

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	Laura Damschroder	Daytime Telephone Number	734-646-0560
Mailing Address	11 Sycamore Dr		
City	Chelsea	State	MI
		Zip	48118

Section 2. Alleged Violator			
Name	TIM GOLDING FOR STATE SENATE		
Mailing Address	PO BOX 912		
City	Grass Lake	State	MI
		Zip	49240

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

Section(s) of the MCFA violated: MCFA Sections 44(2), 71(2), and 33(11).

Explain how those sections were violated:

Please see cover letter for detailed description and how Mr. Golding's violations link with 4 Washtenaw County School Board candidates.

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

Copy of evidence file enclosed and available at:
<https://quidtum.com/cfr>

Evidence file shows photos that document actions with multiple violations of MCFA related to a fundraising comedy night event.

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

November 3, 2022

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

Laura J. Damschroder

11 Sycamore Dr Chelsea MI 48118 | 734-646-0560 | LDamschroder@gmail.com

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2022 NOV -9 PM 1:50
CLERK OF CIRCUIT COURT

3 November 2022

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

Dear Michigan Board of Elections:

On September 20, 2022, State Senate candidate **TIM GOLDING** paid for a fund-raiser for his brother, Chelsea School Board candidate **TOM GOLDING**, and Tom Golding's running-mates **ROSS GREENSTEIN**, **JULIANNE MALLIE**, AND **JOHN PIATT**. The event was clearly a fund-raiser for the four School Board Candidates and yet was marked as PAID FOR by TIM GOLDING FOR STATE SENATE (violation of MCFA Section 44(2)). **TIM GOLDING** reported \$2,961 of in-kind expenses for this event on his CFR: <https://cfrsearch.nictusa.com/documents/536235/details/filing/contributions?schedule=IK>

None of the proceeds from the ticketed event appear on ANY of the 5 candidates' Campaign Finance Reports (violation of MCFA Section 33(11)).

None of the 4 School Board candidates made the required Paid-For-By statements on promotions, or at the event itself and yet they heavily promoted themselves and it was clearly a fundraiser on their behalf (violation of MCFA Section 47(2)(b)).

None of the 4 School Board candidates reported expenditures or in-kind contributions in support of this event (violation of MCFA Section 33(11)).

Five complaint forms are included in this package because they are linked together. They all reference the same evidence file available at <https://quidtum.com/cfr> and included in this package.

Sincerely,



Laura Damschroder

COMPLAINT PROCESS

Section 15 of the MCFA governs the filing and processing of complaints. If you believe someone has violated the MCFA, you may file a written complaint. The complaint **must** include all of the following:

- Your name, address and telephone number.
- The alleged violator's name and address.
- A description in reasonable detail of the alleged violation, including the section or sections of the MCFA you believe were violated, an explanation of how you believe the MCFA was violated, and any other pertinent information.
- Evidence which supports your allegations.
- A certification that:

To the best of your knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of the complaint is supported by evidence.

- If after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the complaint are supported by evidence, you may also certify that:

To the best of your knowledge, information, or belief, there are grounds to conclude that those specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry.

- Your signature immediately after the certification or certifications.

WARNING: Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. Under section 15(16) of the MCFA (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

- Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.
- Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.
- Pay a civil fine of up to \$1,000.00.

A complaint may be dismissed if any required information is not included, or if the complaint is determined to be frivolous, illegible, or indefinite. All parties are notified of dismissed complaints.

When a complaint meets the above requirements, the Department notifies the alleged violator that a complaint has been filed and provides a copy of the complaint. The alleged violator will have an opportunity to file a response. The complaint filer will have an opportunity to file a rebuttal to any response. All parties receive periodic reports concerning the actions taken by the Department on a complaint.

If the Department finds no reason to believe that the allegations are true, the complaint will be dismissed.

If the Department finds that there may be reason to believe your allegations are true, the Department must attempt to correct the violation or prevent further violations by informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the alleged violator.

