

The Complaint of

REPUBLICAN PARTY OF WISCONSIN
MARK MORGAN,
148 East Johnson Street
Madison, WI 53703

Complainant,

Against

JILL STEIN FOR PRESIDENT
JILL STEIN,
P.O. Box 260197
Madison, WI 53726

and

HILLARY FOR AMERICA,
HILLARY CLINTON
P.O. Box 5256
New York, NY 10185

Respondents.

VERIFIED
COMPLAINT

COMPLAINT

The Republican Party of Wisconsin, by and through its representative, Mark Morgan, brings this complaint against Jill Stein (“Stein”) and Hillary Clinton (“Clinton”), and alleges as follows:

INTRODUCTION

Jill Stein, through her campaign committee, Jill Stein for President has petitioned the State of Wisconsin for a nearly \$4 million recount of November 8, 2016 Wisconsin election results. Stein sits at over 1.3 million votes behind Hillary Clinton, who received second place in Wisconsin’s November 8th election. Unless Stein is able to produce over 1.4 million ballots out of thin air, or find a way to have nearly 2.7 million ballots deemed improper, there is no mathematical way for Ms. Stein to improve her current vote deficit. Any reasonable person can see that Ms. Stein has no

way of improving her fourth place finish and clearly does not stand to benefit from the recount process moving forward, despite the substantial outlay of at least \$3.5 million in order to conduct.

After being soundly rejected by the voters both in Wisconsin and around the United States, Clinton stands as the only actor that would benefit from a recount taking place in Wisconsin or elsewhere.

As outlined below, the Clinton campaign's direct involvement in the recount process, which was announced well before the recount itself was paid for and finalized, demonstrates a clear link between the actions of the Stein campaign and the strategic goals of the Hillary for America. The Clinton campaign has publicly declared its support for the recount efforts and, despite lacking any evidence to back up the outrageous claims of the Stein campaign, lent credence to these unfounded allegations. Further, the Clinton campaign joined the Stein campaign in a lawsuit petitioning with State of Wisconsin for a hand recount which served no purpose other than to drag out the process to the benefit of Sec. Clinton.

It is concerning that the Stein campaign would position itself to front and fund a recount attempt that only serves the interests of a desperate and defeated Clinton campaign. Further, it is incredibly disturbing that given these asymmetrical interests, the Clinton campaign would so readily begin organizing around the effort in order to capitalize on the chaos created by this attempt to undermine the integrity of Wisconsin's elections process.

The synchronized efforts and questionable benefit to the Stein campaign raises a severe specter of illegal coordination between the Hillary for America campaign and the Stein for President campaign. The actions taken by the Stein campaign are tantamount to \$3.5 million of coordinated expenditures made on behalf of the Clinton for President campaign, far exceeding the federal limit of \$2,000 that may be spent by a campaign committee on behalf of another campaign committee. There is no mistaking that the efforts of the Stein for President campaign have been done purely for the benefit of Hillary for America, a benefit the Clinton campaign has been more than happy to capitalize on.

STATEMENT OF FACTS

1. On November 25th, 2016 the Jill Stein for President campaign filed a petition for a statewide recount with the Wisconsin Election Commission seeking a recount of the Presidential vote cast and counted in Wisconsin on Tuesday, November 8th.
2. Earlier that same day, November 25th, Wisconsin's Green Party held a press conference outlining their desire for a recount in Wisconsin. During this event no evidence was presented indicating the election was administered improperly. A member of the Green Party who spoke was even quoted as saying "let me be clear, we have no smoking gun."
3. At the time of filing, Jill Stein received 31,006 votes. This put Ms. Stein 1,350,817 votes behind Hillary Clinton and 1,372,994 votes behind Donald Trump.

