



Michigan Department of State
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1st Floor
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

This complaint form may be used to file a complaint alleging that someone violated the [Michigan Campaign Finance Act](#) (MCFA). For instructions on how to complete this form, see the Campaign Finance [Complaint Guidebook & Procedures](#) document. All spaces are required unless otherwise indicated.

Section 1. Complainant

Your Name

Bruce Fealk

Daytime Telephone Number

2489203633

Mailing Address

1474 Oakstone Dr

City

Rochester Hills

State

MI

Zip

48309

Email (optional)

bfealk@gmail.com

Section 2. Alleged Violator

Name

Carol Beth Litkowski

Mailing Address

P O Box 80782

City

Rochester Hills

State

MI

Zip

48308

Email (optional)

carolbethforourkids@gmail.com

Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated:

169.247

Explain how those sections were violated:

Candidate ran an ad without disclosure of how ad was paid for

Evidence included with the submission of the complaint that supports the allegations:

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

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

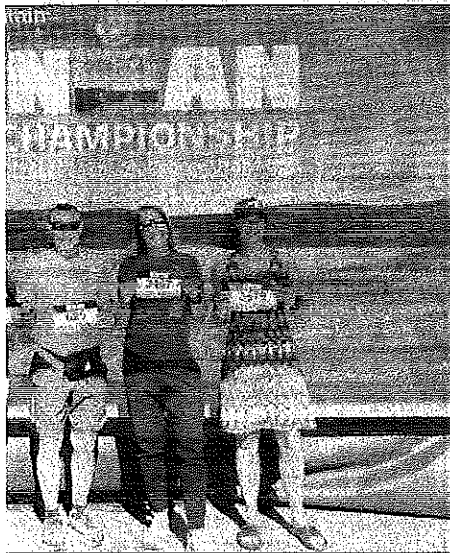
Date

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



Front of the Ironman World Championship sign at the Ironman World Championship. From the left are Jen Hope, Jen DiLaura and Dominique Rommel. Photo provided by Dominique Rommel

Ironman

from page 16A

While Hope's competitive energy has made an impact on her children, she's also made a significant impact on the lives of other children as well.

Hope, a foster child herself, has worked with Champ Life, a nonprofit in St. Clair Shores, to raise money for foster children and attend a camp to speak

and participate with the children as well.

"I got to go to this camp and interact with these kids, and it's crazy, because I was a foster kid and got to have this amazing opportunity."

Hope finished the ironman with a 15:41:59 time while DiLaura finished with a 16:34:46 time.

Whether it's motherhood, a full-time job, or both, the women find a way to stick to a routine practice schedule.

See IRONMAN on page 23A

Garage Floor Coatings that turn epoxy into a thing of the past

the latest superior garage floor coatings that eliminate the need for a lifetime of maintenance and repair. Their office is located in downtown Birmingham, across from Mills Pharmacy. Call them for a home estimate today at 248-227-9786 or visit www.crossconcretecoatings.com

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0331-2241

VOTE NOVEMBER 8, 2022

ROCHESTER COMMUNITY SCHOOLS
BOARD OF EDUCATION CANDIDATES



Andrew Weaver

<https://vote4andrew.net>



Carol Beth Litkouhi

<https://carolbethforourkids.com>



Dennis Talluto

<https://dennisforrochesterschoolboard.com>

Committed to...

- ✓ Restoring collaboration between parents, BOE, admin & teachers
- ✓ Stopping the WOKE agenda in our schools
- ✓ Prioritizing safety & security in our buildings
- ✓ Providing transparent policies that rebuilds trust for parents & empowers teachers

0331-2241



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

October 17, 2022

Carol Litkouhi
P.O. Box 80782
Rochester Hills, MI 48308

Re: *Fealk v. Litkouhi*
Campaign Finance Complaint No. 2022 - 10 - 148 - 47

Dear Ms. Litkouhi:

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 an identification statement on a campaign advertisement in the Rochester Post. A photo is included with the complaint; a copy of the complaint is enclosed.