If the Department is unable to correct the violation or prevent further violations informally, an administrative hearing may be held to determine whether a civil violation of the MCFA has occurred, or the matter may be referred to the Attorney General for the enforcement of criminal penalties. An administrative hearing could result in the assessment of a civil penalty. Such a hearing would be conducted in accordance with the Michigan Administrative Procedures Act. An order issued as a result of such a hearing may be appealed to the appropriate circuit court.

Accepted complaints and all supporting documentation including responses and rebuttal statements are made available on the Department's website as required by the MCFA at the conclusion of the process.

Questions? Contact us at:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918
Phone: 517-373-2540
Email: Disclosure@Michigan.gov

School Board Candidate Registrations

EVIDENCE FILE

COMEDY NIGHT

SPECIAL PERFORMANCE

JOHN HETTRICH

Tickets \$20

Tuesday, Sept. 20th, 2022
6pm-8pm Show @ 7pm
@ Collins off Main
120 W Middle St. Chelsea

Limited tickets:
Buy today
Link is below in info

Decider & Host Produced
No sales at the door

**WINNER LAST COMIC STANDING
THE TONIGHT SHOW
THE TONY ROCK PROJECT
NETFLIX SPECIALS
CMT SPECIAL W/ ARAD PAISLEY**





Tom Kraas
Jeff John
John

*to win this will be awarded for
The St. Louis Comedy &
Music Festival*
*you have done your best to
win tonight. Share your
story with us.*

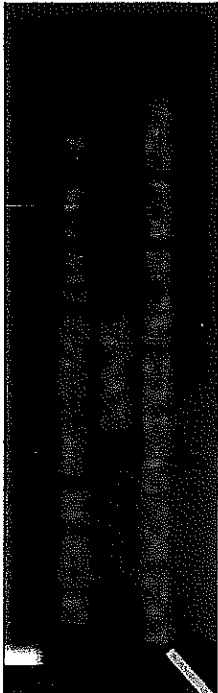
\$20/Ticket

Names & Campaign
Photos of 4 Chelsea
School Board
Candidates

Paid for by Tim Golding
for State Senate
Campaign



Election Materials for 4
Chelsea SB Candidates



Blown up lower right corner of invitation on
the previous page.

It is Hard to read but this states
"Paid for by Tim Golding for State Senate

PO Box 912

Grass Lake MI 49240

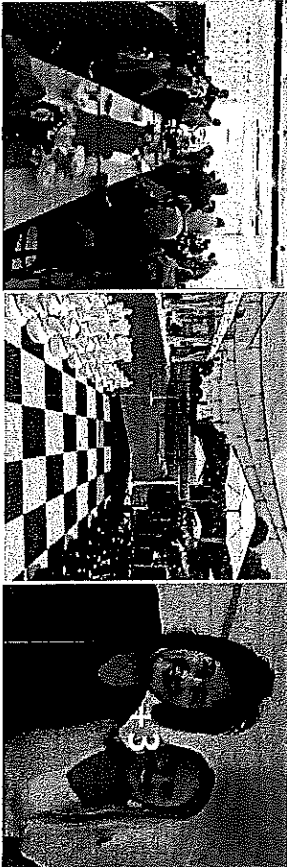
This post verifies
impressions of
participants that this
was a fundraiser for 4
CSB Candidates

<https://www.facebook.com/leslie.dietleolivarez>

Leslie Dietle Olivarez is with Tenda Eversole.
September 23 · 🌐

Been a busy week! Had the pleasure of attending this awesome "meet and greet" event hosted by Amy Grace/ owner of "The Collins off Main" to meet our local school board candidates that are running in this next election! And thanks to a lot of belly laughs to John Heffron, a local comedian, gone big! <https://www.thecollins.co>
<https://www.facebook.com/JohnHeffron>