4. It is statistically impossible that a recount, conducted within the confines of federal and state law, would result in a different electoral outcome for Jill Stein.
5. On November 26th, less than 24 hours after Jill Stein filed for a recount, Hillary Clinton attorney Marc Elias announced that the Clinton campaign would be participating in the recount effort. This announcement did not include any concrete reason or evidence indicating the need for a recount and contradicted Hillary Clinton's previous statements imploring candidates and their campaigns to respect the results of the election.
6. The announcement from the Clinton campaign trafficked in the same baseless conspiracy theories that the Stein campaign used to justify this needless exercise in the first place.
7. On November 28th, the Clinton campaign sent an email to supporters to recruit volunteers to assist with the recount efforts, no such recruitment effort appears to be taking place on behalf of the Stein campaign.
8. Hillary Clinton, being the only candidate that has a remote chance of benefiting from the uncertainty created through the recount process, is a clear beneficiary of the Stein campaign's public efforts.
9. Further, the Clinton campaign's carefully crafted and synchronized response in conjunction with the Stein campaign's filings, all of which occurred prior to confirmation that payment had been made for the recount, strongly indicate coordination between the Stein campaign and the Clinton campaign.
10. The Stein campaign claims to have raised almost \$7 million in furtherance of this recount effort. This amount substantially exceeds the total amount raised by the Stein campaign during the entirety of her lackluster Presidential campaign.
11. It would be incredibly difficult for Stein to have raised that amount of money without relying on the help of well-heeled donors who would be willing to pay the maximum of \$2,700 per individual.
12. Given Jill Stein's minimal donor history and the short time period in which the \$7 million was raised, it would be incredibly difficult for Stein to have accomplished this fundraising feat without relying on the Clinton donor base, many of which may have already contributed the maximum amount to the Clinton campaign.
13. On Tuesday, November 29th, the Clinton campaign joined the Stein campaign's lawsuit demanding that a hand recount be done statewide. No clear and convincing evidence was ever presented as to why a hand recount would be necessary except to act as a delay tactic for the certification of election results. This event marked an explicit departure from any previous statements that the Clinton campaign was acting more as a passive observer and instead moved, in conjunction with the Stein campaign, to intentionally delay the process.

14. In public interviews and records, the key witnesses called by the Stein campaign in this lawsuit admit to having met with key senior staff members of the Clinton campaign and urging them to request recounts. This demonstrates a clear link between the interests of the Clinton campaign and ultimately the actions of the Stein campaign being coordinated by the same actors.
15. The Stein campaign's actions meet, on face, the payment and content prong tests established by the FEC for determination of coordinated expenditure. It appears through the coordinated public actions of the Stein and Clinton campaigns that the conduct prong test was likely also met. At that point the Stein campaign's expenditures related to the recount efforts meet the FEC's definition of coordinated expenditure.
16. Unless expressly authorized by the Clinton for President campaign or the Democratic National Committee no coordinated expenditure authority was granted to the Stein campaign and the expenses related to the recount amount to an illegal in-kind donation to the Clinton campaign.
17. Per 11 CFR 110.1(H) if a person contributes to a political committee that makes independent expenditures exclusively in support of, or in opposition to, a single federal candidate, the contribution is subject to the per-candidate, per election limit.
18. Donors to the Stein recount effort were ultimately donating into an account now tasked with expressly executing a mission on behalf of the Clinton campaign, resulting in a clear violation of 11 CFR 110.1 (H).

CONCLUSION

The links between the Stein campaign's efforts and the Clinton campaign's public conduct cannot be ignored. It is likely that this recount effort amounts to nothing more than a massive campaign finance scheme designed to shield the Clinton campaign from unpopular decisions that which can only serve to benefit the Hillary Clinton's campaign. Additionally, there are likely to be substantial overlapping donors between the Stein campaign's fundraising efforts and the Clinton campaign, further strengthening the case that this was an illegal scheme designed to circumvent both campaign finance law and public scrutiny. Given the severity of ramifications of the recount process on the integrity of Wisconsin's elections, it is imperative that the FEC further investigate the role of the Clinton campaign and their donors in the facilitation of this recall that is being conducted exclusively to the benefit of Hillary Clinton, despite the express wishes of the voters.

WHEREFORE, Complainant prays that the Federal Election Commission commence an investigation into whether Respondents have violated federal campaign finance laws through the above-mentioned activities, and render such other relief that the Commission may deem necessary, just, and equitable.

Dated this 30th day of November 2016, at Madison, Wisconsin.



Mark Morgan
Executive Director
REPUBLICAN PARTY OF WISCONSIN

CERTIFICATION

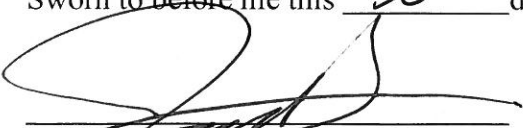
1. I, Mark Morgan, being first duly sworn upon oath, state that I personally read the above complaint and that the above allegations are true and correct based on my personal knowledge and, as to those allegations stated on information and belief, I believe them to be true. To the best of my knowledge and ability all evidence submitted was not obtained in violation of any law, rule or regulation, and further, I acknowledge that section 1001 of title 18 United States Code applies to the information provided.



Mark Morgan

State of Wisconsin)
) ss
County of Dane)

Sworn to before me this 30 day of November, 2016.



Notary Public or Person Authorized
to Administer Oaths

**JACOB DANKERT
NOTARY PUBLIC
STATE OF WISCONSIN**

My commission expires 4-16-2017
Or, ___ is permanent.

STATE OF WASHINGTON
COUNTY OF KING
JANUARY 10 1964