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 the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA 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.

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 at the address below or BOERegulatory@michigan.gov 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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: Bruce Fealk

From: Carol Beth Litkouhi <carolbethforourkids@gmail.com>
Sent: Tuesday, November 1, 2022 3:23 PM
To: MDOS-BOERegulatory
Cc: Dennis Talluto
Subject: Campaign Finance Complaint No. 2022 - 10 - 148 - 47, Fealk v. Litkouhi
Attachments: ROCHESTER POST_ 13 OCT 2022_output_image1667247937239.jpg; ROCHESTER POST_ 13 OCT 2022_2_output_image1667246961683.jpg; ROCHESTER POST_06 OCT 2022_20221031_185901.jpg; SOS Campaign Finance Complaint_2022-10-147-47_20221031_0001.pdf; Fealk v. Litkouhi, Complaint No. 2022-10-148-47.pdf

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

Carol Beth Litkouhi
PO Box 80782
Rochester, MI 48308

Jocelyn Benson
Secretary of State
Department of State
State of Michigan

Lansing, MI 48918

Dear Ms. Benson,

I received a notice of this campaign finance complaint, regarding an ad that I did not place in the Rochester Post. Dennis Talluto contacted me, and told me that he also received this same complaint. Please see his message below.

I did not create or place the ad referenced - it is not part of my campaign. I learned that some supporters placed the ad, and the Rochester Post mistakenly cut off the "paid for" disclosure when they first ran the ad on October 6, 2022. Because they made a mistake, the Rochester Post agreed to re-run the ad for free on October 13, 2022, as a courtesy to the supporters.

I'm sure the Rochester Post can provide more verification if needed. I will attach the letter I received. Dennis Talluto has provided some pictures of the ads. Please let me know if there is anything else I need to do to clear up this matter.

I have included, "Paid for by Carol Beth Litkouhi PO Box 80782 Rochester, MI 48308" on all of my written campaign materials.

Thank you!

Sincerely,
Carol Beth Litkouhi

----- Forwarded message -----

From: **Dennis Talluto** <dennisforrochesterschoolboard@gmail.com>
Date: Mon, Oct 31, 2022 at 8:02 PM

Subject: REFERENCE: Campaign Finance Complaint No. 2022 - 10 - 147 - 47, Fealk v. Talluto

To: <BOERegulatory@michigan.gov>

Cc: <bfealk@gmail.com>

Dennis Talluto
P.O. Box 80943
Rochester, MI 48306

Jocelyn Benson
Secretary of State
Department of State
State of Michigan

Lansing, MI 48918

Dear Ms. Benson,

Please be advised that I have received the above noted complaint via US Postal Service mail today. To say that I am surprised, would be an understatement. I have read the complaint in its entirety, and I fully comprehend and understand the content of the complaint. I also understand that this complaint also serves as sufficient warning, without further adjudication, and is greatly appreciated. Thank you for your consideration.

However, since I do take my campaign and the law very seriously, I do wish to set the record straight in this matter, and clear my good name and record of any perceived misconduct - however slight it may be. To this end, I will share with the Secretary the information that was not presented to the State of Michigan by the Complainant - Mr. Fealk, who is a well known individual in the local community, renown for stirring other people's pots. Had he even taken a few moments of time to contact me, or any other campaign members even remotely associated with me, he would have quickly discovered that I and my campaign had ABSOLUTELY NOTHING to do with this ad, and could have saved the State valuable time and resources in performing unnecessary due diligence.