COMEDY NIGHT SPECIAL PERFORMANCE
JOHN HEFFRON
Tickets \$20
Tuesday, Sept. 20th, 2022
6pm-8pm Show @ 7pm
@ Collins off Main
120 W Middle St, Chelsea
Limited tickets:
Buy today
Link is below in info
WINNER LAST COMIC STANDING
THE TONIGHT SHOW
HEFFRON SPECIAL
CMT SPECIAL w/ BAD PASTRY
Don't miss it! Buy tickets now!
See dates at the show



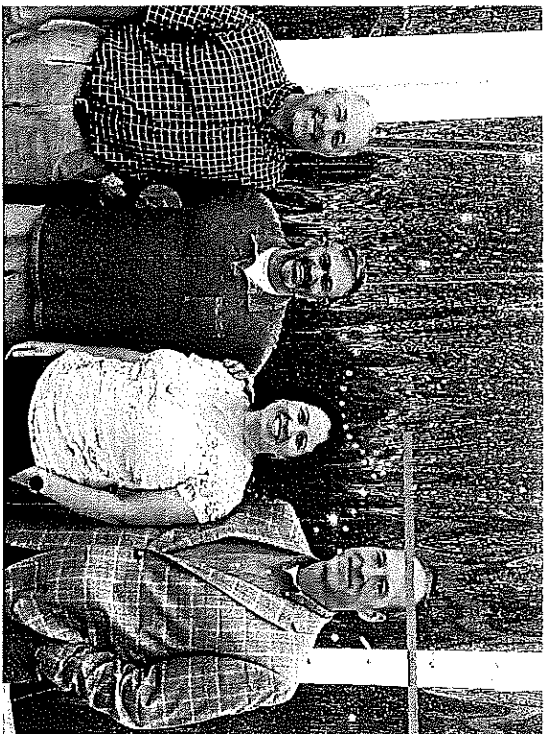


Photo from the event

Is prominent in their campaign literature post-event

Alone we can do so little; together we can do so much
 - Helen Keller



Candidates that support ALL:

Parental involvement - Student achievement
 Exemplary teachers

Teamwork: We'll work with you for the kids -
 and do it with kindness, grace, and common
 sense!



Vote
 Greenstein,
 Mallie,
 Golding, & Piatt
 Chelsea School Board



At least 65 people can
be counted from this
photo at \$20/ticket



Comedian John Heffron
<http://www.johnheffron.com/>
https://www.facebook.com/jo_hnHeffron

Value under-reported
by TIM GOLDING FOR
STATE SENATE

Result #6

Receiving Committee

TIM GOLDING FOR STATE SENATE

Committee ID-Type

520420 - CAN

Schedule Type

INKIND

Description

COMEDY PERFORMANCE

Received From

JOHN HEFFRON

SELF EMPLOYED
SELF EMPLOYED

City State Zip

BURBANK
CA 91505

Vendor

JOHN HEFFRON COMEDY PERFORMANC

BURBANK
CA 91505

Date

09/20/2022

Amount

\$1,000.00

Friday: 12:00pm-12:00am (Overnight accommodations for 2 nights)

- \$16,000 | May-Oct
- \$14,500 | April, Nov, Dec
- \$12,500 | Winter Special Jan-March

Saturday: 12pm-12:00am (Overnight accommodations for 2 nights)

- \$16,000 | May-Oct
- \$14,500 | April, Nov, Dec
- \$12,500 | Winter Special Jan-March

Sunday: 12pm-12:00am (Overnight accommodations for 2 nights)

