: MI

Zip Code: 48098

3. Mailing address of the registered office:

P.O. Box or Street Address: 20231 MACK AVENUE

Apt/Suite/Other: SUITE 220

City: GROSSE POINTE WOODS

State: MI

Zip Code: 48236

This annual statement must be signed by a member, manager, or an authorized agent.

Signed this 12th Day of February, 2020 by:

Signature	Title	Title if "Other" was selected
Ahmed Ismail	Authorized Agent	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

Decline Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the 2020 ANNUAL STATEMENT

for

CREATIVE IMAGING SOLUTIONS, LLC

ID Number: 801474938

received by electronic transmission on February 12, 2020 ***, is hereby endorsed.***

Filed on February 12, 2020 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 12th day of February, 2020.

Linda Clegg

Linda Clegg, Interim Director

Corporations, Securities & Commercial Licensing Bureau

LARA Corporations
Online Filing System
Department of Licensing and Regulatory Affairs

Form Revision Date 07/2016

CERTIFICATE OF ASSUMED NAME
For use by **DOMESTIC LIMITED LIABILITY COMPANY**

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned execute the following Certificate:

1. The identification number assigned by the Bureau is: -	<input type="text" value="801474938"/>
2. The name of the limited liability company is:	<input type="text" value="CREATIVE IMAGING SOLUTIONS, LLC"/>

3. The assumed name under which business is to be transacted is:
THE PORTRAIT PLACE

This document must be signed by an authorized officer or agent (corporations); a member, manager, or an authorized agent (limited liability companies); or general partner (limited partnerships):

Signed this 25th Day of March, 2018 by:

Signature	Title	Title if "Other" was selected
Ahmed Ismail	Authorized Agent	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

Decline Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the CERTIFICATE OF ASSUMED NAME

for

CREATIVE IMAGING SOLUTIONS, LLC

ID Number: 801474938

to transact business under the assumed name of
THE PORTRAIT PLACE

received by electronic transmission on March 25, 2018 ***, is hereby endorsed.***

Filed on March 26, 2018 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 26th day of March, 2018.

Julia Dale, Director

Corporations, Securities & Commercial Licensing Bureau



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

January 26, 2021

Ahmed Ismail for School Board Committee
20070 Berns Court
Grosse Pointe Woods, MI 48236

Re: *Bruetsch v. Ismail*
Campaign Finance Complaint
No. 2020-11-198-47

Dear Mr. Ismail:

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 alleges that you have distributed campaign materials that did not include a proper paid for by statement including newspaper advertisements.

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). 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 newspaper ads specifically use words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because it urges voters to vote for you using words of express advocacy and was published by your committee, the signs are covered by the gambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs have completely omitted the required paid for by statement. 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

Ahmed Ismail
January 26, 2021
Page 2

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.

Note that all printed materials referencing you or your candidacy 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 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". The signature is stylized and cursive.

Adam Fracassi
Bureau of Elections
Michigan Department of State

Enclosure
c: Thomas Bruetsch