Here are the facts of the matter:

1. The entire work product - the created artwork and the published ad - is not the work of myself, my campaign, nor any other candidates for office running in this particular race.
2. This work product and the placement and payment of this ad, is purely and solely the work of highly interested and well intentioned citizens of the community. Plain. Simple.
3. True, that ad did appear on page 21A in the ROCHESTER POST on 06 OCT 2022, and as noted in the complaint, appeared without the required campaign disclaimer statement.
4. What the complaint does not inform the State, is the supporting documentation and information which would have disclosed that the customer's artwork did in fact contain the legally required campaign disclaimer: " Paid for by Baggot and Fashho..... "
5. What the complaint also does not disclose is that in developing the page layout for the 06 OCT edition of the paper, the layout artist, while resizing and fitting the multiple and various elements of the page together, inadvertently cut off the bottom and left side of the ad artwork, thus the missing disclaimer on the published ad for that day.

6. Subsequently, due to various complaints arising from said publication, the ROCHESTER POST worked with their customers, Baggot and Fashho, and re-ran the ad one week later on page 28A on 13 OCT 2022, at their own expense, free of charge to the customers, with the legally require disclaimer appearing.

It took me considerable time and effort out of my busy afternoon today to track, to investigate, and to piece together the facts of matter, previously unknown to me, but known by the principals involved in the matter. I have also been able to collect additional evidence in the form of pictures of the first and second ads, and have attached said images.

I trust that this additional information is sufficient to satisfy the requirements of cleansing my record, as well as clearing my good name and that of my campaign.

Lastly, perhaps in the future, should Mr. Fealk have any questions or perceived concerns arising out of the actions of members of his own community, he would choose to do the honorable thing and call his fellow citizen *first*, before unnecessarily pulling a false fire alarm in Lansing.

Just a gracious suggestion.

I again thank you and the State for bringing this matter to my attention, and for offering me the opportunity to correct and set the official record. Have a great week!

Sincerely,

Dennis Talluto

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Dennis Talluto

Candidate, Rochester Community Schools Board of Education
Rochester Hills, MI

dennisforrochesterschoolboard@gmail.com

<https://dennisforrochesterschoolboard.com>

[Dennis Talluto for Rochester School Board | Facebook](#)

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[Carol Beth Litkouhi for Rochester School Board](#)

248-759-8443

carolbethforourkids@gmail.com

carolbethforourkids.com



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

November 4, 2022

Bruce Fealk
1474 Oakstone Drive
Rochester Hills, MI 48309

Re: *Fealk v. Litkouhi*
Campaign Finance Complaint No. 2022 – 10 – 148 – 47

Dear Mr. Fealk:

The Department of State received a response from Ms. Litkouhi to the complaint you filed against her alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter. Because the respondent is disputing the allegation, the Department retracts the warning issued to the respondent and will consider her response and your rebuttal, if you choose to provide one, in making a determination.

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

November 27, 2022

Carol Beth Litkouhi
P.O. Box 80782
Rochester Hills, 48308

Re: *Fealk v. Litkouhi*
Campaign Finance Complaint No. 2022 – 10 – 148 – 47

Dear Ms. Litkouhi:

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

The complaint alleged that you ran an advertisement without including the required disclosure of the name and address of the person paying for the advertisement.

Initially, the Department determined that there was reason to believe that that a violation had occurred and issued a warning to you on October 17, 2022.

You responded to the complaint. In your response, you claimed that you did not place or pay for the advertisement in question, and that it was instead paid for by your supporters. You went on to state that the disclosure was mistakenly cut off of the advertisement by the newspaper, the Rochester Post, and that the newspaper re-ran the advertisement—including the disclosure—free of charge to correct the mistake. You referred the Department to a response submitted by Mr. Talluto to an identical complaint, and the copies of the advertisements he submitted.

Because you denied that a violation had occurred, the Department retracted its warning and sent your response to Mr. Fealk for a rebuttal on November 4, 2022. To date, a rebuttal has not been received.

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).

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 October 13, 2022 advertisement submitted by Mr. Talluto does include a disclosure that the advertisement was paid for by Baggot and Fashho, PIC. While the advertisement does not show an address, that omission is not on your part.

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".

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

c: Bruce Fealk