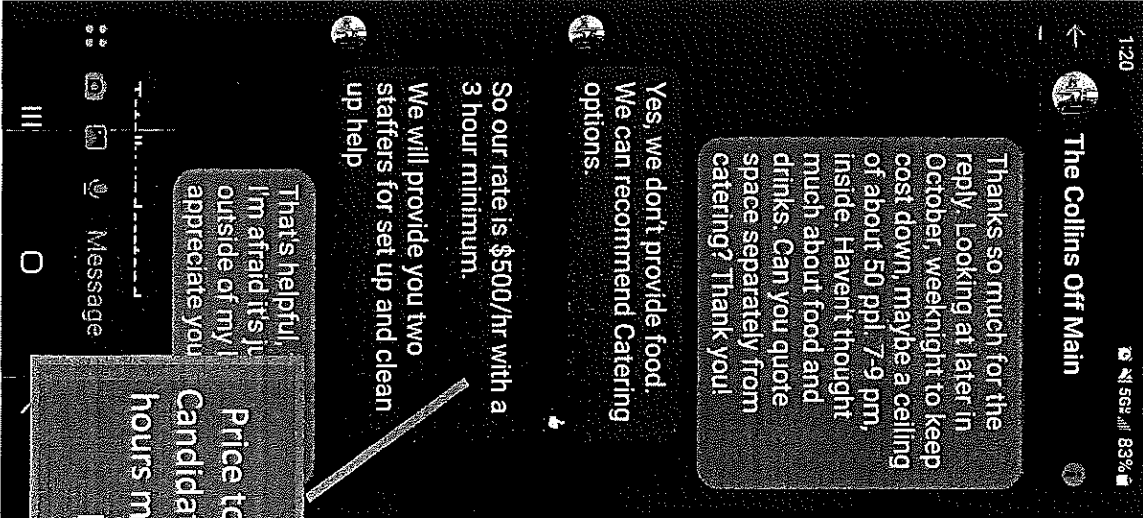
- \$15,000 | May-Oct
- \$13,000 | April, Nov, Dec
- \$11,000 | Winter Special Jan-March

Monday-Thursday: (12 hour time varies- Overnight accommodations for 2 nights)

- \$10,500 | May-Oct
- \$9,000 | April, Nov, Dec
- \$7,500 | Winter Special: Jan-March
- Corporate and Non-Profit Clients, please reach out about specific pricing.

Holidays and Popular Dates (Marked on calendar)

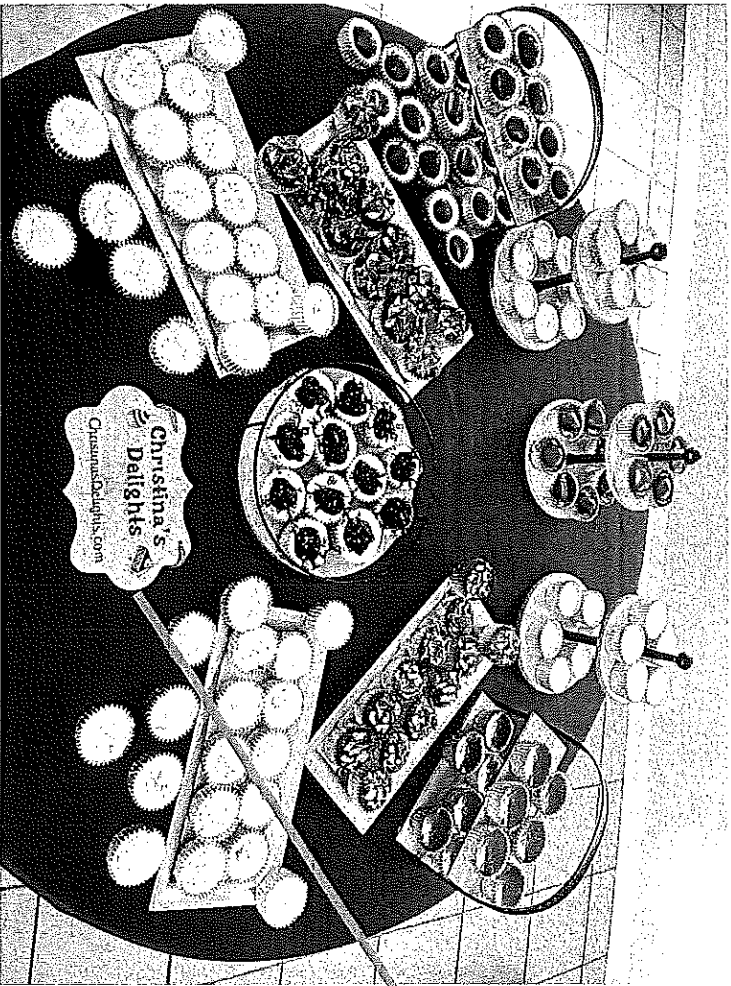
Retail pricing for a Weekday at Collins Off Main Wedding Venue
https://thecollins.co/



Price to another CSB Candidate: \$500 for 3 hours minimum for 50 people

Expense under-reported by TIM GOLDING FOR STATE SENATE for Venue

Receiving Committee			
TIM GOLDING FOR STATE SENATE			
Committee ID-Type	520420 - CAN		
Schedule Type	INKIND		
Description	Received From	City State zip	Vendor
EVENT SPACE	COLLINS OFF MAIN	120 W MIDDLE ST.	COLLINS OFF MAIN
			CHELSEA
			MI 48118
Date	Amount	Cummul	
09/20/2022	\$1,000.00	\$1,000.00	



Expenses included
Catering:
<https://sites.google.com/view/christinasdelights/home>

Expense Reported by
TIM GOLDING FOR
STATE SENATE
<https://cfsearch.nictusa.com/documents/536235/details/filing/contributions?schedule=IK&changes=0&page=1>

520420-CAN	INKIND	EVENT FOOD	CHRISTINA'S DELIGHTS 6322 BRAND RD.	DEXTER MI 48130	CHRISTINA'S DELIGHTS 6322 BRAND RD.	09/20/2022	\$260.00	\$260.00
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DING
STATE
ATE



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

November 22, 2022

Tim Golding for State Senate
P.O. Box 912
Grass Lake, MI 49240

Re: *Damschroder v. Tim Golding for State Senate*
Campaign Finance Complaint No. 2022 – 11 – 208 – 44, 71, 33

Dear Tim Golding for State Senate:

The Department of State (Department) has received a formal complaint filed against you by Ms. Damschroder alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that your State Senate committee paid for a fundraiser for candidates running for the Chelsea School Board (or that items were in-kind to your committee), and that their committees did not reimburse yours. A copy of the complaint is included with this notice.

Section 44 of the MCFA provides that “[a] person shall not make a contribution to another person with the agreement or arrangement that the person receiving the contribution will then transfer that contribution to a particular candidate committee.” MCL 169.244. Knowing violation of this section is a misdemeanor punishable by imprisonment of no more than 90 days or a fine of not more than \$1,000, or both. *Id.*

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

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. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the enclosed guidebook.

If you wish to file a written response to this 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. Materials may be emailed to BOERegulatory@michigan.gov or mailed 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 answer will be provided to Ms. Damschroder, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing 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 enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

c: Laura Damschroder

Michael J. Pattwell
T (517) 318-3043
F +15173183082
Email:MPattwell@ClarkHill.com

Clark Hill
215 South Washington Square
Suite 200
Lansing, MI 48933
T (517) 318-3100
F (517) 318-3099

December 15, 2022

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Regulatory Section
Bureau of Elections
Michigan Department of State
430 W. Allegan, First Floor
Lansing, MI 48918

Re: Damschroder v. Tim Golding for State Senate
Answer to Campaign Finance Complaint No. 2022-11-208-44, 71, 33

Dear Bureau of Elections:

This office represents Tim Golding for State Senate, Committee ID# 520420 (the "Respondent") in the above-referenced matter. On December 8, 2022, we received a copy of your letter dated November 30, 2022 which enclosed the November 3, 2022 Complaint of Laura Damschroder (the "Complainant"). Please allow this letter to serve as Respondent's response to the Complaint and request that the Complaint be dismissed.

The Complaint first generally alleges that the Respondent violated Section 44 of the Michigan Campaign Finance Act ("MCFA"), MCL 169.244, with respect to a September 20, 2022 fundraiser for the Respondent that was hosted and attended by Tom Golding, Ross Greenstein, Julianne Mallie, and John Piatt (the "School Board Candidates")¹ at the Collins Off Main located at 120 West Middle Street, Chelsea, Michigan 48118 (the "Venue") and which entailed a special performance by John Heffron (the "Comedian"). Despite not having been in attendance at this fundraiser, the Complainant carelessly alleges that this fundraiser was somehow not a fundraiser for the Respondent but rather a fundraiser for the School Board Candidates and further that none of the candidates reported contributions from the fundraiser in violation of the MCFA.

Complainant's misunderstanding is laughable but not funny. The fundraiser was for the Respondent, exclusively, and not a fundraiser for the School Board Candidates who merely served as hosts of and attended the fundraiser for Respondent. The total gross receipts of the fundraiser were \$3,016.20, all of which were delivered to Respondent, timely deposited in Respondent's campaign account, and properly reported as fundraiser gross receipts on Respondent's October 28, 2022 pre-general campaign statement which was received by the Department on October 28, 2022. The fundraiser was exclusively to further the election of

¹ Upon information and belief, the Chelsea School District contains 4 schools and only 2,304 pupils thus creating a question as whether the office of Chelsea School Board constitutes an "elective office" under Section 5(4) of the MCFA, MCL 169.205(4), on its face.

Respondent and no contributions therefrom were transferred to the School Board Candidates. In fact, the School Board Candidates had no financial involvement in the fundraiser whatsoever. That the School Board Candidates attended Respondent's fundraiser and promoted themselves is not a violation of Section 44 of the MCFA and the Department has long recognized that candidates may attend the fundraisers of other candidates to solicit support for themselves. Cf. May 10, 1995, Interpretative Statement issued to Curtis Hertel (I-95-CI). Accordingly, there has been no violation of Section 44 of the MCFA and this portion of Complainant's Complaint should be dismissed.

The Complainant also frivolously alleges that the value of the in-kind contributions related to the Venue, Comedian, and food was underreported in violation of Section 33 of the MCFA, MCL 169.233. As explained below, the Complainant's allegations are factually and legally without merit.

First, with respect to the Venue, Respondent's October 28, 2022 pre-general campaign statement accurately reports an in-kind contribution in the amount of \$1,000.00. That amount represents the fair-market value of the space for a small and approximately two-hour event on a Tuesday evening in September in Chelsea, Michigan. See attached Venue Letter as Exhibit A. The Complainant's reference to the Venue's advertised charge for a 12-hour event with overnight accommodations for two nights at the main wedding venue is inapposite and misleading. The very advertisement on which Complainant relies expressly notes that there is special pricing for corporate and non-profit clients. Accordingly, this portion of the Complainant's Complaint should be dismissed.²

Second, with respect to the local comedian, Respondent's October 28, 2022 pre-general campaign statement accurately reports an in-kind contribution in the amount of \$1,000.00. That amount represents the fair-market value of the comedian's service for a small and approximately 45-minute performance on a Tuesday evening in September in his hometown of Chelsea, Michigan. See attached Comedian Letter as Exhibit B. Complainant presents no evidence to the contrary. Regardless, as a matter of law, the local comedian's services could accurately be characterized as volunteer personal services for the Respondent's campaign and therefore not even qualify as an in-kind contribution and thus not be reported at all. See MCL 169.204(3)(a) which expressly exempts from the definition of "contribution" volunteer personal services. Accordingly, this portion of the Complainant's Complaint should be dismissed.³

Third, with respect to the cookies and sweets, Respondent's October 28, 2022 pre-general campaign statement accurately reports an in-kind contribution with a fair market value of \$260 from an in-home baker doing business as Christina's Delights. Complainant presents no evidence to the contrary. Regardless, as a matter of law, because the food was donated by an individual without reimbursement and had a value less than \$1,000.00, it does not even constitute a contribution and was not required to be reported at all. See MCL 169.204(3)(b). Accordingly, this portion of the Complainant's Complaint should be dismissed.⁴

² The Venue is organized as an LLC. If required, the Respondent will amend its campaign statement to more accurately attribute the in-kind contribution to the LLC's members.

³ If required, the Respondent will amend its campaign statement to remove the in-kind contribution from the Comedian and instead treat it as unreportable volunteer personal services.

⁴ The In-Home Baker's name is Christina Cox. If required, the Respondent will amend its campaign statement to remove the in-kind contribution from the In-Home Baker and instead treat it as exempt under MCL 169.204(3)(b).

December 15, 2022

Page 3

For all these reasons, the Respondent requests that Complainant's Complaint be dismissed.

Sincerely,

CLARK HILL

A handwritten signature in blue ink, appearing to read "M. Pattwell", is written over the printed name.

Michael J. Pattwell
Member

MJP:nb
Enclosures

cc: Tim Golding
Heather Lombardini

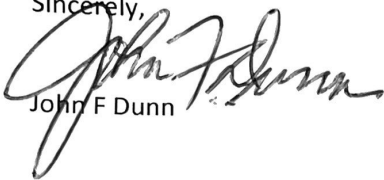
EXHIBIT A

December 14, 2022

Tim Golding for State Senate,

Please be advised that the in-kind donation value for the rental of the event space on September 20, 2022, was \$1,000.

Sincerely,



John F Dunn

EXHIBIT B

12/13/2022

To whom it may concern,

As a resident of Chelsea, MI and a voter within Tim Golding's district for state senate, I personally donated my services, as a comedian, on Tuesday September 20th, 2022. I place a \$1000 value on this in-kind donation.

Kindly,
John Heffron

MDOS-BOERegulatory

From: Blomfield, Nicole <nblomfield@clarkhill.com>
Sent: Thursday, December 15, 2022 12:26 PM
To: MDOS-BOERegulatory
Cc: Michael Pattwell
Subject: Damschroder v Tim Golding for State Senate
Attachments: Golding Response Letter.pdf

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Good afternoon,

Attached please find a letter from Mr. Pattwell for your review and records. The same has been placed in the mail via certified mail.

Thank you,

Nicole A. Blomfield

Legal Administrative Assistant

Clark Hill

215 South Washington Square, Suite 200, Lansing, MI 48933

+1 517.318.3051 (office) | +1 517.318.3099 (fax)

nblomfield@clarkhill.com | www.clarkhill.com



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

December 20, 2022

Laura Damschroder
11 Sycamore Dr.
Chelsea, MI 48118

Re: *Damschroder v. Thomas E. Golding for School Board*
Campaign Finance Complaint No. 2022 – 11 – 204 – 44, 71, 33

Damschroder v. John Piatt for Chelsea School Board
Campaign Finance Complaint No. 2022 – 11 – 205 – 44, 71, 33

Damschroder v. Julianne Mallie Committee to Elect
Campaign Finance Complaint No. 2022 – 11 – 206 – 44, 71, 33

Damschroder v. Ross Greenstein for Chelsea School Board
Campaign Finance Complaint No. 2022 – 11 – 207 – 44, 71, 33

Damschroder v. Tim Golding for State Senate
Campaign Finance Complaint No. 2022 – 11 – 208 – 44, 71, 33

Dear Ms. Damschroder:

The Department of State received responses from all five respondents to the complaint you filed against them alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* Copies of the responses are provided as enclosures with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State



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

February 22, 2023

Thomas E. Golding *via email*
John Piatt *via email*
Julianne Mallie *via email*
Ross Greenstein *via email*
Tim Golding *via email*

Re: *Damschroder v. Thomas E. Golding for School Board*
Campaign Finance Complaint No. 2022 – 11 – 204 – 44, 71, 33

Damschroder v. John Piatt for Chelsea School Board
Campaign Finance Complaint No. 2022 – 11 – 205 – 44, 71, 33

Damschroder v. Julianne Mallie Committee to Elect
Campaign Finance Complaint No. 2022 – 11 – 206 – 44, 71, 33

Damschroder v. Ross Greenstein for Chelsea School Board
Campaign Finance Complaint No. 2022 – 11 – 207 – 44, 71, 33

Damschroder v. Tim Golding for State Senate
Campaign Finance Complaint No. 2022 – 11 – 208 – 44, 71, 33

Dear Mr. Golding, Mr. Piatt, Ms. Mallie, Mr. Greenstein, and Mr. Golding:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Laura Damschroder alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that Tim Golding's State Senate committee paid for a fundraiser for Thomas E. Golding, John Piatt, Julianne Mallie, and Ross Greenstein, candidates for the Chelsea School Board (or that items were in-kind to his committee), and that the school board candidate committees did not reimburse the senate committee.

You responded to the complaint in letters and emails dated December 14 and December 15, 2022.

Thomas E. Golding
John Piatt
Julianne Mallie
Ross Greenstein
Tim Golding
Page 2

The school board candidates submitted identical responses that stated that the event in question was a fundraiser for by Tim Golding for State Senate, that it was paid for by that committee, and that the identification in the flier for the event indicated as much. While the school board candidates served as hosts for the fundraiser, they did so in their private capacity as residents of the senate district for which Tim Golding was campaigning. The school board candidates were allowed to place their campaign materials on a table at the event, but they did not solicit or receive any contributions at or from the event. Ms. Mallie submitted records of her committee bank account and online fundraising platform, showing that no contributions were received in the time surrounding the fundraiser.

Further, the school board candidates noted that, contrary to the allegation in Ms. Damschroder's complaint that the proceeds were not reported, the proceeds from the event were accounted for in Tim Golding's campaign finance report. They argued that each ticket purchaser is listed individually in his report, and that no contributions are noted in the school board candidates' reports because they did not receive any contributions.

Tim Golding's response supports the school board candidates' accounts. He argues that the total gross receipts of the fundraiser were \$3,016.20, all of which was delivered to Tim Golding, timely deposited in his campaign account, and properly reported as fundraiser gross receipts on his October 28, 2022 pre-general campaign statement.

Regarding Ms. Damschroder's allegation that the in-kind contributions related to the venue, the cost of the comedian, and the food were underreported, Tim Golding argued that all were reported on his pre-general campaign statement.

Ms. Damschroder provided a rebuttal in an email dated December 20, 2022. In it, she stated that she appreciated the clarifications of all five candidates and thanked them for providing relevant case law. She stated that she had no additional comments and relied on the discretion of the Bureau of Elections.

Section 44 of the MCFA provides that "[a] person shall not make a contribution to another person with the agreement or arrangement that the person receiving the contribution will then transfer that contribution to a particular candidate committee." MCL 169.244. Knowing violation of this section is a misdemeanor punishable by imprisonment of no more than 90 days or a fine of not more than \$1,000, or both. *Id.*

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance

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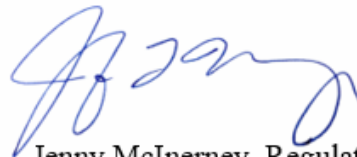
with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The Department has reviewed the evidence submitted in this matter and finds that insufficient evidence has been presented to support a finding of a potential violation of the MCFA.

The fundraiser event was held and paid by Tim Golding for State Senate, in support of his own candidacy. While the school board candidates acknowledged that they served as “hosts” of the fundraiser and that their campaign materials were available on a table at the event, their function appears to be limited to greeting individuals at the event. The Department is satisfied that they did not solicit or receive contributions at the event, and that the event was not held in furtherance of their candidacy. The Department is further satisfied that the reason the school board candidates did not report the proceeds of the ticketed event is that they did not receive any contributions at or from the event.

Because the violation of the MCFA alleged in the complaint has not been substantiated by sufficient evidence, the Department dismisses the complaint and will take no further enforcement action. If you have any questions concerning this matter, you may contact me at BOERegulatory@Michigan.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jenny McInerney', is positioned above the typed name.

Jenny McInerney, Regulatory Attorney
Bureau of Elections
Michigan Department of State